

Inventing New Worlds: A Franciscan Reflection

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Abstract

This thesis explores how the idea of the 'New World' and many aspects of its identity were constructed in the late Middle Ages, and suggests that this involved the expansion of a number of colonial processes which were developed in Europe and the Near Atlantic. Chapter One explores the political dimension of systems and representations of knowledge and Chapter Two considers the darker side of the Western legal tradition. Chapter Three uses the history of the Franciscans, a religious Order with a unique doctrine of radical poverty, to suggest hidden dimensions of 'coloniality'. In Chapter Four, the Franciscans are used to reflect upon the meaning and function of property and rights, two discourses that have implications for colonialism and the European interpretation of the 'New World'. Chapter Five develops the history of the Franciscans in the Atlantic world 1300-1550 to challenge meta-narratives which are dominated by the politicised coordinate of 1492. 1492 has been symbolic of the start of the 'New World', a world of Modernity, capitalism, and colonialism. The significance of 1492 is unravelled by the Franciscan perspective, which transcends the colonised/coloniser binary and reveals the heterogeneity and complexity of European and Atlantic world identities. This historiographical process contributes to the school of anti-colonialism since it challenges the power dynamics of Eurocentricity from within. The final chapter, Chapter Six, reflects on existing interpretations of the relationship between the religious philosophies of the Hispanic Franciscans and the identity of the New World in light of the findings of the thesis. By exploring the interaction between space, ideas, politics and identities, this thesis aims to negotiate new approaches to intellectual and Atlantic world history, and new meanings of global history using the perspectives and agency of the late Middle Ages and the significance of Franciscan poverty.

This thesis is 85,767 words.

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Introduction

This thesis uses the Franciscans to reflect upon the invention of the 'New World' in the late Middle Ages. In particular, it considers the conspiracy between power and knowledge, which has impacted upon conceptions and narratives of time and space. The Franciscans constitute appropriate research tools for this endeavour since, as a consequence of their philosophy of poverty, they have provided a critical reflection upon ideologies of time and space throughout their history, which began in the thirteenth century. This philosophy of poverty generated 'exilic' and 'translocal' dimensions of Franciscan identity, which contributed to the way in which Franciscans impacted upon the late medieval invention of the New World and its future identity. Within the Franciscan tradition, poverty evolved as a complex semiological system and became embroiled in complex politics. Due to its philosophical complexity, and entanglement in processes and politics at a range of social levels and in a range of geographically disparate contexts, it can be used to reflect upon the histories of other subjects which have been complicit in the invention of the New World, such as property, rights, colonialism, and capitalism. Franciscan history contains dimensions of ambiguity and anxiety which challenges the confidence of narratives that have been organised by the notion that a 'New World' was discovered in 1492, and that this marked the beginning of a modern world, a world which was different from the Middle Ages, increasingly 'globalised', and driven by the economics of capitalism and colonialism. This thesis uses the perspective of the Middle Ages and the Franciscans to write an alternative narrative of the Atlantic world that considers pluralities and ambiguities, and challenges some of the Eurocentric meta-narrative assumptions tied to the discourse of the New World. This thesis considers Walter Mignolo's 'excavation of the imperial/colonial foundation of the "idea" of Latin America' as a way to 'unravel the geo-politics of knowledge from the perspective of coloniality, the untold and unrecognized historical counterpoint of modernity',¹ from the viewpoint of the Middle Ages.

The New World was invented and not 'discovered'. This was the premise of Edmund O'Gorman's 1961 work *The Invention of America*, in which he argued

¹ Walter Mignolo, *The Idea of Latin America* (Oxford, 2005), p. xi.

that the paradigm of 'discovery' was conceptually flawed. He used Heidegger's argument that 'only that which has been conceived can be seen; but that which has been conceived is that which has been invented.'² Despite the strength of O'Gorman's case, the notion that the 'New World' was discovered in 1492 is still an organising principle for much scholarship.³ The persistence and depth of the 'discovery of the New World' paradigm is elucidated by the work of another Latin Americanist, Carlos Alonso, in *The Burden of Modernity*.⁴ Alonso looks at the legacy of the notion of the 'New World' on contemporary Latin American politics. Nearly forty years after O'Gorman described the New World as a world 'forever in the making, always a new world', Alonso has argued that concepts of futurity and novelty lead to the 'permanent exoticization of the New World'; which constitutes an 'ideological façade sustaining old world power'.⁵ The uncritical persistence of 1492 as a historical coordinate, and its continued impact on historic-geopolitical identities in Latin America, demonstrates the continued need to explore the relationship between history (in particular Eurocentric meta-narratives), the Eurocentric construction of space and time, and the colonial agenda. This problem particularly affects intellectual history as histories of ideas are often teleological and contribute to Eurocentric modernity. Historical time, as represented in European meta-narratives organised by periodising concepts like 'modernity', is colonised. Space, including ideas and representation of space and place, is seldom free from a political agenda. Mignolo referred to the link between knowledge, space/place, and politics/colonial power as the 'geopolitics of knowledge'.⁶ Mignolo has asserted the need to 'decolonise scholarship' and 'decentre the epistemological loci of enunciation'.⁷ Mignolo's work on the geopolitics of knowledge explored the macro-narratives of Western Civilisation,⁸ yet Mignolo has accepted other facets of Eurocentric historical narratives which can be critiqued from the

² Edmund O'Gorman, *The invention of America an inquiry into the historical nature of the New World and the meaning of its history* (Westport Connecticut, 1972), p. 72. This book was first published in 1961.

³ For example David Abulafia, *The Discovery of Mankind, Atlantic Encounters in the Age of Columbus* (London, 2008), and Felipe Fernández-Armesto, *1492: the year the world began* (New York, 2009).

⁴ Carlos Alonso, *The burden of modernity: the rhetoric of cultural discourse in Spanish America* (New York, 1998).

⁵ Edmund O'Gorman, *The Invention of America*, p. 69, Carlos Alonso, *The Burden of Modernity* (New York, 1998), p. 8 and p. 10.

⁶ The geopolitics of knowledge is a leitmotif throughout Mignolo's work.

⁷ Walter Mignolo, *The Darker Side of the Renaissance* (Michigan, 2003), p. ix.

⁸ Mignolo refers to 'macro-narratives', elsewhere in this thesis I will refer to meta-narratives.

perspective of the late Middle Ages,⁹ and from the perspective of Franciscan history. This thesis considers the Franciscan role in the construction of the paradigm of coloniality during the late Middle Ages, and uses the Franciscans to reflect upon the ambiguities of colonialism. It uses the Middle Ages, and its construction of a 'New World', to reveal some of the concealed dimensions of coloniality that remain constitutive of the identity of 'Modernity', and it uses the Franciscans to reveal some of the complexities and politics of the meta-narratives which take 1492 to signify the start of a Eurocentred, capitalist, modernity.

The Franciscans and their global dimensions

The threads of Franciscan history weave an alternative narrative of the Atlantic world, that of the 'poor Atlantic', an Atlantic not characterised solely by the dynamics of wealth acquisition. Emerging in Italy at the beginning of the thirteenth century,¹⁰ their commitment to journeying, mission, and poverty, stimulated their dispersion across Europe, the East, Africa, and, most significantly, throughout the Atlantic World to the West.¹¹ The Franciscans reveal the global dimension of the late Middle Ages. They have been involved in the creation of global history, global knowledge, and global identities. They have acted as pioneers, compiling and envisaging global knowledge, and assuming key roles in narratives regarding its acquisition (and invention). In this context, poverty has been the most significant dimension of Franciscan identity. Franciscan poverty, both a ritualised identity and a philosophy, was an enactment of the complex relationship between space, ideas, and their political dimensions. In this work, I use the Franciscans to reflect upon the making of the New World, whose identity is linked to Eurocentred modernity, capitalism, and

⁹ Walter Mignolo's focus on the sixteenth and seventeenth century denies the agency of the Middle Ages. The denial of the agency of the Middle Ages plays an important role in sustaining Eurocentric modernity.

¹⁰ The Franciscan Order was founded in 1223, when the Rule of St Francis, the *Regula bullata*, was approved by the papacy, and the Order still exists in some form today; St Francis first submitted his Rule to Pope Innocent III for his approval in 1209 or 1210; for the resultant 'The Earlier Rule (The Rule Without a Papal Seal)' (*Regula non bullata*), Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 1, The Saint* (New York, 1999), pp. 63-86. This edited and redacted and 'The Later Rule' (*Regula bullata*) was approved by Pope Honorius III in 1223; in Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 1, The Saint* (New York, 1999), pp. 99-106.

¹¹ While terms such as 'East' and 'West' are descriptive, it is important to remember that these geographical designations have geopolitical connotations; see Walter Mignolo, *The Idea of Latin America*, p. x.

colonialism. This reflection involves knowledge structures, economic theories, power relationships, and the importance of religion in shaping projections of the future and the politics of the present.

The history of Franciscan poverty is a history of struggle. They struggled to define the meaning of poverty and its boundaries. This struggle was both intellectual and practical. Franciscan poverty was unique as the friars claimed to be following the model of Christ by rejecting both common and individual property and rights.¹² The problematic implications of Franciscan poverty provoked controversy across Europe. The controversies of Franciscan poverty had many phases and forms, but the most notorious was the fourteenth-century Franciscan Poverty Dispute, the implications of which will be explored in this work.¹³

The Franciscans had an 'exilic' and 'translocal' structure and they can be used to critique some of the meta-narratives that have dominated the field of global history. The exilic and translocal dimensions of Franciscan identity were the consequences of their commitment to poverty, which forced them to exist outside a society regulated by property relations. Since their foundation, they proliferated spatially as mission was essential to their collective identity. St Francis wrote that the brothers should go 'as pilgrims and strangers in this world'.¹⁴ The Franciscans followed this message and the Order developed a global dimension. They constituted a 'translocal' network. The idea of 'translocality' emerged from a research context that challenged the problem that existing meta-narratives of global history fail to 'establish links between the multitude of connections and flows below the elite level'.¹⁵ Translocality represents an alternative to state-centred approaches to global histories. The translocality of the Franciscans was not simply the result of their spatial

¹² *Regula bullata*, p. 100.

¹³ Pope John XXII had annotated the Franciscan Rule and a collection of theological and legal consilia on the question of whether it was heretical to assert that Christ and the Apostles owned nothing individually or in common. The study of this issue played an essential role in the fourteenth century phase of the Franciscan Poverty Dispute. For more on John XXII's marginalia see Patrick Nold, 'Pope John XXII's Annotations on the Franciscan Rule: Content and Contexts', *Franciscan Studies*, Vol. 65 (2007), pp. 295-324.

¹⁴ *Regula bullata*, Chapter VI, *Francis of Assisi: Early Documents*, Vol. 1, p. 103.

¹⁵ Ulrike Freitag, 'Introduction: 'Translocality': An Approach to Connections and Transfers in Area Studies' in *Translocality: The Study of Globalisation from a Southern Perspective* (Leiden, 2010), pp. 1-21, p. 3.

dispersion, but was conditioned by their spatial philosophy, and this was governed by their poverty. Poverty, which was already 'a synonym for drifting and uprootedness', developed new significances with the Franciscan Order.¹⁶ Franciscan poverty was paradoxical; the friars were required to be dislocated from space yet St Francis had limited their capacity for movement, for example, in addition to lacking ordinary means they were forbidden (in the earlier Rule) to ride horses except in extreme necessity.¹⁷ Anxiety regarding their poverty and a struggle with its paradoxes became a key component of Franciscan identity.

The history of the Franciscans, also known as the grey friars, paints a multi-dimensional picture since Franciscans interacted with many levels of society. The Order was composed of three groups: the lesser brothers, the female branch, or Poor Clares, and the Third Order or Tertiaries, consisting of the laity. The demographics of these groups varied according to time and region. Both men and women have had significant roles in Franciscan history, and Lezlie Knox reported that Franciscan spirituality 'attracted women equally with men'.¹⁸ Two of the significant characters in the narrative of the discovery of the New World, Columbus and Isabella the Catholic, are thought to have been Franciscan tertiaries.¹⁹ The tripartite structure of the Franciscan Order transcends categories and divisions that have ordered our sense of history elsewhere. This has meant that Franciscan affairs were entangled in all levels of society, from the poor to merchants, sailors, and monarchs. Yet Franciscan poverty was meant to set them free from the shackles of entanglement in terrestrial affairs. Accordingly, the Franciscans were troubled by another paradox as they embodied both entanglement in the world, and freedom from it.

By exploring the alternative historical tradition of the translocal network of the Franciscan Order across the Atlantic world of the late Middle Ages, I hope to transcend historicist narratives of Columbus' discovery of the New World in 1492. 1492 has become emblematic of the start of global world-systems,

¹⁶ Janet Coleman, 'Property and poverty', in J. H. Burns ed., *The Cambridge History of Medieval Political Thought, c. 350-1450* (Cambridge, 1995), pp. 607-648, p. 626.

¹⁷ *Regula non bullata*, p. 73.

¹⁸ Lezlie Knox, *Creating Clare of Assisi female Franciscan identities in later medieval Italy* (Leiden, 2008), p. 2.

¹⁹ For more details regarding Isabella, see Juan Meseguer Fernández O.F.M., *Franciscanismo de Isabel la Católica (separata de Archivo Ibero-Americano) XIX* (Madrid, 1959), pp. 153-195, or 1-43.

modernity, and European hegemony. This thesis aims to contribute to our understanding of the role of historical narratives in the geopolitics of knowledge,²⁰ which I broadly define here as the link between knowledge, conceptions of space / location and political identities. This link between knowledge-power and the conception of space is revealed by the focus on the medieval construction and identity of the 'New World', which is also revealed to be a world in exile, an alterity, and a symptom of colonised time. The notion of the 'New World' came to sustain the [colonising] myth of modernity, and one thing that characterises the identity of this modernity is an asymmetry of power known as coloniality.²¹ The term coloniality represents a multidimensional typology of power, whereas the term 'colonialism' has become a normative category. The Franciscans, with their complex philosophy of poverty, contribute to the critique of colonialism as a normative category. As Chapter Five will explain, they challenge the colonised/coloniser binary underpinning much colonial history and postcolonial thought. The combination of the perspectives of the Middle Ages, the Franciscans, and contemporary Latin American scholars facilitates a critical exploration of the political mechanisms behind the invention of the paradigm of coloniality and the New World, giving special consideration to the role of history, knowledge and language.

The Franciscans are important because their historically turbulent philosophy of poverty has caused them to represent an ambiguity within the Atlantic world and this ambiguity can help challenge many dimensions of Eurocentred meta-narratives of the 'discovery of the New World' and contribute to our understanding of coloniality. Further, the exilic nature of the Franciscans mirrors the exilic nature of the 'New World'.

The Americas and the colonial dimensions of global meta-narratives

Aníbal Quijano engineered the concept of 'coloniality', which he unveiled as 'the darker side of modernity' and as 'the historical perspective of the wretched, the

²⁰ This term was coined by Walter Mignolo, but I want to investigate the parameters of this concept, rather than simply reproduce Mignolo's definition. See Walter Mignolo, 'The Geopolitics of Knowledge and the Colonial Difference', *The South Atlantic Quarterly* Vol. 101, no. 1 (2002), pp. 57–96.

²¹ See Aníbal Quijano, 'Coloniality and Modernity/Rationality', *Cultural Studies*, Vol. 21, Nos 2-3 (2007), pp. 168-178.

outcasts from history told from the perspective of modernity'.²² Quijano's work has suggested that coloniality and modernity are two sides of the same coin;²³ Mignolo has described modernity and coloniality as 'entangled concepts'.²⁴ It is important to understand these links between narratives and identities of time, and coloniality. Time and identity can be colonised as well as space. According to Quijano and Mignolo the link between coloniality and modernity is the consequence of the process of the emergence of capitalism in the Atlantic circuit as explained by Immanuel Wallerstein and Fernand Braudel.²⁵ Mignolo credited Quijano for bringing to light that 'the emergence of the Atlantic circuit during the sixteenth century made coloniality constitutive of modernity'. Yet this thesis aims to show the importance of the Middle Ages in the entanglement of modernity and coloniality.

Ideas and intellectual history have a role in the link between modernity and coloniality. For Mignolo, this is because 'the history of capitalism as told by Fernand Braudel, Wallerstein, and Giovanni Arrighi and the history of Western epistemology as it has been constructed since the European Renaissance run parallel to and complement each other'.²⁶ Immanuel Wallerstein's world-systems 'hypothesis' emerged in the 1970s in response to the Eurocentric spatial distribution of power.²⁷ According to the prominent Latin American political philosopher Enrique Dussel it was 'a response to the first Eurocentrism, which thought that Europe, since it supposed Greek and Medieval Latin origins, produced "from within" the values and the instrumental systems (as argued by Hegel, Marx, Weber, and Sombart) that were universalised in the last five centuries, that is, in the time of modernity'.²⁸ Despite the critical intention that

²² Paraphrased by Walter Mignolo, *The Idea of Latin America*, p. 5.

²³ See Aníbal Quijano, 'Coloniality and Modernity/Rationality'.

²⁴ Walter Mignolo, *The Idea of Latin America* (Oxford, 2005), p. 5. The link between modernity and coloniality is the subject of a research programme discussed in Walter Mignolo, 'Introduction', *Cultural Studies*, Vol. 21, nos 2-3 (2007), pp. 155-167.

²⁵ Walter Mignolo, 'The Geopolitics of Knowledge and the Colonial Difference', p. 60.

²⁶ Walter Mignolo, 'The Geopolitics of Knowledge and the Colonial Difference', p. 59. Mignolo cited Fernand Braudel, *The Perspective of the World*, Vol. 3 of *Civilization and Capitalism, Fifteenth-Eighteenth Century*, trans. Sian Reynolds (1976; reprint, Berkeley, 1992); Immanuel Wallerstein, *Historical Capitalism and Capitalist Civilization*; Giovanni Arrighi, *The Long Twentieth Century* (London, 1994).

²⁷ For a short introduction, see Immanuel Wallerstein, *World-Systems Analysis, An Introduction* (London, 2004).

²⁸ Enrique Dussel, 'World-system and "Trans"-modernity', *Nepantla: Views from the South*, Vol. 3, no. 2 (2002), pp. 221-244, p. 222. According to Dussel: 'this Eurocentric position was first

world-systems analysis had, it became another Eurocentric construction, not least because of its implicit assumption of the state in its core-periphery binary which reproduced asymmetries of power and re-designated the 'subaltern' as other.²⁹ It also neglects the Middle Ages as even the first volume focuses on the sixteenth century.³⁰ Famously, Janet Abu Lughod used the Middle Ages to challenge the hegemonic picture depicted by Wallerstein. In *Before European Hegemony: The World System A.D. 1250-1350* Lughod depicted eight world systems that were already in existence before Wallerstein's model; strikingly these 'world systems' all neglected the Americas.³¹ This thesis contributes to this analysis of the role of epistemology in the link between modernity and coloniality, but also considers the importance of the Middle Ages, the Americas, and the 'New World'.

Expanding upon his analysis of the emergence of the modern world-system, Mignolo's asserted that 'the expansion of Western capitalism implied the expansion of Western epistemology';³² this is illuminating and reveals the role of ideas in the process of colonisation. Mignolo alerts us to the link between intellectual history and histories of space, imperialism, colonialism, state making, and capitalism. However, Mignolo has accepted key dimensions of the historical meta-narratives he discusses; he accepts the dominance of capitalism and the identity of modernity. Yet these are symptoms of the colonisation of time, and other narratives are possible. These alternative narratives are visible from the perspective of the Middle Ages.

Accepting the complicity of ideas/knowledge in the link between modernity and coloniality as a starting point, this thesis also uses the perspectives of the Middle Ages and Franciscan Poverty to challenge the dominance of capitalism which sustains the identity of modernity. This thesis aims to show that there are pluralities of histories beyond the macro-narratives of Western time, knowledge,

formulated at the end of the eighteenth century by the French and English 'Enlightenment' and the German 'Romantics', p. 222.

²⁹ Binaries are a structure of modern [structural] linguistics that can only reproduce the discourse of modernity.

³⁰ Immanuel Wallerstein, *The modern world-system. Vol. 1, Capitalist agriculture and the origins of the European world-economy in the sixteenth century* (London, 1974).

³¹ Janet Abu-Lughod, *Before European Hegemony: The World System A.D. 1250-1350* (Oxford, 1989).

³² Walter Mignolo, 'The Geopolitics of Knowledge and the Colonial Difference', p. 59.

and capitalism, and that alternative narratives are produced from within Europe as well as outside. As already indicated, The Franciscans, their intellectual traditions, and their philosophy of poverty represent one of these alternatives. Existing as a translocal network, they offer a non state-centred interpretation of history. This is encouraged by their exilic nature, which is characterised by their attempt to live 'beyond' many normative terrestrial structures, such as property. It is unsurprising that the Franciscan cult of St Francis ushered the transformation of the 'deterritorialization of the cultic body to the iconic painted surface'.³³ Franciscan history represents plurality and ambiguity, and this is important since Michel Foucault has warned us of 'the tyranny of globalising discourses'.³⁴

In order to decolonise knowledge and knowledge production Mignolo advocates searching for 'decolonial options'.³⁵ He argues that 'one of the defining features of decolonial options is the analytic of the construction, transformation, and sustenance of racism and patriarchy that created the conditions to build and control a structure of knowledge, whether grounded on the word of God or the word of Reason and Truth'.³⁶ His work is time-sensitive and historically focused, but it describes rather than challenges the macro-narratives of European history which are at the heart of coloniality. As *Local Histories, Global Designs* made clear, this is because the author is interested in the decolonial options that can be produced outside the hegemonic 'centre' of European Modernity, by indigenous Americans.³⁷ Broadly accepting the economic arguments and historical framework of Wallerstein (including the emphasis on the importance of the sixteenth century),³⁸ Mignolo's work explores how the philosophy of the sixteenth-century renaissance and the European Enlightenment contributed to the construction of the colonial matrix of power which continues to marginalise

³³ Kathleen Biddick, 'Coming out of exile: Dante on the Orient Express', in Jeffrey Jerome Cohen ed., *The Postcolonial Middle Ages* (Basingstoke, 2001), pp. 35-52, p. 43.

³⁴ Michel Foucault *Power/Knowledge: Selected Interviews and Other Writings, 1972-1977*, ed. C. Gordon, trans. C. Gordon, L. Marshall, J. Mepham, K. Soper (New York, 1988), p. 83.

³⁵ Walter Mignolo, *The Darker Side of Western Modernity: Global Futures, decolonial options* (Michigan, 2011).

³⁶ *Ibid*, p. xv.

³⁷ Walter Mignolo, *Local histories/global designs: coloniality, subaltern knowledges, and border thinking* (Princeton, N.J, 2000). In his latest work, Mignolo describes *Local Histories* as the first part of an unplanned trilogy.

³⁸ In particular they share a belief in the importance of the Enlightenment (especially Kant).

Latin America, Europe's 'New World'.³⁹ While Mignolo wants to explore decolonial options, and so called pluriverses (the rejection of universalising narratives),⁴⁰ in order to do this he accepts the universalising structure of Eurocentric time. This is indicated by his emphasis on the sixteenth-century renaissance and the Enlightenment. Mignolo supports Enrique Dussel's thesis of 'transmodernity' as a strategy for his decolonial option, but he thinks of this geographically rather than temporally, as modernities outside Eurocentric modernity.⁴¹ For Mignolo there are three types of critique of modernity (the phenomenon which is intrinsically linked to coloniality):

One type is internal to the history of Europe itself and in that sense these premises are a Eurocentred critique of modernity (for example, psychoanalysis, Marxism, poststructuralism, postmodernity), and the other two types emerged from non-European histories entangled with Western modernity. One of them focuses on the idea of Western civilization (for example dewesternization, Occidentosis), and the other on coloniality (such as postcoloniality, decoloniality).⁴²

However, this thesis questions these parameters and posits that there is another way to critique modernity (and its coloniality), by looking at the Middle Ages, a temporal exterior of modernity.

While Mignolo argued that 'the history of Western civilisation was conceived in the period between the Renaissance and the Enlightenment, and this conception continued and was reinforced in the Enlightenment era',⁴³ this

³⁹This is a dominant theme in Walter Mignolo, *The Darker Side of Western Modernity*. In Walter Mignolo, 'Introduction', *Cultural Studies*, 21, Nos 2-3 (2007), pp. 155-167, p. 156, Mignolo credits Quijano for the development of the concept of the colonial matrix of power. See Aníbal Quijano, 'Coloniality of Power, Eurocentrism and latin America', *Nepantla*, Vol. 1, no. 3 (2000), pp. 533-580; and 'Colonialidad del poder y clasificación social', *Journal of World System Research*, Vol. 1, no. 3, (2000) pp. 342-388.

⁴⁰ Walter Mignolo, *The Darker Side of Western Modernity*, pp. 71-72, Mignolo defines this as something different from pluralism.

⁴¹ For more on Enrique Dussel's "Trans"-Modernity see Enrique Dussel, 'World-System and "Trans"-Modernity', *Nepantla: views from South* 3.2 (2002), pp. 221-244. Mignolo uses 'transmodernity' to challenge the Eurocentric binary of Modernity (based on European reason) and tradition, *The Darker Side of Western Modernity*, p. 174.

⁴² Walter Mignolo, *The Darker Side of Western Modernity*, p. xi.

⁴³ *Ibid*, p. xiv.

conception of history denies the importance of the Middle Ages. Emphasising the dynamism and agency of the Middle Ages constitutes an alternative approach to the problem explored by Mignolo, and, I argue, deepens our understanding of the paradigm of modernity/coloniality. Mignolo posits that 'it was during the Renaissance that the invention of the Middle Ages and the invention of America appropriated the idea of history, colonized time, and space and located Europe as the point of reference of global history'.⁴⁴ Certainly, the sixteenth century constituted a stage in the invention of the Middle Ages and America, but the Middle Ages had already witnessed key stages of invention prior to this. Realising the medieval role in the invention of both the Middle Ages and the New World is important not only because it challenges the dominance and agency of modernity, but because it reveals dimensions of the narrative that have been whitewashed by meta-narratives that take 1492 as a significant rupture and begin in the sixteenth century.

In summary, accepting Quijano's link between modernity and coloniality, and Mignolo's awareness of the role of history in the maintenance of this link, this thesis will contribute to this search for 'decolonial options' in order to decolonise the geopolitics of knowledge and geopolitical identities. However, it questions Mignolo's notion that challenges to Eurocentric modernity must come from outside Europe, and his acceptance of the Eurocentric structure of time, which he reifies in his attempt to oppose the colonial effects of macro-narratives affecting the Americas. Mignolo argues that Europe created Modernity in part through the colonisation of the narrative of its past; for Mignolo, Western Civilization began in the [sixteenth-century] Renaissance with the invention of Greek origin.⁴⁵ Mignolo accepts the [sixteenth-century] Renaissance and the Enlightenment as foundational moments in Eurocentric modernity, and by accepting these coordinates he accepts the macro-narrative of European history. In part, this is also political, since it reifies the coloniality of Europe and modernity which those 'outside' (Latin Americans) must oppose. Mignolo's association of the critical 'Renaissance' with Early Modernity (in the sixteenth century) is symptomatic of the denial of the agency of the Middle Ages, which

⁴⁴ Ibid.

⁴⁵ Walter Mignolo, *The Darker Side of Western Modernity*, p. 187.

made a substantial contribution to the culture of the Renaissance.⁴⁶ These assumptions of time are the product of colonised historical meta-narratives which sustain the identity of modernity.

Enrique Dussel has also challenged Wallerstein's chronological assumption endorsed by Mignolo that 'modernity' began in the 'enlightenment'.⁴⁷ However, Dussel is not arguing for the significance of the Middle Ages, but the importance of 1492. He has argued that 'the "discovery of America" simultaneously and necessarily indicates the world-system, capitalism, and modernity'.⁴⁸ 1492 and the 'discovery of the New World' represent a powerful mythology which often punctuates the macro-narratives of European history sustaining Eurocentric modernity and coloniality. Dussel has emphasised the importance of 1492 to highlight the importance of Spain in the origins of modernity. He posits that a Eurocentric vision of the past was developed two centuries ago in Germany. The dominating image has since then been that of the world with Europe (or the Northern Atlantic) at the centre. Similarly, time has been periodised according to a European narrative with a straight line flowing from the Hellenistic antiquity to the Northern Renaissance and eventually modernity.⁴⁹ Dussel has argued that a Germanic marginalisation of Spain's role in the emergence of modernity has contributed to the continued marginalisation of the Spanish-speaking world of Latin America. Dussel has appealed for new global histories that would oppose this marginalisation by shaking off the shackles of Eurocentric periodisation and by considering the origins and legacy of the discourse of the New World. Dussel and Mignolo have a shared agenda. Both want to challenge the colonising force of Eurocentric modernity in order to decolonise geopolitical identities/knowledge within Latin America. Both acknowledge the role of historical narratives in maintaining colonial difference, but neither has constituted a challenge to the

⁴⁶ While there have been many renaissances, the sixteenth century Renaissance which Mignolo referred to was a late Northern stage of a phenomenon which had really had its roots in the fourteenth century. The notion of 'Renaissance' is already problematic because it constitutes a historicist moment, it homogenises time. John Crow illustrates this when he writes that 'the reign of Ferdinand and Isabella expresses the religious, cultural and political unity of the Spanish Renaissance', which he sees as beginning with their reign; John A. Crow, *Spain: the root and the flower* (Berkeley, 2005), p. 157.

⁴⁷ See Enrique Dussel, 'World-System and "Trans"-Modernity', p. 222.

⁴⁸ Ibid.

⁴⁹ Dussel's work challenges Wallerstein's conception of the World System, but it also exceeds J. Lughod's critique by looking at the global historical position of Latin America, See Immanuel Wallerstein, *The Modern World System Vols 1-3* (Cambridge, 1979 - 1989), and Janet Lughod, *Before European hegemony: the world system A. D. 1250-1350* (Oxford, 1989).

Eurocentric structure of time and they both have instead accepted historical coordinates such as 1492.⁵⁰

Undoubtedly 1492 is an origin; it is the origin of a powerfully political mythology. Robert Royal argued that the mythology of 1492 continues to be manipulated for political agendas today.⁵¹ The Latin American author Alejo Carpentier quoted Tzvetan Todorov's *The Conquest of America*, in which he wrote: "It is in fact the conquest of America that heralds and establishes our [south American/latin America] identity"; and that "We are all the direct descendents of Columbus".⁵² Columbus and 1492 are essential to the myth of 'Eurocentric modernity' which has colonised our conception of space and time. 1492 is a significant time because it is the year of the 'discovery of the new world'. In summary, this narrative of the 'discovery of the New World' invents the Atlantic as a global history. It becomes a form a historicism, a trope of a meta-narrative, and a structure of Eurocentric modernity. And so we are all children of Columbus as we are trapped in an occidentalist myth that marginalised alternative identities.

Alternative narratives: the Franciscans and the politics of the Middle Ages

As expressed, one of the aims of this thesis is to contribute to the works of Mignolo, Quijano, and Dussel, who are exploring the relationship between concepts / narratives of time (especially modernity) and coloniality in order to explore decolonial options for Latin Americans, whose geopolitical identities are suppressed by European historical narratives. I am interested in how this could be done by restoring historical agency to a colonised time rather than a colonised space, by looking at the decolonial options of the Middle Ages. The coordinates selected by Dussel and Mignolo, 1492, the [sixteenth-century] Renaissance and the Enlightenment, are not just important to a spatial colonisation which centralises Europe, they also colonise the Middle Ages. The Middle Ages are consistently colonised by a range of ideologies; most famously Marx created a narrative of the Middle Ages which fitted his historicised model

⁵⁰ While 'transmodernity' would constitute a challenge to the Eurocentric structure of time, it has been conceived in terms of place not time.

⁵¹ Robert Royal, *1492 And All That, Political Manipulations of History* (London, 1992).

⁵² Alejo Carpentier, *The Harp and The Shadow* (London, 1992), p. xii.

of the stages to communism.⁵³ Wallerstein's World-Systems theory invented the Middle Ages needed to stage its model of macro-economics.⁵⁴ John Dagenais has written a compelling article regarding how this phenomenon emerged in the 'renaissance' of fourteenth-century Italy.⁵⁵ Dagenais has critiqued the meta-narrative according to which modernity began with the collapse of the Middle Ages which coincided with 1492 and the assumption that Columbus 'discovered' the New World. He has argued that in the fourteenth century Petrarch (1304-74)'s denial of coevalness with himself produced an idea of the Middle Ages (as Middle Time, or time waiting), which made modernity possible. Petrarch legitimated its dominance by linking it straight to classical antiquity (bypassing the Middle Ages).⁵⁶ Modernity and the Middle Ages were produced at the same time as symbiotic organisms. Dagenais has explained that 'the break between the Middle Ages and modernity, which is so carefully mapped as a rupture in chronological time, is in fact the calculated imposition of a quite useful rift between history and typological time'.⁵⁷ Typological time was defined by Johannes Fabian as a time 'measured, not as time elapsed, nor by reference to points on a (linear) scale, but in terms of socio-culturally meaningful events, or more precisely, intervals between such events'.⁵⁸ As Petrarch created the notion of 'Middle Time' it became possible to think of modernity; the Middle Ages were then brushed aside, becoming the Dark Ages, and as Dagenais described them: a 'temporal wilderness ripe for modernist colonisation'.⁵⁹ Modernity then succeeded in colonising the Middle Ages. The mythology

⁵³ Charles Homer Haskins and Joseph Reese Strayer explain that Marx used the idea of 'feudalism', which had been 'invented in the eighteenth century and used for polemical purposes by radical French democrats', to 'stand for the precapitalist stage of history'; Charles Homer Haskins and Joseph Reese Strayer, 'American Pie', in Norman F. Cantor ed., *Inventing the Middle Ages, The Lives, Works, and Ideas of the Great Medievalists of the Twentieth Century* (London, 1991), pp. 245-286, p. 279. Karl Marx influenced the *Annales* School of history and the eminent medieval historians, Marc Bloch and Fernand Braudel.

⁵⁴ Immanuel Wallerstein, *The modern world-system. Vol. 1, Capitalist agriculture and the origins of the European world-economy in the sixteenth century* (London, 1974).

⁵⁵ Although Mignolo cites this article in his latest work, he does not account for the discrepancy between the historical and geographic context of this article and his own focus on the sixteenth century.

⁵⁶ John Dagenais, 'The Postcolonial Laura', *Modern Language Quarterly* 65, no. 3 (2004), pp. 365-389.

⁵⁷ *Ibid.*, p. 374.

⁵⁸ Johannes Fabian, *Time and Other* (Philadelphia, 1991), p. 32, cited by John Dagenais, p. 373.

⁵⁹ John Dagenais, 'The Postcolonial Laura', p. 374. Modernity and the Middle Ages were created alongside each other in the fourteenth century. These are examples of typological time and not chronological time. For more on this see Johannes Fabian, *Time and the Work of Anthropology: Critical Essays, 1971-1991* (Chur, 1991).

floating in the historicised Atlantic regarding the 'discovery of the New World in 1492' illustrates this.

I argue that by finding a decolonial option within our narratives of time, and here I am focusing on the late Middle Ages, we may be able to contribute to the process of finding decolonial options for geopolitical identities or at least become aware of the processes behind the geopolitics of knowledge. Intellectual historians need to be aware of the colonial dimension of narratives of understandings of space and time. Dagenais has argued that "the Middle Ages "shadows" modernity, its existence driven by a repeated denial of coevalness with modernity of activities like repression and brutality: a productive and exploitative anachronism"; stated another way "the typological use of "medieval" was a way of exercising and containing those aspects of modernity that are inadmissible to itself".⁶⁰ He used examples that involve modernity denying negative things, like violence and ignorance. But modernity also denies other phenomena that are unfavourable to its hegemonic discourse, such as the alternative understandings of property and right that were at the centre of Franciscan discourse before the Franciscan Poverty Dispute. The Franciscans exist then, as symbols of a medieval world beyond modernity; they act as receptacles containing the denial of possible alternative understandings of property and right.

The European denial of coevalness with the indigenous people of the Atlantic world was another mechanism of colonisation, and this process began in the Middle Ages rather than modernity.⁶¹ Through this denial the Europeans were able to create their identity as more modern and more advanced. This has had a lasting legacy. Article 9 of the United Nations Draft Declaration on the Rights of Indigenous Peoples declares that in addition to the right to a nationality, "indigenous peoples and individuals" are ascribed: "the right to belong to an indigenous community or nation, in accordance with the traditions and customs

⁶⁰ John Dagenais, 'The Postcolonial Laura', p. 374.

⁶¹ For example, Boccaccio described the Canarians as 'like savages', Giovanni Boccaccio, 'Narrative of 1341 the Voyage', in *The Canarian or, Book of the conquest and conversion of the Canarians in the year 1402, by Jean de Bethencourt*, composed by Pierre Bontier, and Jean Le Verrier; ed. and trans. R.H. Major (London, 1872), pp. xiii-xix, p. xiv. David Abulafia writes that Boccaccio described the European encounter with a neolithic society, David Abulafia, *The Discovery of Mankind*, p. 36.

of the nation concerned”⁶² Colin Perrin has argued that ‘this reference to the nation as both indigenous, in the sense of first nations, and modern, in the sense of nation-states, (dis)locates indigenous peoples; as citizens of both an indigenous and a modern nation’.⁶³ From this we see that the distance between ‘modernity’ and ‘indigenous’, which began in the intellectual discourses regarding the Atlantic world in the late Middle Ages, can be found enshrined in contemporary international law. The medieval contributions to modern legal culture, and its darker side, will be discussed throughout the following chapters.

Chapter One establishes an awareness of the power agenda of knowledge networks, and considers the link between politics/colonialism and knowledge/forgetting in depictions of the Atlantic world, focusing on the Canary Islands and then the West Indies. Illustrating the development of colonial systems in the medieval Atlantic world can challenge the Eurocentric narrative of modernity and its historicist emphasis on 1492 as a watershed in the Atlantic world and in Eurocentred time. Locating 1492 within a continuous Atlantic world context challenges this historicist rupture in time, space, and political identities. The Franciscans contribute to this approach as their history in the Atlantic world constitutes an alternative to existing meta-narratives. Their history transcends dominant categories that have organised these existing meta-narratives: they are present in both the Middle Ages and Modernity, they existed within the Atlantic world of the late Middle Ages but their narrative does not represent state-centred narratives nor does it simply represent the narrative of ‘discovery’ and conquest or colonisation. The Franciscans are additionally important since their identity is founded upon the controversial concept of poverty rather than capitalism, since capitalism has dominated narratives of the Atlantic world.

The problematic of poverty caused the Franciscans to have an ambiguous history in the Atlantic world. They represent the history of both the colonised and the colonisers, consequently, this thesis aims to demonstrate how a history of the Franciscans can represent an alternative history of Atlantic world colonialism which could perhaps contribute to the strategy of contemporary

⁶² Colin Perrin, ‘Approaching Anxiety: The Insistence of the Postcolonial in the Declaration on the Rights of Indigenous Peoples’, in Eve Darian-Smith and Peter Fitzpatrick eds, *Laws of the Postcolonial* (Michigan, 2002), pp. 19-38, p. 21.

⁶³ Ibid.

Latin American political philosophers to locate decolonial options. The alternative historical narrative of the Franciscans was the consequence of their philosophy of poverty which conditioned their translocal experiences and unique relationship with space and time. The 'translocal' and 'exilic' dimensions of Franciscan identity, the products of their notions of property and poverty, are not just spatial but also temporal. Lesnick's comment that 'for Francis, the past was abolished; present and past became antagonistic, present and future became one' demonstrates how the Franciscans' philosophy of poverty shaped their sense of history (including the historical projection of the future) which contributed to their 'exilic' nature.⁶⁴ In *1492: the poetics of diaspora*, John Docker defines diaspora, which is the consequence of exile, as 'a sense of belonging to more than one history, to more than one time and place, more than one past and future'.⁶⁵ The Franciscans, and the exilic identity which was demanded by their poverty, offers a critical reflection on hegemonic Eurocentred time from within the European Middle Ages. In addition to their philosophy of poverty, the Franciscan sense of time may have been influenced by their mystical and apocalyptic beliefs, and this is the subject of the final chapter. Franciscan theologies of time have contributed to their ambiguous legacies in the New World.

As explained above, knowledge, representation, and control of space and ideas of space are important to the paradigm of colonialism.⁶⁶ The history of the Franciscans is particularly relevant to the discourse of space, because their identity is based on poverty, or the rejection of property, which is a certain model of space. The Franciscans were involved in the Eurocentred process by which property became the dominant model of space. In this thesis I will argue that the Franciscan Poverty Dispute of the fourteenth century constituted a critical moment in the construction of the hegemonic notion of property and this

⁶⁴ Dominic Lesnick, *Preaching in medieval Florence* (London, 1989), p. 134. Lesnick cites Francis de Beer, *La conversion de Saint Francois selon Tomas de Celan*, Paris, 1963; cited by Jacques LeGoff, "Franciscanisme et modèles culturels du XIIIe siècle," in *Francescanesimo e vita religiosa dei laici nel '200* (Atti dell'VIII Convegno Internazionale della Società Internazionale di Studi Francescani [Assisi, October 16-18, 1980]), Assisi, 1981, pp. 83-128, at p. 92.

⁶⁵ John Docker, 'Preface and Acknowledgements', *1492: the poetics of diaspora* (London, 2001), pp. vii-xv, p. vii.

⁶⁶ Space is just one dimension of colonialism among others. We have already mentioned time and history and knowledge. Language and other semiotic systems are also involved in the colonial process. This will be discussed in later chapters.

had a significant legacy in the construction of the paradigm of coloniality. Chapter Two explores the economic and legal structures of property engineered in the late medieval Atlantic world and their continuation in the Americas. As Chapter Three will delineate, during the Franciscan Poverty Dispute property became synonymous with rights, and this became a legally codified relationship. Chapter Four suggests the ways in which this had implication for the colonial matrix of power. Consequently Franciscan history encompassed the medieval construction of the paradigm of coloniality. Their struggle with poverty contributed to it conceptually, and their translocal networks, driven by their commitment to both poverty and mission, paralleled (and even pre-empted) the spatial map of the proliferation of European colonialism in the Atlantic world.

The importance of the Franciscans has, however, often been overlooked. Histories involving the concept of property and right, and indeed other dimensions of the history of ideas, have often emphasized Thomism and prominent Dominicans such as Las Casas.⁶⁷ Intellectual histories of the Church in the Atlantic world have also emphasized the role of the Dominicans.⁶⁸ In fact the meta-narrative of European intellectual history follows a Thomistic synthesis, and the dominance of the mythology of Las Casas represents this.⁶⁹ This particularly affects histories of property and right which are dominated by the 'School of Salamanca'. The dominant discourse has been formed in a Thomistic way since the Council of Trent (1545-1564). The nineteenth century witnessed a revival of the Thomistic emphasis in the form of neo-Thomism, or neo-scholasticism. This occurred as the Roman Catholic Church tried to address its identity and its place in 'Modernity'.⁷⁰ In 1879, Pope Leo XIII promulgated the encyclical *Aeterni Patris* (Eternal Father) which advocated the revival of Thomism. Ian Linden described this 'neo-scholasticism' as 'a lifeless creed created from a degenerate remnant of Thomism'.⁷¹ This revival of Thomism led to the exaggeration of the influence of Aquinas and the Dominicans, and this has overshadowed the contribution of the Franciscans to

⁶⁷ This will be the subject of Chapter Four.

⁶⁸ For example histories often present Montesinos as the first missionary voice in the Americas, and Las Casas dominates the historiographical field.

⁶⁹ See Carl Watner, "'All Mankind is One": The Libertarian Tradition In Sixteenth Century Spain', *The Journal of Libertarian Studies*, Vol. VIII, No. 2 (1987), pp. 293 – 309.

⁷⁰ In 1907 the Papacy condemned modernism.

⁷¹ Ian Linden, *Global Catholicism: diversity and change since Vatican II* (London, 2009), p. 13.

the identity of modernity. According to Bert Roest, the emphasis on Aquinas was informed by a nineteenth-century approach to philosophy which 'created a hegemonic philosophical perspective on the development of medieval thought'.⁷² This hegemonic history obscures alternative histories. The Franciscans, whose ideas concerning property and right represent an alternative historical tradition, can help historians to challenge the dominant interpretation of history and in particular its discourse of property and rights. The Franciscans provide a way to challenge the dominant Thomistic trends which are often at work in European intellectual histories.⁷³

Heiko A. Oberman endorsed the idea that the Franciscans were vehicles of an alternative historical and intellectual tradition, arguing that they were essential to the history of the late Middle Ages as they provided another way of historicising that time.⁷⁴ They do not fit the Protestant narrative of the decay of the late Middle Ages, which created the back drop of the Reformation; nor do they fit other Enlightenment narratives of the general collapse of the Thomistic synthesis that generated the ignorance of the Dark Ages until the Age of Reason. Significantly, Franciscan philosophy was not dominated by Thomism. According to Hans Baron, contrary to the Franciscan position, St Thomas had adopted an Aristotelian view of possessions, seeing riches as an aid to wealth.⁷⁵ Many histories have therefore neglected the Franciscans and the importance of poverty, and this oversight of European intellectual history has significant political implications. Oberman has argued that the vibrancy of Franciscan mysticism, nominalism and influence on the *via moderna* constitutes a way to gain an alternative perspective on the late Middle Ages. Bert Roest praises Oberman's work as 'programmatic for the deconstruction of prevalent visions of the dissolution of the medieval outlook', arguing that it 'provided a sketch for an alternative vision of late medieval theological thought, without subjecting this thought to the traditional philosophical questions raised by scholars interested in the development of a Christian *philosophia perennis*'.⁷⁶

⁷² Bert Roest, *A History of Franciscan Education* (Boston, 2000), p. 174.

⁷³ See Chapter Four

⁷⁴ Heiko Oberman, *The harvest of medieval theology: Gabriel Biel and late medieval nominalism* (3rd edn, Durham, 1983).

⁷⁵ Hans Baron, 'Franciscan Poverty and Civic Wealth as Factors in the Rise of Humanistic Thought', *Speculum* 13, no. 1 (January 1938), pp. 1-37, pp. 4 and 5.

⁷⁶ Bert Roest, *A History of Franciscan Education*, p. 175.

The importance of the intellectual and historical traditions of the Franciscans is a guiding principle in this thesis.

Parameters, contexts, structures

While this thesis has an anti-colonial agenda, it does not follow the normal patterns of a subaltern history. It does not include histories of indigenous groups such as the Guanches or the Tainos in order to challenge the dominance of Eurocentred narratives of the Atlantic world.⁷⁷ Yet, it does argue that influence was multi-directional and that interactions were multi-dimensional. Instead of trying to redress historical crimes, this thesis seeks to understand the mechanics of certain dimensions of the colonial paradigm by thinking about the processes of construction, integrating Latin American theories of coloniality with an intellectual history of the late Middle Ages. Peter Hulme has defined colonial discourse as ‘the presumption that during the colonial period large parts of the non European world were produced for Europe through a discourse that imbricated sets of questions and assumptions, methods of procedure and analysis, and kinds of writing and imagery, normally separated out into the discrete areas of military strategy, political order, social reform, imaginative literature, personal memoir and so on’.⁷⁸ This thesis attempts to avoid the reproduction of colonial thought in a history of the colonial discourse by using the Franciscans to illustrate a dimension of the complexity the history of Europeans in the Atlantic world. It explores the complexities of historical narratives of colonialism within Europe, thinking about the political dimension of knowledge and representation of space, and the multidirectional dimensions of influence at work in the history of ideas. Mignolo argues that a ‘Fanonian perspective’ on the ‘discovery of America’ would use the perspective on non-Europeans to counteract the perspective of Europe and Modernity,⁷⁹ but the perspective of the Middle Ages is also productive and alternative histories can be found within Europe.

⁷⁷ For more on indigenous Americans in this period see Charles C. Mann, *1491, The Americas Before Columbus* (London, 2006). For a comprehensive European description of the Americas produced in the sixteenth century, see Bartolomé de las Casas, *Apologética historia de las Indias, Libros I-II*, ed. M. Serrano y Sanz (Madrid, 1909). Las Casas completed this work in 1559; it had been produced in the context of Sepulveda’s attack on the Indies and describes the virtues of the politics, economics, and nature of the Indies.

⁷⁸ Peter Hulme, *Colonial Encounters, Europe and the native Caribbean, 1492 – 1797* (London, 1986), p. 2.

⁷⁹ Walter D. Mignolo, *The Idea of Latin America*, p. xi.

This thesis explores intellectual Franciscan networks and the Atlantic World. The late medieval Franciscan network was expansive and establishing rigid boundaries would be restrictive. Its case studies include Hispaniola (presently the Dominican Republic and Haiti), the Canary Islands, and La Rábida in the town of Palos, on the Atlantic shore of Spain (presently in Huelva, Andalucía). This case-study selection is designed to transcend the island/mainland binary that has dominated the Atlantic world and the medieval/modern binary that separates the East and West Atlantic. These locations have also been significant as ports, and this is significant since ports constitute the sites of diverse intellectual exchanges and play an important role in intellectual history. I have tried to pay attention to the broader political European context (including issues such as papal schism), and consider the, often neglected, role of the Spanish world.

The concept of Spain in the Middle Ages is problematic, although the term does appear in contemporary documents. Jill Webster comments that 'the Iberian Peninsula in the late Middle Ages was a complex unit, comprising a number of different kingdoms, among them Aragon, Castile, Portugal, Navarre and the Moorish kingdoms of Granada'.⁸⁰ These territories were not static, and their boundaries and alliances were negotiated throughout the late Middle Ages. The term 'Spain' is loaded with problems, and it is predominantly used here to denote a geographic region, and not to assert a political identity.⁸¹ The term 'Spain' suggests a nation state, but this teleological model of monopolised power and legitimacy is an unrealistic representation of the pluralistic modes of politics that have occurred on the Iberian Peninsula. While the fifteenth century had a profound impact on the modern conception of 'Spain',⁸² I have not

⁸⁰ Jill R. Webster, *Els Menorets, the Franciscans in the Realms of Aragon from St Francis to the Black Death* (Wetteren, 1993), p. 3.

⁸¹ The Roman's named the region *Hispania*, and this area included Portugal and Andorra, the name España has evolved from this. For a general history of medieval Spain see Emilio Mitre, *La España medieval* (Madrid, 2008), Raymond Carr, *Spain, A History* (Oxford, 2001), and Roger Highfield, *Spain in the Fifteenth Century, 1369-1516, Essays and Extracts by Historians of Spain*, trans. Frances M. López-Morillas (London, 1972).

⁸² Américo Castro has focused on this and argued that the relations between the three distinct racial/religious groups on the Iberian Peninsula, the Christians, Muslims and Jews provided the key contribution to the construction of Spanish identity. He emphasised the importance of caste. See Anthony J. Cascardi 'Beyond Castro and Maravall: Interpellation, Mimesis, and the Hegemony of Spanish Culture', in Mabel Moraña ed., *Ideologies of Hispanism* (Nashville, 2005), pp. 138-159; Américo, Castro, Stephen Gilman, and Edmund L. King, *An Idea of History:*

referred to many significant events (such as the wars of Castilian succession and conflicts with Portugal) since I am using translocal Franciscan history to avoid a state-centred approach to the Atlantic world. It is nonetheless important to be aware of the broader political context which encompassed the union of the kingdoms of Castile and Aragon and their various territories,⁸³ the 1492 'Reconquista', or conquest of the remaining Muslim territory *Al-Andalus*,⁸⁴ and the expulsion of the Jews. These events could also be interpreted as having apocalyptic significance, and this will be explored in Chapter Six. Franciscan networks interacted with these pluralities of contexts. This thesis focuses on the period of Spanish history that was dominated by the House of Trastámara, but dynastic crisis in at the start of the sixteenth century led to Charles V becoming ruler of Spain, which brought the dominance of the House of Habsburg.⁸⁵ This thesis indicates that colonisation is not something external to 'Europe'. The concept of 'Spain' is the product of the colonisation of identity across the Iberian Peninsula and this process occurred contemporaneously with colonisation across the Atlantic world and elsewhere in the Americas. Anthony Cascardi wrote that 'it is more or less well known that the formation of a Spanish "national identity" was staked on the political suppression of the differences among the various cultures, languages, races, religions, and histories that came together on the Iberian Peninsula'.⁸⁶ I have tried to refer to the specific Iberian kingdoms where necessary and have a particular focus on the Castile due to its

Selected Essays of Américo Castro (Columbus, 1977); and Américo Castro et al, *The Spaniards: an Introduction to Their History* (London, 1971).

⁸³ Ferdinand and Isabella married in 1474, the real union of the kingdoms, however, occurred in 1479 when Ferdinand inherited the crown of Aragon from his father. The reign of Ferdinand and Isabella is referred to in Spanish history as *los reyes católicos*, a title they were given by Pope Alexander VI in 1496.

⁸⁴ 'Reconquista' is a debated term, see Joseph F. O'Callaghan, *Reconquest and Crusade in Medieval Spain* (Philadelphia, 2003). The boundaries of *Al-Andalus* had changed throughout the late Middle Ages following the collapse of the Umayyad Caliphate of Córdoba in 1031. The Nasrid dynasty in the Kingdom of Granada was the last remaining taifa state.

⁸⁵ The only son of Ferdinand and Isabella, Prince John, died in 1497, and their daughter, Juana 'la loca', the last monarch of the house of Trastámara, was not able to take up the throne following the death of her husband, Philip of Habsburg (d. 1506). Their son, Charles V, became the ruler of both the Spanish kingdoms and the Holy Roman Empire, and was called to the throne when Ferdinand died in 1516. Cardinal Cisneros had acted as regent when Ferdinand died. Charles was disliked and this resulted in the *comuneros* revolt of 1520, the defeat of which secured the continuation of absolutist monarchy in Spain.

⁸⁶ Anthony J. Cascardi 'Beyond Castro and Maravall: Interpellation, Mimesis, and the Hegemony of Spanish Culture', in Mabel Moraña ed., *Ideologies of Hispanism* (Nashville, 2005), pp. 138-159, p. 139.

significance in the Atlantic world in the late Middle Ages,⁸⁷ although the Catalan region, with its strong nautical heritage, is also important.⁸⁸

Franciscan networks did not exist outside political contexts. Elite politics often affected the compositions and functions of Franciscan networks. Webster refers to the 'interdependence between the crown and friars' in Spain.⁸⁹ The Franciscans were present in Spain following St Francis' visit there around 1213, when he sought permission from Alfonso, the king of Castile, for his missionaries to go to Morocco, and friars were sent in 1220.⁹⁰ This initiated the long history of the Franciscan entanglement with mission and political authorities. Joseph O'Callaghan wrote that Francis 'challenged traditional Christian attitudes toward the Islamic world by calling on Christians to preach the Gospel to the Muslims'.⁹¹ It is thought that Franciscans went to Majorca and Valencia as James I expanded his territory through conquests in Al Andalus,⁹² and so this entanglement with mission and politics began within Europe. The Franciscans were also entangled in mercantile networks that facilitated their existence and movement; for example, Webster wrote that 'the presence of a large mercantile community in Majorca assured them of the support they needed to succeed in their missionary work'.⁹³ Franciscan proliferation into the Mediterranean was important to their proliferation in the Atlantic. The history of Franciscan networks intersects the history of a range of other networks, from elite politics to migratory merchants.

Provincial structures were important to the logistics of Franciscan networks. The boundaries of these custodies and provinces, like the political boundaries

⁸⁷ The historical origins of Castile's place in the Atlantic are explored in: Luis Suárez Fernández, 'The Atlantic and the Mediterranean Among the Objectives of the House of Trastámara', in Roger Highfield ed., *Spain in the 15th Century, 1369-1516, Essays and Extracts by Historians of Spain*, trans. Frances M. López-Morillas (London, 1972), pp. 58-79.

⁸⁸ The kingdom of Catalonia was part of the kingdom of Aragon, which was also comprised of the kingdom of Valencia (reconquered from the Moors by James I) and the Balearic Islands (incorporated into the Crown of Aragon by Peter III in 1344). It extended into the county of Roussillon.

⁸⁹ Jill R. Webster, *Els Menorets*, pp. 77. She adds that much of the land for the permanent Franciscan houses was conceded by the crown. They were also granted royal protection to safeguard their movement.

⁹⁰ *Ibid*, pp. 19-20.

⁹¹ Joseph F. O'Callaghan, *Reconquest and Crusade in Medieval Spain* (Philadelphia, 2003), p. 118.

⁹² Under James I (1208-1276), King of Aragon, Count of Barcelona and Lord of Montpellier, the Kingdom of Aragon incorporated the Kingdom of Valencia and the Balearic Islands.

⁹³ *Ibid*, p. 127.

around them, changed over time, especially in the missionary context as Chapter Five will show. From the thirteenth century, there were three Franciscan provinces in Spain: Castile, Aragon, and Santiago.⁹⁴ These provinces were divided into custodies and made up of houses, whose establishment had to be approved by the papacy.⁹⁵ As the number of Franciscan institutions expanded, gradually areas were broken down into more provinces. My focus will predominantly be on Castile, since Franciscans of the Atlantic coast region (especially Palos, in Huelva, the home of La Rábida) and the Canary Islands were formerly part of the Province of Castile.⁹⁶

The source record of the Spanish Franciscans is fragmented. Archival records of the Franciscan in Spain were affected by the 1834-1835 suppression of religious orders in Spain, which resulted in the loss, or fragmentation of whole archives. More of the archives of the Order were lost during the civil war and Webster reports that 'the only complete collection of Franciscan documents preserved is that for the Gerona house'.⁹⁷ However, traces of the Atlantic role of the Franciscans and the influence of their ideas can be found in a vast range of places. This thesis does not operate from level of convent archives of quotidian affairs, primarily because it deals with the 'mass' circulation of ideas, and commonly held mythologies, as well as the problematic of Franciscan identification of poverty and its relationship with the discourse of rights and colonialism. In the course of the research for this thesis I consulted the clerical section of the national archive in Spain and concur with Emma Louise Furniss' conclusion that the holdings are rare for the early period and often random, for the aforementioned reasons.⁹⁸ Nevertheless I have been able to use a mosaic of sources to explore the Atlantic and intellectual dimensions of Franciscan networks and consider their contribution to the medieval construction of coloniality and the New World.

⁹⁴ Portugal was the fourth province of the Iberian Peninsula at this time, but the gaze of this thesis does not stretch as far as Portugal.

⁹⁵ This direct link to the papacy upset the secular clergy, who were irritated by the Franciscan exemption from Episcopal jurisdiction.

⁹⁶ Brief mention is made to this in the Franciscan chronicle of Castile. See Pedro de Salazar, *Crónica de la Provincia de Castilla*, prólogo e índice del padre Antolín Abad Pérez, dirige, Odilo Gómez Parente (Madrid, 1977).

⁹⁷ Jill R. Webster, *Els Menorets*, p. 8.

⁹⁸ Emma Louise Furniss, *The Franciscans in Aragon, c. 1500-1558* (Unpublished thesis, St John's College, Oxford, 2004).

Much of the historical material regarding St Francis and the Franciscans has been produced in a confessional context, and historiography often reflects this. The boundaries between the history of St Francis and the religious memory of St Francis are often blurred.⁹⁹ Franciscans have created their own historical tradition.¹⁰⁰ This began with the early biographies of St Francis,¹⁰¹ and was followed by later Franciscan chroniclers.¹⁰² Franciscans continue to impact upon historiography today. Franciscan Institutes are dedicated to studying Franciscan sources, history and theology.¹⁰³ In Britain, the British Society of Franciscan Studies continues the tradition of creating a collective memory of the Franciscan Order.¹⁰⁴ In America, the Franciscan Institute within the Bonaventure University aims to respond 'to the call of the Second Vatican Council (1962-64) for religious communities to return to the original sources of their charism'.¹⁰⁵ Vatican II had a significant impact on Franciscan historiography.¹⁰⁶ It is important to understand the context in which sources have been produced. The material produced by Franciscans is important, but the particularity of this material must be considered. The objectives of the

⁹⁹ Franciscan history was approached in a spiritual way by A.G. Little, Father Cuthbert, and G.G. Coulton.

¹⁰⁰ The editors of the *Early Documents* series argued that 'the dawning of the present-day approach to Franciscan hagiography began in 1625 when Luke Wadding, an Irish Franciscan, began publishing his *Annales minorum*, a chronological examination of the Order of Friars Minor until the year 1540', Regis J. Armstrong, J.A. Wayne Hellmann, and William J. Short, 'General Introduction', in Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 1, The Saint* (New York, 1999), pp. 11-31, p. 21.

¹⁰¹ See Regis J. Armstrong, J.A. Wayne Hellmann, and William J. Short, *Francis of Assisi: Early Documents, The Saint* (New York, 1999).

¹⁰² Before Luke Wadding (1588-1657), chronicles were produced by Nicholas Glassberger (1508), Mark of Lisbon (1557), Bernardino of Copetrazzo (1580), Pietro Ridolfi of Trossignano (1586), and Francesco de Gonzaga (1587). Many chronicles and documents are collected and stored in the *Collectanea franciscana*.

¹⁰³ For the mission statement of the Institute of Franciscan studies see: http://www.sbu.edu/uploadedFiles/Academics/Academic_Resources/Franciscan_Institute/Publications/10-11%20Cat-w-cov.pdf, (12.04.2011). Much new material relating to the Order is produced by the *Journal of Franciscan Studies*, a Franciscan publication. Today the Franciscan Order also runs an online archive of documents and articles relating to the Franciscan Order, see <http://www.franciscan-archive.org/> (12.04.2011).

¹⁰⁴ Regis J. Armstrong, J.A. Wayne Hellmann, and William J. Short are contemporary examples of Franciscans working on Franciscan history and they have edited and published much primary and secondary material relating to St Francis and the Franciscans, Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, The Saint, The Founder, and The Prophet* (New York, 1999).

¹⁰⁵ <http://www.sbu.edu/FranciscanInstitute.aspx?id=1752> (12.04.2011).

¹⁰⁶ Armstrong also reported that the Second Vatican Council played a significant role in renewed interest in St Francis as it called for a return to the 'spirit of the founders', see: Regis J. Armstrong, *St Francis of Assisi, Writings for a Gospel Life* (Slough, 1994), p. 14. John Moorman, a prolific non-Franciscan historian of the Franciscans, was the chief Anglican observer at the Second Vatican Council. See John Moorman's *Vatican Observed: An Anglican impression of Vatican II* (London, 1967).

Institute of Franciscan Studies illustrate the links between primary sources, history and theology.¹⁰⁷ Armstrong has provided a useful historical examination of St Francis, but his study is motivated by his beliefs and the search for guidance; he introduced his work stating: 'Francis teaches us through his writings that we should look at everything through the prism of poverty'.¹⁰⁸ Looking at history through the Franciscan prism of poverty may generate interesting perspectives, but we must be aware of the Franciscan agenda behind this source material.

The relationship between Franciscan belief and Franciscan history is demonstrated by the historiography of the 'Franciscan Question'.¹⁰⁹ According to Giles Constable, the 'Franciscan question' is 'the question of Francis himself as depicted in the sources'; this is important because Franciscan identity was based on the image of St Francis, and the sources play a role in this.¹¹⁰ The 'Franciscan Question' is concerned with the issue of historical reality, a concern driven by anxiety regarding temporal distance from Christ. St Francis and the imagery of his stigmata transcend the temporal distance from Christ,¹¹¹ and this philosophy of transcendence has contributed to their translocality. Knowledge can have a theological as well as a political dimension. 'Knowing' St Francis creates proximity, and this shortens the distance to Christ. Franciscan historiography is often driven by the search for the historical reality of St

¹⁰⁷ The Franciscan Institute 'exists to serve the scholarly and educational needs of the Franciscan family and the wider community', http://www.franciscanpublications.com/?page_id=23 (31.05.12).

¹⁰⁸ Regis J. Armstrong, *St Francis of Assisi, Writings for a Gospel Life*, p. 15.

¹⁰⁹ The 'Franciscan question' was renewed with Paul Sabatier's 1894 publication of the *Life of St Francis of Assisi*. In this, Sabatier controversially interpreted St Francis as 'a forerunner of the Protestant Reformation, a dissenter made to conform to the plans of the Roman Church', and he consequentially precipitated the 'Franciscan Question'; see Armstrong, J.A. Wayne Hellmann, and William J. Short, 'General Introduction', in *Francis of Assisi, early documents, The Saint*, p. 22. Lambert characterised the two questions posed by Sabatier as 'What was the nature or St Francis' ideal?' and 'What was the relation between the ideal of St Francis and the will of the Church?'; see Malcolm Lambert, *Franciscan poverty: the doctrine of absolute poverty of Christ and the Apostles in the Franciscan Order, 1210-1323*, (New York, 1998), p. 5. However, the 'Franciscan Question' is broader than this explanation. The first Franciscan to respond was Faloci Pulignani, followed by a group of friars who produced the *Analecta Francisca*, and later Kajetan Esser, David Flood, Arnaldo Fortini and Raoul Manselli. A concise history of this issue has been provided by Jacques Dalarun in his *The misadventures of St Francis: toward a historical use of the Franciscan legends* (New York, 2002). Volume 68 of *Franciscan Studies* responded to Dalarun's approach to the Franciscan question. Amongst all this historiography there are competing ideals of St Francis.

¹¹⁰ Giles Constable, 'Toward a Resolution of the Franciscan Question: Manuscripts and the Reading of History', *Franciscan Studies* Vol. 66 (2008), pp. 482-484, p. 482.

¹¹¹ Best expressed by Giotto's 'The Stigmata of St Francis', c. 1295-1300, currently held at the Musée de Louvre, Paris.

Francis. This quest for historical realism is part of the Christocentric philosophy of time, but became a particular theological and philosophical position within the Franciscan tradition.¹¹² This philosophy was tied to Francis' critique of reality through poverty; Francis had denied 'that money made out of coins could credibly represent the reality of the natural and social world'.¹¹³

The French medievalist André Vauchez has recently produced a biography of St Francis from a non-Franciscan perspective, which re-examines the sources and historiography of St Francis and meticulously excavates the historical context, providing new insight into the period.¹¹⁴ He aims to discover 'who he really was', which is familiar to much Franciscan historiography, yet he does this by trying to disentangle the probable life of St Francis from hagiography, and to demythologise St Francis.¹¹⁵ Vauchez blames Thomas of Celano for turning St Francis into 'a kind of spiritual meteorite'.¹¹⁶ The impact of the genre of hagiography on the collective memory of the Franciscans reminds us of the link between power and text, which can also impact upon the collective identity of an order.

St Francis (born c. 1181) died in 1226 and by 1228 he had been canonized Pope Gregory IX.¹¹⁷ Constructing the collective memory of St Francis was a necessary part of his journey to sainthood.¹¹⁸ Gregory IX commissioned Thomas of Celano to write an official account of the life of St Francis,¹¹⁹ which 'unwittingly initiated a struggle that endures to this day: the attempt to capture in

¹¹² It is important to remember this as the source material is influenced by this.

¹¹³ Giacomo Todeschini, *Franciscan Wealth, From Voluntary Poverty to Market Society*, trans. Donatella Melucci, eds, Michael F. Cusato O.F.M., Jean François Godet-Calogeras, Daria Mitchell, O.S.F. (New York, 2009), p. 63.

¹¹⁴ André Vauchez, *Francis of Assisi, The Life and Afterlife of a Medieval Saint*, trans. Michael F. Cusato (London, 2012).

¹¹⁵ *Ibid.*, p. ix.

¹¹⁶ *Ibid.*, p. 33.

¹¹⁷ Gregory IX, *Mira Circa Nos* (1228), in Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 1, The Saint* (New York, 1999), pp. 565-569. Gregory IX also canonized St Dominic, founder of the Dominicans, in 1234.

¹¹⁸ Other steps include the 1216 attempt to get an indulgence for Portiuncula

¹¹⁹ Thomas of Celano, *The Life of St Francis* (1229), in Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 1, The Saint* (New York, 1999), pp. 171-308.

words the unique qualities of St Francis'.¹²⁰ This *Vita* has been described as 'a master's tapestry interweaving multiple coloured threads of hagiography, historical data, invitation towards gospel and ecclesiastic renewal, and identification of the mission and formation of the brothers after Francis'.¹²¹ Thomas of Celano also produced *The Legend for Use in the Choir*, since liturgical celebration was an important component of Saintliness.¹²² Pope Gregory IX promoted the cult of St Francis, and gave it an official ecclesiastic character. This was related to his general promotion of spiritual renewal in the Church, but Gregory was also specifically linked to the Franciscans.¹²³ As cardinal protector before he was elected pope in 1227, Gregory IX became influential in shaping the Rule of 1223;¹²⁴ he composed the Rule of the Poor Clares,¹²⁵ and provided a context for the papally approved growth of the early Order, while hagiographical and liturgical traditions shaped the legacy of St Francis. The identity of the Franciscans, and their fate, was intertwined with papal policy, but, as we shall see, Franciscan relations with the papacy were not always as harmonious as they were with Gregory IX.

Anxiety regarding identity became part of the Franciscan tradition. As the Order expanded identity control became an issue. This was demonstrated by the General Minister, Crescentius of Jesi, who in 1243 ordered the collation of all information regarding St Francis. The material was used in 1247 by Thomas of Celano in his second life of St Francis (*Vita Secunda*).¹²⁶ This failed to resolve anxieties regarding the pluralities of St Francis proliferating throughout the expanding Order. In 1260 the Council of Narbonne ordered that 'one good

¹²⁰ Regis J. Armstrong, J.A. Wayne Hellmann, and William J. Short, 'General Introduction', in Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 1, The Saint* (New York, 1999), pp. 11-31, p. 14.

¹²¹ Regis J. Armstrong, J.A. Wayne Hellmann, and William J. Short, 'Introduction to the Life of Saint Francis by Thomas of Celano', in Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 1, The Saint* (New York, 1999), pp. 171-178, and p. 178.

¹²² Thomas of Celano, *The Legend for Use in the Choir*, in Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 1, The Saint* (New York, 1999), pp. 319-326. Other liturgical works were produced by Julian of Speyer, in *Francis of Assisi: Early Documents, The Saint* (New York, 1999), pp. 327-345.

¹²³ As Cardinal Hugolino, Gregory IX had been a personal friend of St Francis.

¹²⁴ The history of the *Regula bullata* of 1223 will be discussed in Chapter Three.

¹²⁵ Gregory IX, *Privilegium Paupertatis* (1228), <http://www.franciscan-archive.org/index2.html> (29.05.2012).

¹²⁶ Thomas of Celano, *The Remembrance of the Desire of a Soul*, in Regis J. Armstrong, J.A. Wayne Hellmann, and William J. Short eds, *Francis of Assisi: Early Documents, Volume II, The Founder* (New York, 1999), pp. 239-393.

legend of blessed Francis be compiled from all those already in existence', and in 1266 it was ordered that all the others were destroyed.¹²⁷ Bonaventure of Bagnoreggio was commissioned to produce a definitive account of St Francis.¹²⁸ While this extreme identity control policy was not unique,¹²⁹ the policy indicates anxiety regarding identity.¹³⁰ The legacy of the attempt to have a homogenous and unadulterated link to a pure and singular St Francis plagued the Order. The very notion of a single and shared image of a true St Francis is linked to problematic theology and ideology. Measures were taken to control the collective religious memory of St Francis; Armstrong observes that 'the first generations of his [St Francis'] followers corrected most of his spelling and grammatical mistakes for fear of revealing a less than perfect saint'.¹³¹ The question of perfection is clearly an important one. Jacques Le Goff's argues that St Francis 'inspired a literature in which legal and history, reality and fiction, poverty and truth, were closely blended'.¹³² Within Franciscan identity, reality and philosophy constantly interact. Franciscan identity has many dimensions, the most significant and controversial of which has been poverty.

Finally the titles of the following chapters reflect the position of this thesis that there are many (unexplored) dimensions of the 'New World', and raise the suggestion that the New World is itself a plurality which is simply constructed as a singularity to intensify its otherness. A key theme of this work is the relationship between power, language, and text. While questioning the political agenda of historical narrativity this work takes the form of a deliberately de-centred narrative. It does not suggest an alternative meta-narrative but represents a questioning of the way in which history has been constructed. Each chapter represents a shard of a broken mirror, reflecting a narrative which reveals the medieval invention of the New World and colonial processes through a Franciscan lens. Chapter One, 'Known worlds 'New Words'', critiques

¹²⁷ Promulgation of the Council of Narbonne, *Archivum Franciscanum Historicum* 3, Vol. 76, no. 74 (1910), in Regis J. Armstrong, J.A. Wayne Hellmann, and William J. Short, 'General Introduction', *Francis of Assisi: Early Documents, The Saint*, p. 17.

¹²⁸ Bonaventure of Bagnoreggio, *Legenda major* and the *Legenda minor* in Regis J. Armstrong, J.A. Wayne Hellmann, and William J. Short eds, *Francis of Assisi: Early Documents, Volume II, The Founder* (New York, 1999), pp. 525-717.

¹²⁹ Humbert of the Romans had compiled *The Legend of St Dominic* in 1260.

¹³⁰ The precise motivations for the destruction of all previous works regarding St Francis cannot be known, and the importance of Sabatier's discovery of previously unknown work must be considered in this context, other documents discovered at various times

¹³¹ Regis J. Armstrong, *St Francis of Assisi, Writings for a Gospel Life* (Slough, 1994), p. 14.

¹³² Jacques Le Goff, *St Francis of Assisi* (London, 2004), p. 22.

the paradigm of 'discovery' and explores the intellectual inventions and narrative descriptions of the New World. It looks at the global knowledge network of the Franciscans, and considers their role as characters in narratives of the discovery of the New World. Chapter Two, 'Colonial Worlds', provides a description of the economic and legal conditions of the late medieval Atlantic world to demonstrate the medieval origins of coloniality and challenge the notion that 1492 constituted a break between two worlds. Chapter Three, 'Poverty and the Franciscan worlds', explores the significance of the Franciscans and their poverty, and suggests that their history represents a possible alternative historical pathway since it contains meanings hidden by the hegemonic narratives of modernity. Chapter Four, 'Just Words', expands upon the significance of the Franciscan Poverty Dispute for the history of rights (and property), and suggests problems with the existing intellectual histories of rights. Chapter Five, 'Ambiguous Worlds' uses the ideas developed in the preceding chapters to develop an alternative, Franciscan-centred, narrative of the Atlantic world that emphasises ambiguity rather than the binary structures of normative European meta-narratives of colonial history. Chapter Six, 'New World or the End of the World?', reflects upon more of the ways in which the Franciscans have influenced the identity of the New World and in particular the roles of mysticism, millennialism, and the Franciscan historical future. The different approaches of these chapters aim to demonstrate the importance of the late Middle Ages and the Franciscans in the construction of modernity and coloniality. It focuses on the ambiguities of identities and contexts as a way to re-think intellectual history and reflect upon the darker sides of traditional intellectual histories, in particular the colonial dimensions of the rights discourse.

The Franciscans played an active role in the invention of the New World which was emblematic of the invention of 'Modernity' and coloniality (and the Middle Ages). Dagenais observes that 'when modernity arrives, it is already postcolonial – and the modern European self that incarnates it is already fragmented and divided against itself along all-too-familiar lines of domination and subjugation – long before the great age of conquest begins'.¹³³ The history of the Franciscans and their struggle with poverty and authority, suggests that

¹³³ John Dagenais, 'The Postcolonial Laura', p. 365.

the Franciscans played a role in the genesis of a postcolonial identity characterised by fragmentation. Significantly, Franciscan identity also offers a critique of the colonised/coloniser binary that continues to appear in postcolonial literature, and demonstrates that ambiguity is a productive historical perspective that can be used to challenge some of the Atlantic world meta-narratives that sustain modernity.

Chapter One. Known Worlds / New Worlds

Exploring the link between the representation of knowledge of space and colonialism

O’Gorman described the New World as a world ‘forever in the making, always a new world’,¹³⁴ and so although the New World was created in the Middle Ages, this process did not end here; the Middle Ages continuously creates many facets of modernity. The late Middle Ages were crucial to the construction of the idea of the New World, but the making (and re-making) of the New World had other important stages. Nonetheless, the medieval stage of the invention of the New World is often hidden by the powerful mythology of 1492. The 1492 paradigm is a symptom of colonised thought. It is driven by the historicist mythology of the *mare tenebrosum*, the Sea of Darkness, an unknown entity until Columbus broke through it and entered modernity. The Sea of Darkness is a dimension of the mythological Dark Ages; while the myth of Dark Ages may be classified as debunked,¹³⁵ much Atlantic history remains in the shadows. This chapter considers the process of the invention of the New World by critiquing the paradigms of Atlantic world discovery and invention in the late Middle Ages. Additionally, it explores the c. 1500 and the c.1900 stages of the invention of the New World, not least due to their impact on the medieval historiography; the Middle Ages too are ‘forever in the making’. A case-study of Peter Martyr c. 1500 *De Orbe Novo* will demonstrate the importance of the Middle Ages in the construction of the discourse of the New World, and its darker side.¹³⁶ Walter Mignolo wrote that New World histories, such as that produced by Peter Martyr ‘opened up the gates towards an understanding of the darker side of the Renaissance and of humanist historiography’.¹³⁷ The c.1900 period is important because this so-called ‘Age of Empire’ has had a

¹³⁴ Edmund O’Gorman, *The invention of America an inquiry into the historical nature of the New World and the meaning of its history* (Westport Connecticut, 1972), p. 69.

¹³⁵ In some academic circles, but it is still a common trope in popular discourse and is often used in a heavily politicised form.

¹³⁶ Peter Martyr d’Anghiera, *De Orbe Novo, The Eight Decades of Peter Martyr d’Anghera*, translated from Latin with notes and introduction by Francis Augustus MacNutt (London, 1912).

¹³⁷ Walter Mignolo, *The Darker Side of the Renaissance* (Michigan, 2003), p. 186.

profound impact on the historiography of the late medieval Atlantic world,¹³⁸ and has shaped the historical memory of this period as a romanticised time of state and individual driven heroic ‘discovery’ and conquest.¹³⁹ Following John Dagenais’ observation that ‘historical and geographical colonization are two sides of the same coin’,¹⁴⁰ this chapter attempts to demonstrate the interaction of these two dimensions of colonialism by exploring the link between knowledge and representation of space, and power and the process of colonisation. It aims to illustrate how understanding medieval networks of knowledge can challenge the paradigm of discovery and reveal its contribution to colonial processes.

The politics of knowledge

Michel Foucault’s elucidation of the link between power and knowledge opened new analytic territory; he reflected upon this in interviews given in the latter part of his career, in which he said that ‘far from preventing knowledge, power produces it’.¹⁴¹ Knowledge is produced by a power agenda, and intellectual history must critically assess this relationship rather than reproduce the power agenda of ‘knowledge’. There is a link between knowledge of space and control of space, and consequently all global knowledge has a power agenda. To ‘know’ the ‘world’ is to possess a constructed image of space. These constructed images are part of a world-view; the dominance of a particular world-view is essential to the function of any hegemonic system. This idea of hegemony comes from the work of Antonio Gramsci.¹⁴² According to Gwyn Williams, hegemony is ‘an order in which a certain way of life and thought is dominant, in which one concept of reality is diffused throughout society’.¹⁴³ Gramsci’s theory of hegemony leads to his conception of consensus whereby the framework of one’s ‘analysis of the existing system is fixed by the dominant vision of the world, the apparent limits of the possible are defined by the existing

¹³⁸ The term ‘Age of Empire’ was coined in Eric Hobsbawm, *The Age of Empire, 1875-1914* (London, 1997).

¹³⁹ This chapter will focus in particular on the example of the Hakluyt series.

¹⁴⁰ John Dagenais, ‘The Postcolonial Laura’, *Modern Language Quarterly* 65, no. 3 (2004): 365-389, p. 367.

¹⁴¹ Michel Foucault, *Power/Knowledge: Selected Interviews & Other Writings 192-1977* (New York, 1980), p. 59. According to Foucault, power is a Hegelian category (*Power/Knowledge*, p. 90).

¹⁴² See Antonio Gramsci, *Selections from the Prison Notebooks*, ed. and trans. Q. Hoare, and G. Smith (London, 2005).

¹⁴³ Joseph Femia, ‘Hegemony and Consciousness in the thought of Antonio Gramsci’, *Political Studies*, Vol. 23, Issue 1 (1975) pp. 29-48, p. 30.

order'.¹⁴⁴ This process occurs through language, which for Gramsci 'also means culture and philosophy'.¹⁴⁵

In the Middle Ages, knowledge of the world often came from missionaries, especially the Franciscans. The Franciscans had a long history of engagement in the East,¹⁴⁶ and Jose Sánchez Herrero described this as the 'Franciscan precedent of the discovery of America'.¹⁴⁷ The Franciscans played a part in colonialism since their role as missionaries implicated them in the acquisition of knowledge of the world, which has a colonial function. Christian theology implicitly linked knowledge of the world to a colonial function as the notion of the *Respublica Christiana* illustrates. Pope Pius II made this explicit as he associated the Christian community with a geographical area in 1458.¹⁴⁸ Knowledge of the world was firmly tied to the colonial agenda to possess the world. For example, in 1504 King Manuel of Portugal issued a decree suppressing all information, including latitudes, about the African coast beyond the Rio do Padram, and this shows how the Portuguese monarchy legislated to control information exchange in order to retain its monopoly of the African coast.¹⁴⁹ Control of information is directly related to control of space. The subsequent constructed historical memories of 'discovery' have also been linked to power agendas, nationalistic ones in particular. Franciscan history also has a place in this context.

Knowledge of the world did not derive solely from the context of exploration; it also came from myths, legends, the classics, theology, and local culture. These sources of knowledge conferred authority upon representations of space, which were also enactments of philosophies. The iconographies of *mappa mundi* are excellent depictions of popular philosophies of space.¹⁵⁰ Narratives also

¹⁴⁴ Ibid, p. 33.

¹⁴⁵ Antonio Gramsci, *Selections from the Prison Notebooks*, p. 349.

¹⁴⁶ For more on this see Christopher Dawson, *The Mission to Asia: narratives and letters of the Franciscan missionaries in Mongolia* (London, 1980).

¹⁴⁷ Jose Sánchez Herrero 'Precedentes franciscanos del descubrimiento de America. Los viajes de los franciscanos a extremo oriente y China durante los siglos XII y XIV', in *Actas del I congreso Internacional sobre los Franciscanos en el Nuevo Mundo*, (La Rábida, 1985), pp.15-76.

¹⁴⁸ Walter Mignolo, *The Darker Side of the Renaissance*, p. 326.

¹⁴⁹ George H.T. Kimble, 'Introduction', in Duarte Pacheco Pereira, *Esmeraldo de Situ Orbis*, ed. and trans. by George H.T. Kimble (London, 1937), pp. xi-xxxv, p. xxviii.

¹⁵⁰ For more on this see J. B. Harley, and David Woodward eds, *Cartography in Prehistoric, Ancient, and Medieval Europe and the Mediterranean* (Chicago, 1987), and J. B. Harley and

illustrate cosmographical theories,¹⁵¹ such as Duarte Pacheco Pereira's *Esmeraldo de Situ Orbis* which offers a description of how Shem, Han, Japheth (the sons of Noah) each inhabited their own part of the earth after the flood.¹⁵² Within these cosmologies space and time are synonymous, a link that is theologically cemented. Mary Helms wrote 'time can be expressed geographically in a number of ways that often involve spatial location or directional progressions'.¹⁵³ These maps also represented eschatologies of time, which is the subject of Chapter Six. Cosmography was also influenced by the narratives of travellers and armchair travellers such as Marco Polo and Mandeville, who depicted the world through the lens of their worldview.¹⁵⁴ These works popularised images of antipodeans, dog-headed men, and Prestor John. These legends contributed to the way in which inhabitants of far off lands were perceived. For example when Magellan rounded the coast of South America, he reported that the land was filled with giants,¹⁵⁵ and thus the place came to be called Patagonia, after these fabled giants. Magellan's perception was shaped by his expectation which had gorged on the maps and literature of popular medieval culture.¹⁵⁶ This body of medieval knowledge which generated perceptions of the edges of the world had political implications, and these have a legacy in contemporary Latin America.¹⁵⁷ It has impacted upon identities as well as nomenclature.¹⁵⁸ Knowing the medieval world is essential to understanding how the New World was invented, as the space at the fringe of the 'known' world was already preconceived and populated in the medieval

Golda Meir Library, *Maps and the Columbian Encounter: an Interpretive Guide to the Travelling Exhibition, American Geographical Society Collection, Milwaukee [et Al]* (Milwaukee, 1990).

¹⁵¹ Cosmography involved the heavens as well as the terrestrial world.

¹⁵² Duarte Pacheco Pereira, *Esmeraldo de Situ Orbis*, ed. and trans. by George H.T. Kimble (London, 1937), p. 14.

¹⁵³ Mary Helms, *Ulysses' sail: an ethnographic odyssey of power, knowledge, and geographical distance* (Princeton, 1988), p. 34.

¹⁵⁴ Marco Polo, *The travels of Marco Polo*, translated and introduced by Ronald Latham (Harmondsworth, 1976); John Mandeville and Tamarah Kohanski, *The book of John Mandeville: an edition of the Pynson text with commentary on the defective version* (Tempe, Ariz. 2001).

¹⁵⁵ Antonio Pigafetta, *First Voyage Round the World of Magellan*, with notes and introduction by Lord Stanley of Alderley (London, 1874), pp. 49-55.

¹⁵⁶ *Ibid.*

¹⁵⁷ Walter Mignolo maps how the monstrous races that appear at the fringes of the map reproduced in the Nuremberg Chronicle, become barbarians, and then in the Enlightenment, the primitives, who occupy the space of the Americas. These inhabitants of the Americas remain subaltern since they are located outside Europe and its modernity. See Walter Mignolo, *The Darker Side of Western Modernity: Global Futures, decolonial options* (Michigan, 2011), pp. 149-180.

¹⁵⁸ Places such as Brazil and the Antilles can be found on medieval projections of the occident and were asserted onto the space of the Americas by European cartographers.

mind. Often, these descriptions of the world were overtly political such as Pierre d'Ailly's *Imago Mundi*, written in 1410, which linked the image of the world to contemporary politics and philosophy, and so the identity of the 'New World' was influenced by medieval politics as well as medieval knowledge.¹⁵⁹

These influences fed a psychology of exploration, which is demonstrated by the contents of Columbus' library. Columbus was not a radical pioneer but the product of the intellectual context of his time. It is thought that he was influenced by Pierre d'Ailly (who himself was influenced by the Franciscan Roger Bacon), Aeneas Sylvius Piccolomini (Pope Pius II 1458 -1464), Nicholas of Cusa, and Toscanelli. According to Valerie Flint, Columbus selected excerpts that agreed with his project and rejected the rest, for example in the *Historia Rerum Ubique Gestarum* of Pope Pius II he 'made a special note of Macrobius' statement to the effect that the equatorial stream of ocean reached round the back of Africa and so around the world'.¹⁶⁰ Pierre d'Ailly's *Imago Mundi* was particularly important to Columbus, who made 898 notes in its margins.¹⁶¹ Columbus owned and annotated a 1490 edition of Ptolemy's *Geographia*, which Harley argues 'underlies the logic of his decision to sail west into the ocean'.¹⁶² Famously, in 1474 Toscanelli sent a letter and chart to Fernan Martins at the request of Alfonso V of Portugal, regarding the details of a westward voyage. According to T. Goldstein, Toscanelli's 1474 revolutionary letter was a 'brief summary of a long and vigorous evolution of geographic thought, whose body had taken shape in Florence more than a generation before'.¹⁶³ It is thought that Columbus also corresponded with Toscanelli in 1481, the letter and accompanying maps (which were both practical and theoretical and showed the islands of Cipango and Antilla) are supposed to have been the basis for Columbus' plan to travel west.¹⁶⁴ The sceptic, Henry Vignaud, denied that Columbus ever corresponded with Toscanelli, claiming the Toscanelli letter was

¹⁵⁹ Pierre d'Ailly, *Imago Mundi*. The *Imago Mundi* was written in 1412 and printed in 1482.

¹⁶⁰ Valerie Flint, *The Imaginative Landscape of Christopher Columbus*, p. 35.

¹⁶¹ J.B. Harley and Golda Meir Library, *Maps and the Columbian encounter: an interpretive guide to the travelling exhibition, American Geographical Society Collection, Milwaukee ... [et al.]* (Milwaukee, 1990), p. 41.

¹⁶² *Ibid*, p. 23.

¹⁶³ Thomas Goldstein, 'Geography in Fifteenth Century Florence', in John Parker ed., *Merchants and Scholars, Essays in the history of Exploration and Trade* (Minneapolis, 1965), pp. 9-33, p. 13.

¹⁶⁴ Reproductions of the map are based on descriptions from the Toscanelli letters. For copies of these documents and other documents relating to the map see Henry Vignaud, *Toscanelli and Columbus: the letter and chart of Toscanelli* (London, 1902).

an invention of Columbus and that the maps and letters never existed.¹⁶⁵ He claimed that Columbus created the correspondence to avoid admitting that he was in fact guided by his pilot.¹⁶⁶ Toscanelli's chart has not survived and images of it are reproductions. The ambiguity of the Toscanelli correspondence is part of a broader phenomenon of the manipulation of 'discovery' history.

The success or failure of ideas depends upon the context in which ideas emerge. Columbus was not unique in his reckoning that it was possible to sail west to reach the East; historically the project had been rejected for logistical rather than theoretical reasons.¹⁶⁷ Columbus' case for a westward route to the Indies rested on his calculation that the world was smaller than commonly believed. Columbus' calculation of the small space between Spain and Asia was based on the work of Al Fergani, mentioned by Pierre d'Ailly, and also Ptolemy.¹⁶⁸ Notions of the scale of the earth and the volume of water and limitations in nautical technology meant that it was considered more efficient to travel to the east overland, or potentially by circumnavigating the coast of Africa.¹⁶⁹ This context changed in 1488 when the Portuguese explorer, Bartolomeu Dias, circumnavigated the Cape of Good Hope and opened new possibilities for Portuguese trade. Competition for trade routes, particularly in lucrative spices, between the polities in the Iberian Peninsula was an essential factor in the eventual endorsement of the Columbus venture by Ferdinand and Isabella. The late medieval 'space-race' to acquire lands and trade monopolies, and the resultant expansion of technical and theoretical knowledge, made longer journeys seem more feasible.¹⁷⁰ Greenlee argued that 'discovery of America was equally the direct outcome of Andalusian enterprise in Guinea'.¹⁷¹ While focusing on the context of elite politics risks generating another state

¹⁶⁵ Henry Vignaud, *Toscanelli and Columbus* (London, 1902).

¹⁶⁶ *Ibid.*, p. 237.

¹⁶⁷ Columbus' applications for support for his westerly voyage had been rejected by the Genoese and the Portuguese, and when he finally gained support from the Spanish court it was not on his first attempt.

¹⁶⁸ R.H. Major, *The Life of Prince Henry of Portugal, Surnamed the Navigator, And its results: Comprising the discovery, within one century, of half the world. With new facts in the discovery of the Atlantic Islands' a refutation of the French claims to priority in discovery; Portuguese knowledge (subsequently lost) of the Nile Lakes and the history of the naming of America. From authentic contemporary documents* (London, 1868), p. 351.

¹⁶⁹ Such routes also avoided the 'torrid zones' of classical literature.

¹⁷⁰ Felipe Fernández-Armesto coined the term 'space-race' in the Atlantic context in *Before Columbus: exploration and colonisation from the Mediterranean to the Atlantic, 1229-1492* (Philadelphia 1987), p. 156.

¹⁷¹ Richard Greenlee, in John Blake, *Europeans in West Africa* (London, 1942), p. 199.

centric perspective of 'discovery' which is in danger of reproducing the colonial discourse, it is important to remember how the context of intellectual history relates to the discourse of power. In 1494 Columbus wrote to the king and queen of Spain concerning 'the colonization and commerce of the Island of Espanola, and of the other islands, both those already discovered and those that may be discovered hereafter'.¹⁷² This reminds us that there was an attitude long established in the early Atlantic world of the late Middle Ages, that the world was full of places to be discovered, and that they were invented as colonial places long before their physical encounter. This intellectual context was firmly linked to the political and economic.

The rituals of knowledge

Knowledge is contextually embedded, and it exists and creates authority through rituals or performances. The performance of a knowledge system is intrinsic to the process of colonialism. Patricia Seed has argued that:

colonial rule over the New World was initiated through largely ceremonial practices – planting crosses, standards, banners, and coats of arms – marching in processions, picking up dirt, measuring the stars, *drawing maps*, speaking certain words, or remaining silent.¹⁷³

Understanding the colonial dimension of the performance of knowledge (especially knowledge of space and time) is essential to understanding the invention of the New World, a continuous process which began in the Middle Ages and was fuelled by medieval paradigms of thought.

The history of ideas is driven by the mechanisms of their communication, dissemination and performance. Columbus was aware of this as he actively tried to manipulate the collective historic memory of his geographic

¹⁷² Christopher Columbus, "Columbus' letter to the King and Queen of Spain, 1494," <http://www.fordham.edu/halsall/source/columbus2.html> (7.12.09); while this letter is widely available on the internet its printed origins are unknown.

¹⁷³ Patricia Seed, *Ceremonies of possession in Europe's conquest of the New World, 1492-1640* (Cambridge, 1998), p. 2 (my italics).

achievements through multiple publications.¹⁷⁴ He adopted the signature 'Christoferens' or 'Christbearer' and promoted the idea that he had been chosen by God to fulfil prophecies.¹⁷⁵ Molly Metherd wrote that 'the history of revision begins with Columbus himself'.¹⁷⁶ However, the nineteenth century constituted another important stage in the foundation of the legend of Columbus and the significance of 1492; Washington Irving's biography was particularly important to this and he cements the importance of Columbus through his invention of the flat-earth myth.¹⁷⁷ It is important to be aware of all the different forces at work on historical narratives and to be aware of their political agendas.

The history of how America acquired its name from Amerigo Vespucci is a paradigmatic example of the power of the networks that disseminated ideas in Europe and the political power of the representation of knowledge. As with other aspects of Atlantic world history, the history of Amerigo Vespucci's exploits in the Americas is ambiguous. While the circumstances of Vespucci's journeys are debated, there is no doubt that he was a successful self publicist,¹⁷⁸ and was

¹⁷⁴ Columbus was particularly swift to publish a statement of his entitlements when entangled in a legal battle for his rights. See Spanish Sovereign (1479-1504, Ferdinand V and Isabella I), Christopher Columbus, and Helen Nader, *The book of privileges issued to Christopher Columbus by King Fernando and Queen Isabel, 1492-1502* (Berkeley, 1996). It is surprising then that the journal of his first voyage was not published, and survives only in the abstract made by Las Casas, which is now held in the Biblioteca Nacional in Madrid. An edition of the Journal can also be found in the first volume of the *Raccolta Columbiana* in 1892. The letter that Columbus wrote on the homeward voyage (dated February 15, 1493) achieved far more publicity and circulation. It was printed later that year in Barcelona and a Latin version soon appeared in Rome. L.A. Vigneras wrote that 'during the next four years editions of it appeared in Valladolid, Basle, Antwerp, Paris and Strasbourg, in Spanish, Latin, French and German' (L.A. Vigneras, 'Foreword', *The Journal of Christopher Columbus*, trans. Cecil Jane (London, 1960), pp. xv-xxiii, p. xxi. Seventeen editions of the letter published before 1500 have been compiled in Carlos Sanz, *Bibliografía General de la Carta de Colon* (Madrid, 1958).

¹⁷⁵ See *The Book of Prophecies edited by Christopher Columbus*, historical and textual editor Roberto Rusconi, trans. Blair Sullivan, *Repertorium Columbianum*, V. III (Berkeley, 1997). This will be discussed in a later chapter.

¹⁷⁶ M. Metherd, 'The Americanisation of Christopher Columbus in the works of William Caden William and Alejo Carpentier', in S. Juan-Navarro ed., *A twice-told tale: reinventing the encounter in Iberian American literature and film* (London, 2001), pp. 227-243, p. 228.

¹⁷⁷ See Washington Irving, *A History of the Life and Voyages of Christopher Columbus* (London, 1885). The flat-earth myth was another dimension of the nineteenth century construction of modernity through the denial of coevalness; notions of ignorance were projected onto the 'dark ages' to create a teleological narrative of progress. For more on this see Christine Garwood, *Flat Earth: the History of an Infamous Idea* (London, 2008), and Jeffrey Russell, *Inventing the flat earth: Columbus and modern historians* (New York, 1997).

¹⁷⁸ There is even a letter from Columbus to his son in which he praises Vespucci and expresses his desire to support him; 'Letter from the Admiral Christopher Columbus to his son, referring to Amerigo Vespucci', in Luciano Formisano ed., *Letters from a New World, Amerigo Vespucci's Discovery of America*, trans. David Jacobson (New York, 1992), pp. 101. However, Las Casas vents much criticism at Vespucci for stealing the glory of Columbus, see Las Casas, *Historia de las Indias, Libro II*, edición de Agustín Millares Carlo y estudio preliminar de Lewis Hanke (Mexico D.F., 1951), p. 116.

able to communicate his ideas of the New World to the intellectual European community. It is thought that Amerigo Vespucci's nautical career began with Columbus' second voyage.¹⁷⁹ However, in his letters to Piero Soderini, Amerigo Vespucci stressed his own role in discovery and seldom mentioned Columbus.¹⁸⁰ Las Casas argued that Vespucci had been part of Columbus' third voyage (1498) and onboard the ship captained by Alonso de Hojeda.¹⁸¹ In 1504 Johann Ottmar published *Mundus Novus*, a description of Vespucci's third voyage of 1501 based upon a letter from Vespucci to Lorenzo de Medici. According to Major's account the naming of 'America' is the result of the dissemination of this letter, which was reprinted in 1507 in St-Dié and circulated around Europe.¹⁸² As a consequence of these letters Amerigo's name became associated with the occidental lands and the first map of this space bore his name,¹⁸³ a knowledge representation with a lasting legacy. In his *Cosmographiae Introductio*, Martin Waldseemüller wrote that the 'fourth part' of the world was discovered by Amerigo Vespucci and so 'I see no reason why any one should object to calling this part Amerige, i.e., the land of Amerigo, or America, after Amerigo, its discoverer, a man of great ability'.¹⁸⁴ This reminds us that performance, or efficient communication, of 'knowledge' is as important as knowledge itself. Las Casas seems aware of this when he wrote that 'as Americo was a Latinist, and eloquent, he knew how to make use of the first voyage he undertook, and to give credit to himself, as if he had been the principal captain of it'.¹⁸⁵

The philosophy of ownership has played an important role in the interaction between power and knowledge, and is at the basis of the European colonial mentality. Christianity has played an important role in the engineering of the

¹⁷⁹ R.H. Major, *The Life of Prince Henry of Portugal, Surnamed the Navigator*, p. 367.

¹⁸⁰ Amerigo Vespucci, 'Letter to Pier Soderini', in Luciano Formisano ed., *Letters from a New World, Amerigo Vespucci's Discovery of America*, trans. David Jacobson (New York, 1992), pp. 57-97. A translation of this letter was included in Martin Waldseemüller's *Cosmographiae Introductio*.

¹⁸¹ Las Casas, *Historia de las Indias, Libro II, Cap CXXXIX*, p. 36. Alonso de Hojeda was a notable conquistador who withdrew to a Franciscan monastery in later life.

¹⁸² R.H. Major, *The Life of Prince Henry of Portugal, Surnamed the Navigator*, pp. 367-386.

¹⁸³ Martin Waldseemüller's map, produced in 1507.

¹⁸⁴ Martin Waldseemüller, 'from Martin Waldseemüller's *Cosmographiae Introductio*', Luciano Formisano ed. *Letters from a New World, Amerigo Vespucci's Discovery of America*, trans. David Jacobson (New York, 1992), pp. 113-123, p. 116.

¹⁸⁵ 'Porque como América era latino y elocuente, supo encarecer el primer viaje que hizo y aplicarlo a sí mismo, como si fuera él por principal y capitán'; Las Casas, *Historia de las Indias, Libro II, Cap CXXXIX*, p. 36.

colonial philosophy of ownership. Property became a hegemonic co-ordinate of the European outlook during the late Middle Ages; it came to monopolise how space was perceived by elite groups and how political hierarchies could be maintained. There were alternative interpretations of space, such as Franciscan poverty, but these options became concealed, enabling the hegemonic world-view of Eurocentred modernity. This ideology of property was guided by the principle of First Acquisition: if land is not owned by anyone (it is a legal *tabula rasa*) it is available for ownership and can be claimed through First Acquisition.¹⁸⁶ This principle could still apply if land was inhabited but ownership was not being exercised. This framework lends significance to Peter Martyr's observation of the Amerindians: 'nor did they concern themselves about *meum* and *tuum*, or as to who gave and who received'.¹⁸⁷ Elsewhere Martyr is more explicit: 'the Castilians asserted that everything existing on earth since God created the world is the common property of mankind, and it is therefore permissible to take possession of any country not already inhabited by Christians'.¹⁸⁸ Power (in this case ownership) is enacted through the enunciation of an idea.¹⁸⁹ Power/dominance is maintained through the control of ideas and their linguistic articulation, and the European history of the philosophy of property is an example of this. Just as 'knowledge' of the world is a means of controlling that space, 'knowledge' of property justifies ownership.¹⁹⁰ Intellectual histories of concepts such as property should consider their colonial implications, and this can contribute to our understanding of the paradigm of coloniality.

Although First Acquisition was an example here it is an important one; First Acquisition is an example of an idea that exerts an influence across a knowledge network. The notion of first acquisition of knowledge is essential to the power mechanism of the paradigm of exploration which has both 'discovery' and conquest at its core. For example 1492 is important to Spanish (and perhaps Italian) history as it places the history of 'discovery' and consequential

¹⁸⁶ This will be explored more in Chapter Four. This notion was related to the medieval notion of *res nullius*, which influenced the *terra nullius* doctrine of nineteenth-century colonialism.

¹⁸⁷ Peter Martyr, *De Orbe Novo*, ed. and trans. Francis MacNutt (New York, 1912), p. 216. Martyr added that this 'is the cause of crimes of violence that shortens human life'.

¹⁸⁸ Peter Martyr, *De Orbe Novo*, p. 257.

¹⁸⁹ For more on enunciative modalities see Michel Foucault, *The Archaeology of Knowledge*, trans. A.M. Sheridan Smith (Bristol, 1994), p. 75.

¹⁹⁰ This will be explored further Chapter Four.

possession of the Americas in Spanish hands. 1492 is less important in English discovery narratives, for which it is more convenient to stress that Columbus did not truly 'discover' America, and perhaps to emphasise the 'discoveries' of the Cabots' of the northern shores of the Americas.¹⁹¹

First Acquisition, as will be explained in Chapter Four, is part of a theological philosophy of time, and theological time has influenced the colonial discourse. First Acquisition relates to a typology of Biblical time, which has a spatial dimension and is not bound by the rules of unidirectional chronological time.¹⁹² First Acquisition models the transition from the State of Innocence in the Garden of Eden, and it is tied to the history of the origins of property. Understanding this theological context lends further significance to Columbus' report that he believed he was sailing to the Garden of Eden, this was not a politically neutral interpretation.¹⁹³ Depicting the Americas as a Garden of Eden has had colonial implications since this imagery has obscured the history of the Amerindians, it has reinforced the notion that the Americas were untouched and empty.¹⁹⁴ The philosophy of First Acquisition also lends further significance to why the 'New World' was the 'New World'; it needed to be new for it to be newly acquired. The ideology of novelty came to sustain both the colonised space of the New World and the colonising myth of modernity. It is often (Eurocentrically) assumed that the 'New World' was so-called as the separate continent of the Americas had not appeared on early cartographical depictions of the world which included Europe, Asia and Africa; it was also known as 'the fourth part of the world'.¹⁹⁵ However, when Peter Martyr used the term 'New World' the scale

¹⁹¹ See Raymond C. Beazley, *John and Sebastian Cabot: the discovery of North America* (London, 1898).

¹⁹² One can see this idea at work in the Hereford *mappa mundi* which depicts an eschatological journey through time across space.

¹⁹³ Christopher Columbus, 'Narrative of the Third Voyage of Christopher Columbus to the Indies, in which He Discovered the Mainland, Dispatched to the Sovereigns from the Island of Hispaniola', in Fernando Colón, *The life of the Admiral Christopher Columbus, in The Four Voyages of Christopher Columbus, being his own log book, letters and dispatches with connecting narratives drawn from the Life of the Admiral by his son Hernando Colon and other contemporary historians*, ed. and trans., J. M. Cohen (London, 1969), pp. 206-226, p. 218.

¹⁹⁴ As recently as the 1990s William M. Denevan wrote to counteract the mythology of the Edenic state of the Americas in 1492, see: William M. Denevan, The Pristine Myth: The Landscape of the Americas in 1492, *Annals of the Association of American Geographers*, Vol. 82, No. 3 (1992), pp. 369-385.

¹⁹⁵ In his *Cosmographiae Introductio*, Martin Walseemüller wrote of the 'fourth part of the world' which had been 'discovered by Amerigo Vespucci'; 'from Martin Walseemüller's *Cosmographiae Introductio*', in Formisano ed. *Letters from a New World, Amerigo Vespucci's Discovery of America*, trans. David Jacobson (New York, 1992), pp. 113-123, p. 116.

of the continent that the Europeans were witnessing had not been realised, and so there is more importance to the notion of newness in the 'New World'.¹⁹⁶

Time and Coloniality: a critique of the 'discovery' paradigm

Philosophies of time have played an essential role in colonisation processes. They are essential to the colonising mythology of Eurocentred modernity, and the colonial identity of the 'New' World. The use of time in colonisation strategies works in different directions. For example, extending the history of expansion and conquest back into the Middle Ages provided justification for the expansion and colonisation that was occurring in the nineteenth century. Many histories of late medieval discoveries are in fact histories of nineteenth-century imperial psychology. Jacob Burckhardt's (1818-1887) *The Civilisation of the Renaissance in Italy* is an iconic example of the nineteenth-century colonisation of the past. Conventionally, he began his chapter 'the discovery of the world and of man' by stating that 'the crusades had opened unknown distances to the European mind, and awakened in all the passion for travel and adventure'.¹⁹⁷ Burckhardt's work ossified the romance of the Renaissance discovery of man and of the world. It is a vital part of the nineteenth-century narrative of progress. Burckhardt explained that discovery began with the Italians, who were 'freed from the countless bonds which elsewhere in Europe checked progresses'.¹⁹⁸ He demonstrated the temporal dimension of this when he wrote about the Italians' 'passionate desire to penetrate the future'.¹⁹⁹ Accordingly, he reified the role of the Italians in discovery. He delineated that the Genoese 'found the Canary Islands' in the thirteenth century, made the first known attempt to find a sea-passage to the East Indies, and of course, first sailed to America.²⁰⁰ Burckhardt attributed these achievements to the development of geography and allied sciences amongst the 'half ancient people of the Italians'.²⁰¹ This nineteenth-century colonial romanticisation of discovery is an example of the colonisation of the Middle Ages.

¹⁹⁶ Peter Martyr, 'To Cardinal Ludovico D'Aragon, (1500)', *De Orbe Novo*, p. 85. Although there must have been many interpretations regarding the Americas around 1500, the accounts of Vespucci that contributed to the naming of the continent were not published until 1502 and 1504, and the first map depicted the 'new' continent was not produced by Waldseemüller until 1507.

¹⁹⁷ Jacob Burckhardt, *The civilisation of the Renaissance in Italy* (London, 1944), p. 171.

¹⁹⁸ *Ibid.*

¹⁹⁹ *Ibid.*, p. 174.

²⁰⁰ *Ibid.*, p. 171.

²⁰¹ *Ibid.*, p. 173.

This nineteenth and twentieth-century colonialism is significant because it impacts upon the available source corpus and influences the hegemonic meta-narrative. In particular the medievalism of nineteenth-century romanticism has had a pronounced impact.²⁰² The most prominent example of the nineteenth-century colonisation of the Middle Ages is the attempt to extend the narrative of colonisation by looking at earlier histories of conquest and their legitimacy. This lengthening of the genealogy of conquest is used to construct the facade of legitimacy for nineteenth-century conquest. Evidence of this imperialist project is neatly displayed by the typology of sources edited and translated in the Hakluyt series. The Hakluyt society was founded in 1846, its aim was 'to advance knowledge and education by the publication of scholarly editions of primary records of voyages, travels and other geographical material'.²⁰³ In reality it was founded to emphasise the English role in European expansion. The Hakluyt society takes its name from Richard Hakluyt (1552/3-1616), who wrote his *The Principal Navigations, Voyages, Traffiques and Discoveries of the English Nation* in the sixteenth century, based on collected documents.²⁰⁴ It was part of his project of imperial geography and support for the English colonisation of America. The Hakluyt series has continued the historical project of imperial geography, mythologizing and historicising the era of medieval conquest. This is illustrated by Major's comment regarding Béthencourt's expedition: 'it lends the charm of chivalry to an expedition of discovery, undertaken at a period when chivalry was itself a reality'.²⁰⁵ Thus nineteenth-century historians used the Middle Ages to create an image of conquest that would complement the conquests of the age of romantic nationalism. As recently as late as 1966 one historian wrote 'the supreme romance of human achievement is how man

²⁰² See J. Leerssen, 'Literary Historicism: Romanticism, Philologists, and the Presence of the Past', *Modern Language Quarterly: A Journal of Literary History*, Vol. 65 No. 2 (2004), pp. 221-243. It is difficult to decouple medieval history from this nineteenth-century manipulation.

²⁰³ <http://www.hakluyt.com/> (19.02.10).

²⁰⁴ Richard Hakluyt, *Voyages and Discoveries, The Principal Navigations, Traffiques and Discoveries of the English Nation*, edited, abridged and introduced by J. Beeching (Aylesbury, 1972).

²⁰⁵ Richard Henry Major, cited Clement Markham, 'Introduction', in Alonso De Espinosa's, *The Guanches of Tenerife, The Holy Image of Our Lady of Candelaria and the Spanish Conquest and Settlement*, ed. and trans. Clement Markham (London, 1907), pp. i-xix, p. ii.

discovered his earth', which depicts how histories of ideas reproduce teleological narratives of modernity.²⁰⁶

Just as land needed to be unclaimed in order to be claimed in the model of First Acquisition, so too must land be 'lost' before it could be 'found'. The purposeful losing of space, setting the scene for discovery and conquest is a strategy played out in the late medieval Atlantic world. This model is important to nineteenth-century 'discovery' narratives. R.H. Major's *Henry the Navigator* is a prime example of this. He narrates the history of the 'discoveries' and achievements of Prince Henry the Navigator and methodically discounts claims to earlier discoveries of the lands before Henry.²⁰⁷ Like we saw with the problematic legacy of Columbus, the struggle to control the narrative of space always accompanies the struggle to control the space. This 'discovery' myth is essential to the process of colonisation in the Atlantic world. This struggle to control the historic memory of space occurred within both nineteenth-century and medieval narratives.

The problematic narrative of the 'rediscovery' and competition to control the Canary Islands is an example of the link between knowledge and representation of space and its colonisation. Despite evidence of European knowledge of the Canary Islands from at least as early as the thirteenth century, many histories of the Canary Islands narrate their 'rediscovery' at various times across the fourteenth century, and even the fifteenth. While it is difficult to pinpoint exactly when the Canary Islands were not known, the notion of the 'rediscovery' of the Canary Islands is an Atlantic Paradigm particularly stressed by the imperialist editors of the Hakluyt series who were responsible for editing and publishing the main source corpus of the region. For example the editor of the sixteenth-century chronicle of the Canaries, *The Guanches of Tenerife*, begins: 'the story of the discovery and settlement of the Canary Islands has long been considered by the Council as a proper and desirable subject for a volume or more in the

²⁰⁶ V. Stefansson, 'Man Discovers His Earth', in *Beyond the Pillars of Hercules, the classical world seen through the eyes of its discoverers*, Rhys Carpenter (New York, 1966), pp. v. ii-xiv, p. viii.

²⁰⁷ Richard Henry Major, *The Life of Prince Henry of Portugal, Surnamed the Navigator; And its results: comprising the discovery, within one century, of half the world. With new facts in the discovery of the Atlantic Islands; a refutation of French claims to priority in discovery; Portuguese knowledge (subsequently lost) of the Nile Lakes, and the History of the naming of America. From Authentic Contemporary Documents* (London, 1868).

Hakluyt Series'.²⁰⁸ 'Rediscovery' also continues to appear in contemporary historiography. For example, David Wallace begins his chapter on the Canary Islands by writing about 'the discovery or rather rediscovery of the Canary Islands in the fourteenth century'.²⁰⁹ This indicates that the myth that the Canaries were discovered or rediscovered in the fourteenth century is still appealing.

Wallace observes that this fourteenth-century rediscovery of the Canary Islands formed 'a perfect physical complement for the recuperative labors of humanist philology'.²¹⁰ This indicates that the narrative trope of discovery did not begin in the nineteenth century but the Renaissance, since the notion of rediscovered space mirrored the culture of rediscovered knowledge. Nineteenth-century historians have not simply created a narrative of 'rediscovery' but mimicked a narrative trope present in works of the Italian Renaissance, including those of Boccaccio and Petrarch, regarding the rediscovery of the Canaries.²¹¹ Wallace has termed the renaissance contribution to descriptions of the Atlantic world as the 'Humanist Atlantic'.²¹² While Mignolo stressed the sixteenth-century renaissance, it was the fourteenth-century renaissance that was essential to the discourse of the discovery of the New World. For example, Amerigo Vespucci began his famous letter to Piero Soderini with references to Petrarch and Dante.²¹³ The cultural trends of the renaissance did much to advertise the discovery paradigm, and the Florentine poet Guiliano Dati was swift to cast Columbus' discovery in poetry.²¹⁴ This reflection on the importance of the

²⁰⁸ Clement Markham, 'Introduction' to Alonso De Espinosa's, *The Guanches of Tenerife*, p. ii.

²⁰⁹ David Wallace, *Premodern Places: Calais to Surinam, Chaucer to Aphra Behn* (Malden MA, 2004), p. 203.

²¹⁰ *Ibid.*

²¹¹ Giovanni Boccaccio, 'Narrative of 1341 the Voyage', in *The Canarian or, Book of the conquest and conversion of the Canarians in the year 1402, by Jean de Bethencourt*, composed by Pierre Bontier, and Jean Le Verrier; ed. and trans. R.H. Major (London, 1872), pp. xiii-xix. Francesco Petrarca, *Life of Solitude*, translated with introduction and notes by Jacob Zeitlin (Westport Conn, 1978).

²¹² David Wallace, *Premodern Places*, p. 208.

²¹³ Amerigo Vespucci, 'Letter to Piero Soderini', Luciano Formisano ed. *Letters from a New World, Amerigo Vespucci's Discovery of America*, trans. David Jacobson (New York, 1992), pp. 57-97, pp. 58-59.

²¹⁴ Guilano Dati, 'This is the history of the discovery of the Canary Islands of the Indies, extracted from a letter of Christopher Columbus, and translated into Latin from the common language of Guilano Dati for the praise and glory of the celestial court, and for the consolation of the Christian religion, and at the request of the magnificent chevalier John Philip Delignaruine, private secretary of the most sacred and Christian King of Spain, October 25, 1493'. There is a copy of this letter in the British museum, and other copy was included obtained for the 1892 World's Columbian Expedition, and printed in William Eleroy Curtis, *The Relics of Columbus: An*

Renaissance is not an abstraction of intellectual history, since Wallace has observed that 'the humanist classicism inaugurated by Boccaccio and Petrarch sustains the core classical practices of enslavement'.²¹⁵ In his *Life of Solitude*, written in 1346, Petrarch wrote 'I pass over the Fortunate Isles which, being situated at the extreme west are near and better known to us but are as remote as possible from India and the North, a land famed through the writings of Horace'.²¹⁶ Petrarch contributed to the Renaissance mythology of the Canary Islands. Classical references to the Canary Islands associate them with classical time. Yet there was contact with the Canary Islands in the time that Petrarch was writing. Petrarch claimed that the Genoese penetrated the islands 'in the memory of our fathers' (probably referred to the expedition of Malocello, or to the expedition of Tedisio Dorio and the Vivaldi in 1291) and concluded his history of the Canaries by stating that 'Clement VI gave to a man of noble stock mixed of blood of Spain and France' (Luis de la Cerda).²¹⁷ Petrarch's combination of classical references with reference to renewed contact with the Canaries creates the effect of increasing the proximity to classical time. This effect, a product of Renaissance culture, is part of the process of the colonisation of time.²¹⁸ Creating proximity in time is also the inverse of the aforementioned 'denial of coevalness', and an alternative interpretation of the colonial politics of time. This colonisation of time, and the invention and use of a classical past as part of a European colonial agenda, was not an early modern, but a medieval phenomenon. Facets of coloniality and the identity of modernity, the Middle Ages, and the Atlantic world were invented in the fourteenth and fifteenth centuries, and not the sixteenth and seventeenth.

The paradigm of discovery, or rediscovery, has dominated the history of the Canary Islands despite evidence of knowledge of them which appears across the Middle Ages. In the sixteenth century, Alonso de Espinosa, a Spanish priest

illustrated Description of the Historical Collection in the Monastery of La Rabida (Washington, 1893), p. 145. Also available in Archivo Hispalense ed. *Curiosidades bibliográficas y documentos inéditos, homenaje del archive hispalense al cuarto centenario del descubrimiento del Nuevo mundo* (Seville, 1892), pp. 1-15.

²¹⁵ David Wallace, *Premodern Places*, p. 8.

²¹⁶ Francesco Petrarca, *Life of Solitude*, p. 267.

²¹⁷ *Ibid.*

²¹⁸ This is explained in the delineation of John Dagenais' article in the introduction. Although Dagenais' argument focuses on Petrarch's unrequited love for Laura, this example is part of the same process, John Dagenais, 'The Postcolonial Laura', *Modern Language Quarterly* 65, no. 3 (2004), pp. 365-389. See pp. 13-14 of my introduction.

and Dominican, acknowledged that ‘there was knowledge of these islands, although not all of them, from a time before the birth of Christ our redeemer’.²¹⁹ Espinosa itinerated the classical references to the ‘Elysian Fields’ as they were then called. This emphasis on the knowledge and cosmography of Antiquity was an important part of the Renaissance culture. The ‘Fortunate Isles’ (another synonym) were described in the works of Strabo and Pomponius Mela. Pliny was aware of the Fortunate Isles through the geographical survey commissioned by King Juba of Mauritania. Sertorius gave an account of the Fortunate Isles after the Punic Wars, which was recorded by Plutarch. The ‘Fortunate Isles’ appeared in classic literature. Major observed: ‘in the poems of Homer the ocean is treated like a river beyond which at the earth’s confines where the Elysian fields which Hesiod and Pindar made to be surrounded by water, so that the habitations of the blest were transformed into islands, and hence, probably, originated the name of the Insulæ Fortunatæ or Fortunate Islands’.²²⁰ It is difficult to determine when this classical knowledge of the Canary Islands became ‘unknown’.

There is evidence of knowledge of the Canary Islands beyond Antiquity. The islands were known in the Muslim world as the Islands Khaledat.²²¹ Wallace tells us that in the tenth century, Ben Farrouk, the Arab Captain guarding the Portuguese coast against marauding Normans, visited Gran Canaria and was welcomed by Guanarteme, the chieftain.²²² Wallace also notes that ‘the Nubian geographer Sharif-al-Idrisi writes of further Arab expeditions setting off from Lisbon in the eleventh century’, and in the fourteenth century the islands were discussed by Ibn Khaldun.²²³ This suggests that there was knowledge of the Canary Islands in the Middle Ages.

The history of the Canary Islands, and their ‘rediscovery’, appears confused because it was often linked to political agendas. The issue of who ‘rediscovered’ the island was important as it related to the question of who had rights to that

²¹⁹ Alonso de Espinosa, *The Guanches of Tenerife* (2010), p. 25-26.

²²⁰ Richard Henry Major, ‘Introduction’, *The Canarian or, Book of the conquest and conversion of the Canarians in the year 1402, by Jean de Bethencourt*, composed by Pierre Bontier, and Jean Le Verrier, ed. and trans. R.H. Major (London, 1872) pp. ii-iv, p. iii.

²²¹ *Ibid.*, p. viii.

²²² David Wallace, *Premodern Places*, p. 203.

²²³ *Ibid.*

land, and the history of their ownership is full of contest. In 1344 Clement VI issued the bull *Sicut exhibitae*, granting the Canary Islands to Luis de la Cerda (a Castilian prince living in the kingdom of France), who became the 'Prince of Fortune', charged with spreading Christianity to the isles.²²⁴ Prior to this, an expedition had left Portugal for the Canaries in 1341, with a Genoese pilot named Nicoloso de Recco, and a ship manned by Genoese, Castilians, Portuguese and 'other Spaniards', which evidenced by a letter from Alfonso IV to Clement VI.²²⁵ A narrative of this voyage survives from Boccaccio, who used letters, written by Florentine merchants established in Seville, which arrived in Florence in 1341.²²⁶ Despite the 1344 grant to Luis de la Cerda, the Jewish Majorcan, Abraham Cresques, placed the Genoese shield in the Canaries in his 1375 Catalan Atlas.²²⁷ This is probably the consequence of the suspected visit to the islands by Genoa's Lancelote Malocello, which occurred 'probably prior to 1339'.²²⁸ There is evidence for this in Jean de Béthencourt's narrative of the Canaries, which refers to 'an old castle which was said to have been built by Lancelot Maloysel'.²²⁹ The editor of *The Canarian* noted that 'this important reference to an earlier occupation of the island is connected with the naming of the island of Lancerote'.²³⁰

It is also thought that Majorca, where the Franciscans exerted much influence, had contact with the Canaries. Majorca, under Islamic rule until 1229, was an important site in the transcultural knowledge network of the Franciscans. Felipe Fernández-Armesto has observed that the exploration of the Canaries was 'a natural extension of Majorcan interests in Africa and the Atlantic: Majorcan shipping carried Catalan trade to northern Europe in the late thirteenth and early fourteenth centuries; and the dispensations Majorcans enjoyed to trade with infidels peculiarly fitted them to take part in navigation along the African

²²⁴ Sermón de Clemente VI papa acerca de la otorgación del Reino de Canarias a Luis de España, 1344, transcription by Marcos G. Martínez, ed. E. Serra, in *Revista de historia canaria* 29 (1963-64), pp. 89-107.

²²⁵ Giovanni Boccaccio, 'Narrative of the 1341 Voyage', p. x.

²²⁶ Giovanni Boccaccio, 'Narrative of the 1341 Voyage', in *The Canarian*, trans. R.H. Major (London, 1872), pp. xiii-xix.

²²⁷ Abraham Cresques, *Catalan World Atlas* (1374-6), Bibliothèque Nationale de France, Paris, reproduced in David Wallace, *Premodern Places*, p. 204.

²²⁸ Felipe Fernández-Armesto, *Before Columbus*, p. 154.

²²⁹ *The Canarian*, trans. R.H. Major (London, 1872), p. 55.

²³⁰ *Ibid*, footnote 1.

coast'.²³¹ He added that Majorca 'had long been a Genoese staging post for westward navigation', and had been the starting point of the 1291 Vivaldi voyage.²³² By thinking about the Canary Islands we get a sense of the active medieval networks (political, economic, and intellectual) which encompassed the Atlantic world. Most significantly, Fernández-Armesto wrote that Majorca, the Atlantic world staging post with an historic connection to the Canaries, 'was the home of a school of missionaries, chiefly Franciscans, inspired by Ramon Lull's (1232-1316) methods of evangelisation' and that 'Lullian missionaries were to be among the most frequent early travelers to the Canaries'.²³³ Language was at the core of the Lullian approach; in the thirteenth century Ramon had requested that the king of Majorca found a monastery where thirteen friars could learn Arabic to prepare for their mission to the Moors, and a Franciscan college was founded at the Miramar convent in Majorca by Lull in 1276.²³⁴

The notion of Béthencourt's 'discovery' of the Canary Islands and his battle to control them from 1402 has dominated their historical landscape, despite the evidence of earlier interactions which can be explored through a study of Franciscan networks. Alonso de Espinosa's account of the Canary Islands does not mention European contact, or even knowledge of the islands between Antiquity and the fifteenth century. Espinosa's narrative demonstrates that the details of the fifteenth-century history of the islands were confused even by the sixteenth century; he wrote that in 1417, King Juan II of Castile, granted the conquest of the islands to Jean de Béthencourt.²³⁵ In the *First Decade* Peter Martyr recorded that 'it was about the year 1405 that a Frenchman called Béthencourt rediscovered the seven Canaries'.²³⁶ Just as Béthencourt's expedition did not constitute the discovery of the Canaries, nor was it the beginning or end of the struggle for ownership. Perhaps one reason for its dominance within historical narratives is the success of Béthencourt's narrative

²³¹ Felipe Fernández-Armesto, *Before Columbus*, p. 157.

²³² Ibid.

²³³ Ibid.

²³⁴ Sabastián Garcías Palou, *El Miramar de Ramon Lull* (Palma de Mallorca, 1977), p. 40, cited by Jill R. Webster, *Els Menorets*, p. 125.

²³⁵ Alonso de Espinosa, *The Guanches of Tenerife; The Holy Image of Our Lady of Candelaria, and the Spanish Conquest and Settlement*, ed. and trans. Clement Markham (London, 1907), p. 84.

²³⁶ Peter Martyr, *De Orbe Novo*, p. 59.

strategy;²³⁷ this demonstrates the conspiracy between historical narrativity and colonialism. *The Canarian* was successful in shaping the collective memory of the region and still forms an essential part of the historiography of the Canaries. However Béthencourt's 'conquest' had a more ambiguous legacy than this literary depiction indicated. Major reported that:

M. d'Avezac, in his valuable work on the "Iles d'Afrique," in the *Univers Pittoresque*, tells us that an official document, preserved in the Escorial, and embodying the results of an inquiry instituted in 1476 by Queen Isabelle of Castile as to the respective rights of the various pretenders to the possession of the Canaries, declares formerly that Jean de Béthencourt had received information in Normandy respecting these islands from two French adventurers, who had made incursions on them in company with a Spaniard named Alvaro Bécerra, and that he was thereby induced to undertake the conquest.²³⁸

This statement indicates the political manipulations behind the ambiguous nature of the history of the Canaries. A Castilian investigation into the conquest of the Canaries produces Spanish influence in the narrative. The history of the Canary Islands demonstrates the political and colonial agenda of historical narratives of space. Ambiguity was an essential part of the history/mythology of the Canary Islands. In 1406 Jean de Béthencourt left his nephew, Maciot de Béthencourt, as governor-general of the Canaries.²³⁹ Major reported that 'in 1414, the exactions and tyranny of Maciot de Béthencourt had caused Queen Catherine of Castile to send out three war caravels under the command of Pedro Barba de Campos, Lord of Castro Forte, to control him'.²⁴⁰ Despite the fact that Jean de Béthencourt was alive and Maciot was only the regent, Maciot ceded the islands to Barba, then sold them to Prince Henry the Navigator, and

²³⁷ Pierre Bontier, Pierre, and Jean Le Verrier, *The Canarian or, Book of the conquest and conversion of the Canarians in the year 1402, by Jean de Bethencourt*, ed. and trans. R.H. Major (London, 1872). *The Canarian* exists as two manuscripts. One, which can now be found in the British library, formed part of the Duke of Burgandy's library by 1420 and favoured Gadifer de La Salle (MS Egerton 2709). The second, now in the Bibliothèque Municipale de Rouen, favoured Béthencourt.

²³⁸ Richard Henry Major, 'Introduction', *The Canarian*, p. xxi.

²³⁹ *Ibid*, p. xxx-xxxi.

²⁴⁰ *Ibid*, p. xxxvi.

also granted them to the Spanish Count of Niebla. Major reported that 'Pedro Barba de Campos sold them to Fernando Perez of Seville, and the latter again to the aforesaid Count of Niebla, who disposed of them to Guillem de Las Casas, and the latter to his son-in-law Fernam Peraza'.²⁴¹ Despite these numerous propriety transfers, Jean de Béthencourt had left the islands in his will to his brother Reynaud. The Portuguese appealed to the new pope Eugenius IV concerning their right to the Canaries. Eugenius granted the Canaries to Portugal, but the Castilians reacted by sending an embassy to the council of Basel. Juan II's jurists drew up an argument to convince Eugenius that he had acted improperly regarding Castile. Consequently Eugenius IV wrote privately to Duarte asking him not to trespass on the rights of Castile. In 1454 Nicholas V awarded the Canary Islands to Portugal. After the Treaty of Alcaçova in 1479 between Affonso V of Portugal and Ferdinand of Aragon and Isabella of Castile it was decided that the Canaries belonged to the Castilians.²⁴² The papacy's involvement in competition between the Spanish kingdoms and Portugal was a staple of the medieval Atlantic world, but most importantly, ambiguity and manipulation of the narrative of discovery and conquest played an essential role in colonial pretensions to this Atlantic space.

A journey through Franciscan global knowledge networks demonstrates an alternative narrative of the Canary Islands to these state-centric narratives of discovery and conquest. Reference to the Canary Islands appears in the most intriguing of medieval texts: the *Book of the Knowledge of all the kingdoms, lands, and lordships that are in the world, and the arms and devices of each land and lordship, or of the kings and lords who possess them*, written by an unknown Spanish Franciscan in the fourteenth century. While it is debateable whether the Franciscan had travelled to the places that he described or if the work was a compilation of traditions, this text nonetheless demonstrates that

²⁴¹ Ibid, p. xxxvii.

²⁴² 'For whatever has been found or shall be found, acquired by conquest, or discovered within the said limits, beyond what has already been found, occupied or discovered, belongs to the said King and Prince of Portugal and to their kingdoms, excepting only the Canary Islands, to wit: Lançarote, Palma, Forteventura, Gomera, Ferro, Graciosa, Grand Canary, Teneriffe, and all other Canary Islands, acquired or to be acquired, which belong to the kingdom of Castile'; 'Treaty between Spain and Portugal, concluded at Alcáçovas, September 4, 1479. Ratification by Spain, March 5, 1480. [Ratification by Portugal, September 8, 1479.]', in Francis Gardiner Davenport ed. *European Treaties bearing on the History of the United States and its Dependencies to 1648* (Washington, D.C., 1917), pp. 36-41, p. 38, translation at pp. 42-48, p. 44.

there was awareness of the Atlantic islands amongst Franciscans in the early fourteenth century. This text illustrates the extent of [European] medieval knowledge of the wider world, but more importantly it firmly links the Franciscans to global knowledge. The *Book of Knowledge* includes references to the Canary Islands and places in sub-Saharan Africa which conventional narratives of the Portuguese Empire claimed were discovered much later.²⁴³ According to the editor, Jiménez De La Espada, this Franciscan was the first to mention and give the names of most of the Canary Islands, the Madeiras and the Azores.²⁴⁴ In the course of the book the Franciscan named twenty five Atlantic islands.²⁴⁵ There is evidence that it influenced the textual community of the late Middle Ages as it was cited by Pierre Bontier and Jean le Verrier, Béthencourt's chaplains, and authors of his conquest narrative.²⁴⁶ They used the book and translated the section on Africa, which was useful at a time when Africa was firmly on the political and economic agenda of Europe. The Franciscan's descriptions of Africa concur with things that were supposedly 'discovered' at later dates, under the auspices of Henry the Navigator's maritime project. The authenticity of the account of the unknown Franciscan would have been politically sensitive. If the unknown Franciscan's mission had occurred, it raised two problems. Firstly it would suggest that more of the world was 'known' than was advantageous to know, at a time when the glory and power of 'rediscovery' was being sought. Secondly, if a Franciscan missionary had already ventured into the Atlantic Islands and Africa, it suggested that the people of these places had already been encountered, and the assumption that they were people capable of receiving Christianity had been made, and that evangelisation had begun without the need for conquest. Conventionally conquest rights came from the pope on the condition that Christianity was extended, and this would require a situation of need. The implications regarding rights will be discussed in Chapter Four. Despite the historical importance of

²⁴³ An Unknown Friar of the XIV Century, *Book of the Knowledge of all the kingdoms, lands, and lordships that are in the world, and the arms and devices of each land and lordship, or of the kings and lords who possess them*, ed. Jiménez De La Espada Marcos, and Clement Markham (London, 1912).

²⁴⁴ Jiménez De La Espada Marcos, and Clement Markham, 'Introduction', *Book of the Knowledge of all the kingdoms, lands, and lordships that are in the world, and the arms and devices of each land and lordship, or of the kings and lords who possess them*, ed. Jiménez De La Espada Marcos, and Clements R Markham (London, 1912), p. xi.

²⁴⁵ An Unknown Friar of the XIV Century, *Book of Knowledge*, p. 28.

²⁴⁶ *The Canarian*, pp. 97-109. The *Book of Knowledge* is not actually cited, but the unnamed Spanish Franciscan and the knowledge referred to indicate this must be the source to which he is referring.

The *Book of Knowledge of the Unknown Franciscan Friar* it does not feature prominently in many histories of the Atlantic world, and its absence speaks volumes.

The Franciscan influence on the European knowledge and history of the Atlantic world has been substantial, but it is seldom acknowledged. It is obscured by state-centric narratives that benefit from the normative models of discovery and conquest. Yet, even within these narratives the Franciscans have played a role. Father Bontier, co-author of the essential tome in the construction of the historical memory of Béthencourt's conquest of the Canaries, was a Franciscan.²⁴⁷ Subtly but significantly, the importance of the Franciscans to global knowledge was inserted into the narrative of the Canarian, which itinerates the important findings of the unknown Spanish Franciscan.²⁴⁸ This narrative insertion linked Béthencourt's affair in the Canaries with the project of the Franciscan collation of global knowledge and established the Franciscans as the authorities of global knowledge.

Beyond this case-study of the history of the Canary Islands, there are many more examples of 'discovery' and 'conquest' in the medieval Atlantic world, for example in the fifteenth-century Portuguese 'exploration' or colonial endeavours reached new heights thanks to the energies of Prince Henry the Navigator.²⁴⁹ I have focused on the history of the Canary Islands because the mythologies and colonial experiences of this island chain have strong parallels with Columbus' voyages in the Caribbean and this assists the visualisation of the continuous

²⁴⁷ Pierre Bontier, Pierre, and Jean Le Verrier, *The Canarian or, Book of the conquest and conversion of the Canarians in the year 1402, by Jean de Bethencourt*, ed. and trans. R.H. Major (London, 1872). The Franciscan identity of Bontier was reported by Richard Henry Major, 'Introduction', *The Canarian*, p. xli, and also commented on by Antonio Rumeu de Armas, *El Obispado de Telde, Misioneros mallorquines y catalanes en el Atlántico* (Madrid, 1960), p. 18.

²⁴⁸ *The Canarian*, Chapter LVI-LIX, pp. 97-109.

²⁴⁹ I won't reproduce this narrative here, for more information see Richard Henry Major, *The Life of Prince Henry of Portugal, Surnamed the Navigator; And its results: comprising the discovery, within one century, of half the world. With new facts in the discovery of the Atlantic Islands; a refutation of French claims to priority in discovery; Portuguese knowledge (subsequently lost) of the Nile Lakes, and the History of the naming of America. From Authentic Contemporary Documents* (London, 1868); E. Prestage, *The Chronicles of Fernao Lopes and Gomes Eannes de Zurara* (Watford, 1928); Gomes Eanes de Azurara, *The Chronicle of the Discovery and Conquest of Guinea*, 2 volumes (London, 1896-1899); P. Russell, *Prince Henry 'the Navigator': a life* (New Haven, 2001); *Europeans in West Africa 1450-1560, Vol. I*, ed. and trans. John Blake (London, Hakluyt, 1942); *A Journal of the First Voyage of Vasco Da Gama* ed. and trans. E.G. Ravenstein (London, 1898); F. Rogers, *The Travels of the Infante Dom Pedro of Portugal* (Cambridge, Massachusetts, 1961).

context of a medieval Atlantic world. This contributes to the fragmentation of the historicism of 1492 as a dramatic rupture in the space-time of historical narratives. Anthony Steven-Arroyo argues that it makes more sense to compare the Caribbean Islands with the Canaries rather than Mexico, because 'the experience of the islands provided a major stimulus to modify and change policies which had characterised the medieval *reconquista* encounter with Muslims and Jews, thus boosting the development of a new imperial mode for later subjugating Mexico, Peru, and much of the American conflict'.²⁵⁰

Steven-Arroyo also ponders the similarities between the Guanches and the Tainos.²⁵¹ This observation of similarity began with Columbus who described the Tainos as 'the colour of Canary Islanders'.²⁵² Wallace explains, it is important to start with the Canaries because 'in meditating upon Canarian peoples, we intact that many European perceptions and practices taken to the Americas are first essayed in the Canaries'.²⁵³ Fernández-Armesto thinks of the Canary Islands as a 'conceptual "half way house" between Spain and America,²⁵⁴ but this highlights the potential danger of homogenising the context of the late medieval world through a Canarian–Caribbean comparative. The notion of a 'half way house' still has at its core the notion of a progression in time and space. The Canarian-Caribbean comparative should demonstrate the link between politics, ideas, and narrativity, as well as the importance of the late Middle Ages and not emphasise continuity in order to endorse a teleological interpretation of the past.

There is not a complete parallel between the literary artifice of the 'discovery' of the Canaries and the 'discovery' of the Americas. The case for medieval knowledge of the Americas is less obvious than for the Canaries, yet there are many audible murmurings that the Americas were not completely unknown in

²⁵⁰ Antony M. Stevens-Arroyo, 'The Inter Atlantic Paradigm: The failure of Spanish Medieval Colonisation of the Canary and Caribbean Islands', in *The Medieval Frontiers of Latin Christendom, expansion, contraction, continuity*, ed. James Muldoon (Aldershot, 2008), pp. 343-369, p. 344.

²⁵¹ *Ibid.*, p. 354.

²⁵² Christopher Columbus, 'Digest of Columbus' Log-Book on his First Voyage Made by Bartolomé de Las Casas', *The Four Voyages*, pp. 37-76, p. 55.

²⁵³ David Wallace, *Premodern Places* (Malden, 2004), p. 7.

²⁵⁴ Antony M. Stevens-Arroyo, 'The Inter Atlantic Paradigm', p. 345.

medieval Europe.²⁵⁵ Beyond the Leif Ericson argument regarding pre-Columbian contact with the Americas,²⁵⁶ and the arguments regarding the intellectual context including Toscanelli's map and letter, there are many more narratives of medieval knowledge of the Americas.²⁵⁷ It is even argued that the extended Asian peninsula on Henricus Martellus' c.1489 world map, also known as the 'Dragon's Tail', represents a pre-Columbian map of the Americas.²⁵⁸ This map may have influenced Columbus, as Martyr indicated that Columbus assumed Cuba was an extension of Asia, in a model not dissimilar to Martellus' map.²⁵⁹ Gustavo Vargas Martínez claimed that 'America was well known on the shores of the Atlantic by the European sailors at the end of the fourteenth century'.²⁶⁰ Despite evidence of cultures of knowledge and direct experiences regarding the Atlantic world, Peter Martyr created a literary depiction of 'an immense and hitherto unknown ocean', emphasising ignorance in order to express the notion of discovery.²⁶¹ It is difficult to confirm or deny the presence or absence of knowledge of the Americas in medieval Europe, but the problem with the paradigm of the 'discovery of the New World in 1492' is not restricted to this conventional question of knowledge. There are other problems with the paradigm of discovery. What was discovered in 1492? In some ways nothing, since Columbus believed he had reached the island chain leading to Cipangu reported by Marco Polo, and European realisation of the Americas did not occur until much later. This problem led Weckmann to ask how, 'if the Discoverer [Columbus] died convinced of having visited only Asia and totally unaware of a New World, and if the notion of America's existence came gradually into men's minds decades afterwards, how can Alexander VI have "divided" a continent

²⁵⁵ Examples of theories of pre-Columbian trans-oceanic contact with the Americas include Cyrus H. Gordon, *Before Columbus; Links Between the Old World and Ancient America* (New York, 1971).

²⁵⁶ See Kirsten A. Seaver, *The frozen echo: Greenland and the exploration of North America, c. A.D. 1000-1500* (Stanford, 1996).

²⁵⁷ See Brian Fagan, *Fish on Friday: feasting, fasting, and the discovery of the new world* (New York, 2006).

²⁵⁸ See William A. R. Richardson, 'South America on Maps Before Columbus? Martellus' "Dragon's Tail" Peninsula', *Imago Mundi* 55 (January 1, 2003), pp. 25–37; and Gustavo Vargas Martínez, *América en un mapa de 1489* (México, D.F, 1996).

²⁵⁹ Peter Martyr, *De Orbe Novo*, p. 93, this is inferred by Martyr and emphasised in a footnote by the editor.

²⁶⁰ 'America era bien conocida en su litoral Atlántico por los navegantes europeos de fines de siglo XV'; Gustavo Vargas Martínez, *América en un mapa de 1489* (México D.F, 1996), p. 23.

²⁶¹ Peter Martyr, *De Orbe Novo*, p. 150.

whose existence was not even suspected'.²⁶² The answer to this is clear, spatial 'reality' had no importance to the medieval system of colonisation; the paradigm of discovery was a literary affair which drove the paradigm of colonisation. The so-called 'New World' had already been invented in medieval European psychology. 'New' space was already conquered space, the Americas happened to be the space that became the 'New World', and it could be argued that Europeans never 'discovered' the reality of the Americas.

The Spanish pope Alexander VI issued the bull *Inter caetera* on May 4th 1493.²⁶³ In this, he stated:

by the authority of Almighty God conferred upon us in blessed Peter and of the vicarship of Jesus Christ which we hold on earth, do by tenor of these presents, should any of said islands have been found by your envoys and captains, give, grant, and assign to you and your heirs and successors, kings of Castile and Leon, forever, together with all their dominions, cities, camps, places, and villages, and all rights, jurisdictions, and appurtenances, all islands and mainlands found and to be found, discovered and to be discovered towards the west and south, by drawing and establishing a line from the Arctic pole, namely the north, to the Antarctic pole, namely the south, no matter whether the said mainlands and islands are found and to be found in the direction of India or towards any other quarter, the said line to be distant one hundred leagues towards the west and south from any of the islands commonly known as the Azores and Cape Verde.²⁶⁴

²⁶² Luis Weckmann, 'The Alexandrine Bulls of 1493', in F. Chiappelli, *First images of America: the impact of the New World on the Old* (Berkeley, 1976), pp. 209-209, p. 205.

²⁶³ Alexander VI, *Inter caetera*, Papal Bull of May 4, 1493, *Nuevas Consideraciones sobre la historia, sentido y valor de las bulas Alejandrinas de 1493 referentes a las Indias*, ed. M. Gimenez Fernández (Seville, 1944), pp. 165-194 (two versions), translation from Frances Gardiner Davenport ed., *European Treaties bearing on the History of the United States and its Dependencies to 1648* (Washington D.C., 1917), p. 77. The concessions of this bull were echoed in another bull of the same date, *Eximiae Devotionis*, in Francis Gardiner Davenport ed. *European Treaties bearing on the History of the United States and its Dependencies to 1648* (Washington D.C., 1917), pp. 64-67.

²⁶⁴ Alexander VI, *Inter caetera*, *Nuevas Consideraciones*, pp. 176-178.

The concessions of this bull were confirmed by the bull *Dudum siquidem*, issued on the September 26th, 1493.²⁶⁵ Both bulls were issued in 1493 before the topographical reality of the Americas could have been conceived by any cartographer. This fate of the New World was invented before spatial reality was encountered. *Dudum siquidem* explicitly demonstrates the horizon of expectation as it granted lands 'discovered and to be discovered'.²⁶⁶ This use of language is interesting as the Pope does not use the subjunctive to grant lands that *may be* discovered, but those that are to be discovered.

The identity of the 'New World' had been decided long before Columbus stumbled upon his Indies, before Vespucci Amerigo declared the land was a separate continent, and before Hernán Cortes' troops pillaged Mexico. The 'New World' had already been invented as a colonial space. The 'New World' was not a geographical location, but a set of ideas that constructed a place. Luis Weckmann has explored the legacy of medieval Europe and the Americas and claimed that 'the Middle Ages found their last expression on this [the American] side of the Atlantic'.²⁶⁷ However, awareness of the role of the Middle Ages in the construction of the New World should not contribute to the continued denial of coevalness of the Americas.²⁶⁸ The 'denial of coevalness' is a way of designating things as part of another time as well as another space, and this process has been important to the colonial identity of the New World.

The term 'New World' (*novus orbis*) may have become popularised as a common expression for a variety of reasons. In 1497, in his letter to Piero Soderini, Amerigo Vespucci wrote about 'new lands',²⁶⁹ and, as already mentioned, the description of his 1501 voyage was published as *Mundus Novus* in 1504. By then the term had been popularised by Peter Martyr's letter, written in 1500 to Cardinal Ludocivio d'Aragon, in reference to Columbus' first

²⁶⁵ Alexander VI, *Dudum siquidem*, Papal Bull of September 26, 1493, *Nuevas Consideraciones sobre la historia, sentido y valor de las bulas Alejandrinas de 1493 referentes a las Indias*, ed. M. Gimenez Fernández (Seville, 1944), pp. 205-212.

²⁶⁶ Alexander VI, *Dudum siquidem*.

²⁶⁷ Luis Weckmann, 'The Middle Ages in the Conquest of America', Antony M. Stevens-Arroyo, in James Muldoon and Felipe Fernández-Armesto eds, *The Medieval Frontiers of Latin Christendom, expansion, contraction, continuity*, pp. 233-242, p. 233.

²⁶⁸ For more on the denial of coevalness see Johannes Fabian, *Time and the Work of Anthropology: Critical Essays, 1971-1991* (Chur, 1991).

²⁶⁹ Amerigo Vespucci, 'Letter to Piero Soderini', Luciano Formisano ed. *Letters from a New World, Amerigo Vespucci's Discovery of America*, trans. David Jacobson (New York, 1992), pp. 57-97, p. 57.

expedition.²⁷⁰ These early references to the 'New World' occurred before it was generally agreed that Columbus had reached a new continent. Elsewhere in this letter regarding the 'New World' Martyr described how Columbus despatched men to explore 'the district of Cipangu'.²⁷¹ The term 'New World' was popularised by authors of the first descriptions of the Americas, but even here there was ambiguity about how 'new' this 'new world' was. Jose de Acosta's *Natural and Moral History of the Indies* wrote that 'in ancient bookes we finde some knowledge of this newe world'.²⁷² He discussed the problem of whether the ancients knew about the new world. He discussed the problems of naming places that are discovered, and how the Indies simply denote 'those rich countries which are farre off and strange unto us'.²⁷³ He investigated how animals could have passed from one world into the other. Acosta concludes: 'I coniecture then, by this discourse I have made, that the new world, which we call the Indies is not altogether severed and disioyned from the other world'.²⁷⁴ He explains that the first inhabitants could 'passe to the Indies' and therefore the New World must be joined to the old.²⁷⁵

The idea and identity of the 'New World' began earlier than this, in the Middle Ages. Wallace argued that 'so many aspects of this encounter, including the astonishment, had long been rehearsed before Columbus set sail'.²⁷⁶ For example, Peter Martyr's descriptions penned in the *Decades of the De Orbe Novo*, composed between 1494 and 1526, are clearly based on preconceptions structured by the intellectual cultures of medieval Europe. Amidst his descriptions of the 'New World' one finds reference to giants, in accordance with the notion of the monstrous races that were thought to inhabit the fringes of the world.²⁷⁷ Descriptions also included references to lions and tigers, which of course are not part of the natural biological make-up of the Americas, and this contributes to the argument that the Americas were not discovered but invented

²⁷⁰ Peter Martyr, 'First Decade', *De Orbe Novo*, p. 85.

²⁷¹ *Ibid*, p. 88.

²⁷² Jose de Acosta, *Natural and Moral History of the Indies*, Vols I and II, trans. E. Grimstone, reprinted with notes and introduction by C.R. Markham (London, 1880), p. 31. Jose de Acosta (1540-1600) was a Spanish Jesuit. He spent time in Peru between 1571 and 1587, teaching theology in Lima and undertaking some journeys into the interior. He printed a number of works.

²⁷³ Jose de Acosta, *Natural and Moral History of the Indies*, p. 38 and 40.

²⁷⁴ *Ibid*, p. 60.

²⁷⁵ *Ibid*.

²⁷⁶ David Wallace, p. 183.

²⁷⁷ Peter Martyr, *De Orbe Novo*, p. 161, and p. 179.

according to perceptions engineered in Europe in the Middle Ages.²⁷⁸ Most significantly, in the *Second Decade*, Martyr portrayed the medieval invention of the identity of the people of the New World, which would have such disastrous effects; he wrote ‘for these new nations are as a *tabula rasa*, they easily accept the beliefs of our religion and discard their barbarous and primitive rusticity’.²⁷⁹ This invention of the Amerindians as a *tabula rasa* (as had already happened with the Canarians) created the conditions for the cultural, spiritual, linguistic, semiotic and physical colonisation that would become their fate. The iconography and literary devices contained within Peter Martyr’s *De Orbe Novo* are an active demonstration of the medieval invention of the New World.

These textual constructions of the New World depicted ‘discoveries’ of what was thought to occupy that space in accordance with medieval intellectual cultures, and what was wanted in that space in accordance with medieval political-economic desire. Boccaccio’s narrative of the Canarians had included a physical description which implied that their bodies were fit for the ordeals of slavery.²⁸⁰ The body’s capacity for slavery was a property of Aristotle’s natural slave.²⁸¹ Peter Martyr’s description of the New World claimed that black slaves were found already existing in the Americas, in a haunting premonition of what was to happen.²⁸²

The Franciscans’ role in global knowledge and discovery narratives

The history of the Franciscan role in the discovery of the New World appears in a number of different narratives with different agendas.²⁸³ As the

²⁷⁸ Ibid, p. 322.

²⁷⁹ Ibid, pp. 189-190.

²⁸⁰ Giovanni Boccaccio, ‘Narrative of the 1341 Voyage’, p. xviii. Boccaccio wrote that the Canarians ‘did not exceed their captors in stature, but they were robust of limb, courageous, and very intelligent’.

²⁸¹ ‘It is then nature’s purpose to make the bodies of free men to differ from those of slaves, the latter strong enough to be used for necessary tasks, the former erect and useless for that kind of work but well suited for the life of a citizen of a state’; Aristotle, *Politics*, trans. T. A. Sinclair, revised and re-presented by T. J. Saunders (Bungay, 1985), 1245b16, p. 69. A. Pagden argued that ‘the first time that Aristotle’s theory was employed in Spain was in 1512’, in response to pressure from the Dominican Order which resulted in the 1512 junta at Burgos; A. Pagden, *The Fall of Natural Man, the American Indian and the origins of comparative ethnology* (Cambridge, 1982), p. 47.

²⁸² Peter Martyr, *De Orbe Novo*, p. 286, the editor provides a footnote indicating this may have been possible.

²⁸³ I am going to focus on the Spanish narratives, but Francis Borgia Steck has also stressed the roles of Portuguese Franciscan networks in the discovery of the Atlantic world, Francis

aforementioned *Book of knowledge* demonstrates, the Franciscans were embedded in a network of global knowledge. There are also many vestiges of the deep connections between the Franciscans and the 'New World' including the legend that Columbus 'discovered' the 'New World' in 1492 as a direct consequence of Franciscan influence.²⁸⁴ The character of this influence takes different forms in different narratives. In some narratives it is argued that the Franciscans knew of the New World and gave Columbus the support to go, in others they simply encouraged his own plans and used their political influence to help him obtain royal backing. Franciscan political importance in late medieval Castile was pronounced, as Cardinal Cisneros, Queen Isabella's Franciscan confessor from 1492, had extensive power and eventually became the regent of Castile. It is thought that Columbus visited the Franciscan monastery of Santa María de la Rábida in 1485 and 1491.²⁸⁵ It is suggested that he was looking for somewhere to leave his son, but the reasons for his visit have contributed to a genre of the mythology of the discovery of the New World.²⁸⁶ At La Rábida Columbus met the Franciscans Juan Perez, a former confessor of Queen Isabella, and Antonio de Marchena, a notable intellectual, who supported his plans and used their Franciscan network to help him reach the ear of the Castilian Queen by using the influence of her Franciscan confessor.²⁸⁷ Antolín Pérez begins his history of Franciscan involvement in America with the Franciscans Marchena and Pérez at La Rábida.²⁸⁸ The Franciscan Father Antonio Enríquez wrote that 'it is with the arrival of Columbus at the Franciscan convent of La Rábida when he entered the history of the

Borgia Steck, 'Christopher Columbus and the Franciscans', *The Americas* 3, no. 3 (January 1, 1947), pp. 319-341, p. 322.

²⁸⁴ For example see José Coll, *Colón y la Rábida; con un estudio acerca de los Franciscanos en el Nuevo mundo* (2nd edn, Madrid, 1892), and Francis Borgia Steck, 'Christopher Columbus and the Franciscans', *The Americas* 3, no. 3 (January 1947), pp. 319-341.

²⁸⁵ La Rábida is in the town of Palos, on the Spanish coast of Huelva, Andalucía. The convent was established in 1221, it was part of the Franciscan custody of Seville, in the Province of Castile. Seville became a separate Franciscan Province in 1500.

²⁸⁶ For example see José Coll, *Colón y la Rábida*.

²⁸⁷ For some time Perez and Marchena were confused as one person, Juan Pérez de Marchena, for example in Padre Jose Torrubia, O.F.M., *Cronica de la provincia franciscana de santa cruz de la Españols y Caracas, libro de la novena parte de la Novena Parte de la Crónica General de la Orden Franciscana*, ed. and notes Odilo Gomez Parente, O.F.M. (Caracas, 1972). This confusion was discussed in José Coll, *Colón y la Rábida*, pp. 98-112. This clarification of the identity of these two important characters was discussed in English much later, see Francis Borgia Steck, 'Christopher Columbus and the Franciscans', p. 325.

²⁸⁸ Antolín Pérez, *Los Franciscanos en América* (Madrid, 1992).

discovery of America by the front door'.²⁸⁹ La Rábida is a powerful symbol of the Franciscan connection to the 'New World'. It was firmly entangled in the transatlantic narrative of the New World, and one of the ships on Columbus' third voyage was called the Rábida.²⁹⁰ As Father Enríquez says, La Rábida was 'formed in the rigor of the Franciscan Rule, forever looking to the ocean' and it 'occupies a privileged place in the history of the discovery of America'.²⁹¹ However, the way that the Franciscans influenced the discourse of the New World is more complex than this link which appears close to the surface of the hegemonic narrative.

The legendary significance of La Rábida is summarised by the article appearing in the first volume of the *Archivo Ibero-Americano*:²⁹² 'La Rábida, gateway of the modern age, in history will forever symbolise the link between two worlds and will be the perpetual proclaimer of apostolic and social action of the Order, deeply rooted, since the start of the thirteenth century, in the Spanish dream, to have, there in America, its purest glories and most fruitful heroisms'.²⁹³ The link was stressed in the first Latin American Franciscan chronicle.²⁹⁴ The history of La Rábida represents the transcultural history of the region. It had been a site of significance in classical, Muslim, and Christian history. Huelva was captured from Muslims during the reign of Alfonso the Wise (1257-8). It is thought that the convent of La Rábida was founded in 1221, and there is also a legend that St Francis himself visited this site.²⁹⁵ Ángel Ortega evidences the popularity of

²⁸⁹ 'es con llegada de Colón al convento franciscano de la Rábida, cuando éste entra en la historia por esa puerta grande del Descubrimiento de América'; Fray Antonio Enríquez O.F.M., 'Introducción', in Monasterio de Santa María de la Rábida ed., *Los Franciscanos y el nuevo mundo* (Sevilla, 1992), p. xv.

²⁹⁰ This was lost to a storm on the 21, February, 1500, with 120 passengers; Hugh Thomas, *Rivers of Gold, The Rise of the Spanish Empire* (London, 2010).

²⁹¹ 'en el rigor de la Regla Franciscana, siempre mirando al océano', y 'el lugar privilegiado que ocupa en la historia del descubrimiento de América'; Fray Antonio Enríquez O.F.M., 'Introducción', in *Los Franciscanos y el nuevo mundo* (Seville, 1992), p. xxii.

²⁹² *AIA* hereafter.

²⁹³ 'la Rábida, pórtico de la Edad Moderna, en la historia simbolizará siempre el lazo de union de dos mundos y sera el perpetuo pregonero de la accion apostólica y social de una Orden que, radicada profundamente, desde los principios del siglo XIII, en el suelo español, tiene, alla en america, sus glorias más puras y sus heroísmos mas fecundos'; P. Ángel Ortega, 'El Convento de la Rábida. Su origen y primeros progresos, desde la fundación hasta el año 1455', *Archivo Ibero-Americano* (Madrid, 1914) Vol. 1, pp. 79-99, p. 79.

²⁹⁴ Padre Jose Torrubia, O.F.M., *Cronica de la provincia franciscana de santa cruz de la Española y Caracas, libro de la novena parte de la Novena Parte de la Crónica General de la Orden Franciscana*, ed. and notes Odilo Gomez Parente, O.F.M. (Caracas, 1972), pp. 237-264.

²⁹⁵ Documentary evidence for these early years of La Rábida is scarce. However there are concrete references to it in later sources, such as the 1412 Bull of Benedict XIII, *Etsi cunctorum*,

La Rábida, which seemed to be operating at maximum capacity in the fifteenth century, and received papal grants to take more friars.²⁹⁶

The monastery of La Rábida contributes to the history of its own importance in the discovery of the New World and has hosted conferences about the Franciscans in the New World.²⁹⁷ La Rábida is used as the starting point in a range of narratives regarding discovery and conquest.²⁹⁸ La Rábida nurtures this mythology through its vast eclectic archive of memorabilia of discovery and the voyages of Columbus in particular, which was documented in *The Relics of Columbus*.²⁹⁹ Interestingly, *The Relics of Columbus* begins with a section on the 'geographical knowledge and science of navigation at the time of Columbus'.³⁰⁰ It lists a range of items indicating medieval knowledge of the Americas, including references to Norse contacts with the Americas, a facsimile of the Toscanelli map and letter, and Columbus' annotations of the classical and fifteenth-century sources that generated medieval knowledge of the New World. The collection included a portrait of Kublai Kahn, with the description that 'the emperor of the Mongols is said to have visited America in the thirteenth century' and references volumes arguing that there was a pre-Columbian Chinese and Mongols occupation of Peru and Mexico.³⁰¹ The inclusion of this Eastern dimension is interesting since it is known that Franciscans were in the East from the thirteenth century. The collection is a consciously constructed monument to the legendary role of the Franciscans in the discovery New World, and portrays a fractured image of their complex entanglement with the New World. The collection invents the Franciscans as the custodians of the intellectual medieval network that facilitated the discovery of the New World. It also suggests that the

in *Bullarium Franciscanum*, Vol. VII no. 1.108, which conceded that Fr Juan Rodriguez could live at the hermitage of La Rábida.

²⁹⁶ See P. Ángel Ortega. 'El Convento de la Rábida. Su origen y primeros progresos, desde la fundación hasta el año 1455', *Archivo Ibero-Americano* (Madrid, 1914), Vol. 1, pp. 79-99, p. 85.

²⁹⁷ *Actas del I Congreso Internacional sobre los Franciscanos en el Nuevo Mundo* (Madrid, 1987), is a collection of documents from the first conference that took place at La Rábida in 1985, and focuses on the interactions of Franciscans in the early Atlantic world.

²⁹⁸ For example A. Millé, *Crónica de la Orden Franciscana en la conquista del Perú, Paraguay y el Tucumán y su convento del antiguo buenos aires 1212-1800* (Buenos Aires, 1961); this is a chronicle produced in Buenos Aires about a convent there, but begins with La Rábida.

²⁹⁹ See William Eleroy Curtis, *The Relics of Columbus: An illustrated Description of the Historical Collection in the Monastery of La Rabida* (Washington, 1893). This book was produced in the context of the 'World's Columbian Exposition', a large fair held in America in 1893.

³⁰⁰ *Ibid*, p. 7.

³⁰¹ *Ibid*, p. 9.

Franciscan intellectual network embodied a worldview that was not exclusively Eurocentred, but included knowledge from distant missions. The collection suggests that within the medieval Franciscan knowledge network, the Americas could be an intellectual option. The aforementioned 'translocality' of the Franciscans contributed to the makeup of their intellectual network. Correspondences (relating to mission but containing a range of information) flowed through the Franciscan network.

Despite arguments that St Francis had opposed the elitism of scholarship, the Franciscan Order generated exemplary scholars and constituted a knowledge network. There were debates whether knowledge acquisition undermined St Francis' philosophy of poverty, and this contributed to the anxiety that is also a key dimension of Franciscan identity. Francis Borgia Steck has also highlighted the importance of the intellectual network of the Franciscan Order to the discovery of the New World when he wrote, 'constant tradition among scientists in the Franciscan Order, ever since the days of Duns Scotus and Roger Bacon, accorded with Columbus' theories in the realm of astronomy, cosmography, and hydrography'.³⁰²

The Franciscans constituted a knowledge network which disseminated 'global' knowledge quickly. Livarius Oliger observed 'it appears from the narrative of Glassberger, that the news of the great discovery achieved by Columbus was generally spread amongst the Franciscans of the Observance at their Chapter held in 1493'.³⁰³ The history of Antonio de Marchena represents the legend of the Franciscan knowledge of the Americas and role in the 'discovery' of the New World. Marchena represented an intellectual (and mystical) dimension of the Order. In *América en un mapa de 1489* Gustavo Vargas Martínez indicated that Marchena may have known about America, but he shrouds this implication in mystery, adding that no one knows what secrets Marchena may have shared.³⁰⁴ Marchena was a famed astronomer and cosmographer. According to a letter found by Borgia Steck, Ferdinand and Isabella had asked Columbus to

³⁰² Francis Borgia Steck, 'Christopher Columbus and the Franciscans', p. 326.

³⁰³ Livarius Oliger, O.F.M., 'The Earliest Record on the Franciscans in America', *Catholic Historical Review*, 6 (1920/1921), pp.59-65, p. 60.

³⁰⁴ Gustavo Vargas Martínez, *América en un mapa de 1489* (México D.F, 1996), p. 83.

take Marchena on his voyage because he was a good astronomer.³⁰⁵ The reason Marchena never went to the Americas is another subject of speculation.³⁰⁶ Marchena embodied the ambivalence of Franciscan identity; he represents the Franciscan tradition and the process of knowledge accumulation within the Franciscan network, but this Franciscan world never existed in a vacuum as the Franciscans could also be appropriated by the European monarchs. The history of ideas is never abstract.

The Franciscans are bound to the mythology of global knowledge. This is represented by the Yale Vinland map of questionable authenticity. This map is rumoured to have been produced by a Swiss Franciscan around 1440 and indicates knowledge of lands in the Far East, reported to be evidence of the Americas.³⁰⁷ This map emerged in the 1960s, and while its authenticity is much debated,³⁰⁸ even as a forgery it is interesting and demonstrates the entanglement of the Franciscans with mythologies of global knowledge.

The role of the Franciscans in the discovery of America has taken a number of narrative turns. Bartolomé de Las Casas' *History of the Indies* claimed that Columbus arrived in La Rábida in 1492 for logistical and not intellectual or spiritual reasons as has been suggested elsewhere;³⁰⁹ Las Casas was writing to bolster the image of Columbus and so would want to downplay implications that Columbus had been influenced or assisted by others.³¹⁰ In the nineteenth and twentieth centuries the role of the Franciscans in the discovery of the New World experienced a narrative revival as it emphasised the importance of Spain's role (downplaying the significance of the Genoese Columbus). This

³⁰⁵ Francis Borgia Steck, 'Christopher Columbus and the Franciscans', p. 326.

³⁰⁶ There is a chapter devoted to the question of whether or not Perez or Marchena went to the Americas in José Coll, *Colón y la Rábida*, pp. 219-234. He concluded that one of the two went on the first or second voyage, p. 234. This is part of the mythology of the Franciscan connection to the New World.

³⁰⁷ <http://www.marcopolovoyages.com/LibCongressPapers/GunnarThompson4.html> (15.06.12).

³⁰⁸ R.A. Skelton, Thomas E. Marston, George D. Painter *The Vinland Map and the Tartar Relation* (New Haven, 1995); R. Crone, 'The Vinland Map Cartographically Considered', *The Geographical Journal*, Vol. 132, No. 1 (1966), pp. 75-80.

³⁰⁹ Bartolomé de Las Casas' *Historia de las Indias* is a very important source. In 1552 Las Casas had made use of Fernando Columbus' library in the monastery of San Pablo, which contained a copy of Columbus' journal. Las Casas started to redact his *Historia de las Indias* in 1552 (begun in 1527) and it took him six years to complete it.

³¹⁰ Bartolomé de Las Casas, *History of the Indies*, ed. and trans. Andrée M. Collard (New York, 1971), p. 33; Kenneth M. Towe 'The Vinland Map: Still a Forgery', *Accounts of Chemical Research*, Vol. 23 (1990), pp. 84-87; J. S. Olin, 'Evidence that the Vinland Maps is Medieval', *Analytical Chemistry*, Vol. 75 (2003), pp. 6745-6747.

contributed to the construction of national identity, a problematic issue in a Spain made up of autonomous regions which had all experienced the ambiguous legacy of Empire; Anthony Cascardi explained that ‘attempts to fortify an essential Spanish identity could not easily come to terms with the cultural and ethnic contradictions of what Spanish ‘national’ culture compromised nor could they adequately represent the many regional interests that remained in contention despite the political unification of the country’.³¹¹ Historians in the twentieth century were aware of these problems as well as the ‘crisis of Spain’ which was reported to be precipitated by the loss of Spain’s remaining colonies. Histories of the Franciscans written in Spain in the nineteenth and twentieth centuries were influenced by these contextual agendas. They were part of a broader trend in the twentieth century among Spanish writers and intellectuals who ‘sought to reinforce images of Spain’s cultural hegemony’, typically by writing about the ‘Golden Age’ of the sixteenth century although famously Menéndez Pidal labored on the reconstruction of the Spain of the Cid.³¹² The role of the Franciscans has been used in nationalist Spanish history as they could demonstrate the Spanish role in the ‘discovery’ of America and play down the significance of the foreign forces in ‘Spanish’ history.³¹³ Use of the Franciscans in this way was common; Emilia Pardo Barzán described the friars as emissaries of patriotic thought.³¹⁴ Notably, one history of the Franciscan role in the discovery of the New World begins with a dedication to Franco and finishes with ‘¡Viva España! ¡Arriba España!’³¹⁵ This

³¹¹ Anthony J. Cascardi ‘Beyond Castro and Maravall: Interpellation, Mimesis, and the Hegemony of Spanish Culture’, in Mabel Moraña ed., *Ideologies of Hispanism* (Nashville, 2005), pp. 138-159, p. 139.

³¹² *Ibid.* These authors defended against notions of Spain’s decline, which had been propagated by authors such as Quevedo from the height of the Spanish ‘Golden Age’ (A. Cascardi, p. 138). The construct of the period of the Spanish Empire as a ‘Golden Age’ is problematic from an economic and political (although perhaps not cultural) perspective, since most of the wealth that flowed into the country from the Americas immediately flowed out to Northern creditors, and Spain was eventually bankrupted through the mismanagement of imperial endeavours.

³¹³ The legend of Alonso Sánchez, a mariner from the province of Huelva and rumoured to have already been to America, has been used in this way, see D. Jose Fernández de los Reyes, *Huelva y America, Historia de Huelva y su influencia y participación en el descubrimiento del Nuevo Mundo*, (Rabida, 1942), p. 10. Others have sought to emphasise the figure of the pilot, Martin Alonso Pinzon, as the true leader of the voyage, for examples see D. Jose Fernández de los Reyes, *Huelva y America*, p. 15, or the story Ed Tilston’s *Martin Alonso Pinzon, The mariner who pre-empted Columbus*, (Durban, 2008). Narratives are part of the myth building process.

³¹⁴ ‘los frailes son emisarios del pensamiento patriótico’; Emilia Pardo Bazán, *Los Franciscanos y Cólón* (Madrid 1892), p.7.

³¹⁵ D. Jose Fernández de los Reyes, *Huelva y America*. This was part of a broader genre of conservative Catholic and nationalistic history produced under the Franco regime. Histories of the sixteenth century were particularly common in the Franco era as this was seen as the time

reminds us of the political agenda of the historical memory of 'discovery' and conquest, in which the Franciscans have been entangled, and Cascardi reminds us that 'the Franco regime hardly provided a climate in which the critique of ideology and empire could flourish'.³¹⁶ The link between Franciscanism and nationalism displayed here does not challenge the ambivalence of Franciscan translocality; it contributes to understanding the dimensions of their ambiguity. The Franciscans have been thought of as agents of Church and of other political units such as monarchs, or the semi-autonomous conquistador Jean de Béthencourt. Whatever the construction, Franciscan influence is found to span all these contexts; their contribution to nationalist agenda within different narratives does not challenge the importance of their translocality.

Beyond La Rábida, there are other legends of the Franciscan origin of the discovery of the New World. According to Borgia Steck, as the famed Franciscan tertiary, Ramon Lull, lay dying in 1315 on board a ship returning him from his mission in Africa, he revealed to the crew that: "Beyond the curve of the sea which girds England, France, and Spain, opposite the continent which we see and know, there is another continent which we neither see nor know. It is a world which is ignorant of Jesus Christ."³¹⁷ Further, the Franciscan chronicler Lucas Wadding reported that a 'Stefano Colombo', assumed to be a relative of Christopher Columbus, was amongst the crew who received this knowledge from Ramon Lull.³¹⁸ Borgia Steck uses this story to illustrate the importance of the Franciscans to Christopher Columbus' enterprise.³¹⁹ Emilia Pardo Bazán described how Lull realized that the Earth was round, and suggests that he conceived of a continent to the west of Europe, although he added that this was not known as 'America', of course.³²⁰ Pardo Bazán speculated whether America was in the minds of the Franciscans while it was not in Columbus', and this is an important trope of the narrative of the

of the Spanish 'Golden Age'. Consequently much revision of sixteenth century Spanish history has been needed.

³¹⁶ Anthony J. Cascardi 'Beyond Castro and Maravall: Interpellation, Mimesis, and the Hegemony of Spanish Culture', in Mabel Moraña ed., *Ideologies of Hispanism* (Nashville, 2005), pp. 138-159, p. 139.

³¹⁷ Francis Borgia Steck, 'Christopher Columbus and the Franciscans', p. 320.

³¹⁸ Ibid.

³¹⁹ Ibid.

³²⁰ Emilia Pardo Bazán, *Los Franciscanos y Cólón* (Madrid, 1892), p. 22.

Franciscan discovery of the New World.³²¹ Pardo Bazán may be better known for her contributions to Spanish Literature than history, but Ronald Hilton notes that 'her historical and critical works are unusual and wothy of study'.³²² Writing in the context of the late-nineteenth century crisis of Spanish empire, Pardo Bazán's output illustrates the importance of historical narratives to the Spanish political context.³²³ Pardo Bazán, herself a Franciscan tertiary, tapped into the importance and efficacy of the mythology of Franciscan involvement in discovery history. It is possible that her suggestion that the Franciscans somehow knew of the New World prior to the 1492 enterprise was popular (if not evidenced or plausible) due to the mythology surrounding the Franciscan Order. The Franciscans were embedded in global knowledge networks and since mysticism has also been important to their identity, they are efficient characters for discovery mythologies.

When Pardo Bazán described the Atlantic role of the Franciscans she did not use the word discovery, but invention: 'for the Friars, the invention of lands was the continuation of the idea of spiritual expansion of the seraphic founder'.³²⁴ Pardo Bazán wrote that 'the positive character of Franciscan philosophy renewed the totality of the concept of the world, and its habits of expansion and translation prepared the knowledge of all the lands'.³²⁵ Pardo Bazán, who supported the argument that it was really Ramon Lull who discovered America, described the importance of Lull's example, ideas, intellectual efforts, missionary approach and demonstration of the superiority of Christianity.³²⁶ With the Franciscans and Franciscan philosophy, there is a sense that they were not just discovering the world but inventing it.

³²¹ Emilia Pardo Bazán, *Los Franciscanos y Cólón*, p.19. Pardo Bazán was writing about the importance of mysticism in the Franciscan tradition; this will be discussed in the final chapter.

³²² Ronald Hilton 'Emilia Pardo-Bazan and the Americas', *Academy of American Franciscan History*, Vol. 9, No. 2 (1952), pp. 135-148, p. 135.

³²³ For more on this see Ronald Hilton 'Emilia Pardo-Bazan and the Americas'.

³²⁴ 'para los frailes, la invención de tierras era la continuación de la idea de expansión espiritual de su seráfico fundador'; Emilia Pardo Bazán, *Los Franciscanos y Cólón*, p. 26.

³²⁵ 'La Orden fue para suceso influencia y revelación: influencia, porque el carácter positivo de la filosofía franciscana tenía que renovar la totalidad del concepto del mundo, y sus hábitos de expansión y traslación preparar el conocimiento de toda la superficie terrestre'; Emilia Pardo Bazán, *Los Franciscanos y Cólón*, p. 28. Whether or not Ramon Lull was a Franciscan tertiary is something that has been disputed.

³²⁶ 'yo diría que Raimundo Lulio es quien realmente descubrió las Americas'; Emilia Pardo Bazán, *Los Franciscanos y Cólón*, pp. 20-21.

There is also a tendency to use the Franciscans to emphasise and romanticise utopian aspirations for the New World. According to Erick Langer, much of the early historiography regarding Latin America missions, such as Robert Ricard and John Phelan 'heavily stressed ideals and enthusiasm of the friars without worrying much about the economic changes that the congregation of natives entailed'.³²⁷ John Phelan wrote that 'the friars were given a unique opportunity of creating, on the eve of the world, a terrestrial paradise where a whole race of men would be consecrated to evangelical poverty'.³²⁸ Phelan also wrote that 'the mendicants, as the first Europeans to attempt to explore the psyche of the Indians, were enchanted at discovering a new race which seemed to lack the instinct, prevalent among the Europeans, of acquiring material objects for their own sake', which provided the opportunity for the large scale application of apostolic poverty.³²⁹ While Phelan's work has been important for realising the importance of the Franciscans in the New World, the Franciscan influence on the discourse of the New World is also more complex than this construction of the Franciscan perspective of their role in the New World.

In conclusion, this chapter has explored the interaction between history and colonial processes and suggested some of the ways in which the Franciscans are linked to the discourse of colonialism. Their role as missionaries led them to be linked to the production of colonial knowledge from their beginning. Franciscans emerge in a variety of narratives of 'discovery' and conquest in the Atlantic world. Franciscans also hold up a mirror to reflect upon the meanings and politics of these narratives and help us to consider alternatives. Further, the following chapters will reveal that the link is also more complex than this. In particular I will be addressing the unintended consequences of the defeat of the Franciscans in the Franciscan Poverty Dispute.³³⁰ I will also explore the ambiguities and ambivalences of the Franciscans, their poverty, and their philosophy in relation to the colonial process of the invention of the New World.

³²⁷ Erick Langer, 'Missions and the Frontier Economy: The Case of the Franciscan Missions among the Chiriguano, 1840-1930', in Erick Langer and Robert H. Jackson eds, *The New Latin American Mission History* (London, 1995), pp. 49-76, p. 49.

³²⁸ John Phelan, *The Millennial Kingdom of the Franciscans in the New World* (Berkeley, 1970), p. 58.

³²⁹ *Ibid.*, p. 49.

³³⁰ Chapter Four focuses on this.

Chapter Two. Colonial Worlds

The medieval engineering of the legal and economic structures of colonialism

As outlined in the last chapter, the New World was invented in the late Middle Ages, and its invented identity was asserted over the space of the Americas; but the *darker side* of the Middle Ages does not end there. Many dimensions of coloniality can be found in the Middle Ages. Indeed, within the medieval history of coloniality it is possible to see a parallel with Aimé Césaire's thesis, the *Discourse on Colonialism*.³³¹ Just as the atrocities in twentieth-century Europe were the logical consequence of a European colonial system turning in on itself, the colonial system that emerged at the end of the Middle Ages was the logical consequence of a 'European' colonial system turning outwards. The New World invented in the late Middle Ages was a colonial world. This chapter demonstrates the invention in the late medieval Atlantic world of the economic and legal mechanisms of colonialism which influenced the identity of the New World. It explores further possible parallels between the Canary Islands and the Caribbean. Lewis Hanke argued that by 1517 a 'blueprint for government' had been established in the Americas, but this chapter argues that this 'blueprint' was developed much earlier than this in the systems, traditions, and events of the 'European' Middle Ages.³³² Understanding this is significant since it reveals the darker side of phenomena such as the legal tradition.

The existence of colonialism in the Middle Ages is contested as it is debated whether concepts and categories can be applied across time.³³³ Perhaps one problem with the investigation of colonialism in the Middle Ages is that it readily lends itself to a historicist perspective; it is a concept that enacts its meaning, homogenising and systematising its subjects. For example colonialism has

³³¹ Aimé Césaire, *Discourse on colonialism*, trans. J. Pinkham (New York, 2000).

³³² Lewis Hanke, *The Spanish Struggle for Justice in the Conquest of America* (London, 1949), p. 56

³³³ For more on this issue see Reinhart Koselleck, *Futures Past: on the Semantics of Historical Time* (New York, 2004).

been described as the extension of medieval 'feudalism',³³⁴ which may also be considered a historicist construct that can systematise and flatten our perspective of the Middle Ages. The application of concepts to the past can collapse dimensions of its complexity; alternatively past perspectives can be used to deepen our understanding of the complexity of certain concepts, such as colonialism, and this is one of the aims of this chapter.

Historians thinking about colonialism in the Middle Ages have typically begun with the context of crusades (another construct which risks homogenising a complex phenomenon).³³⁵ Charles Verlinden argued that 'the exploitation of Europe, its internal colonisation, continued, but external colonisation was about to begin at the close of the eleventh century' in the Holy Land.³³⁶ This use of the crusades as a comparative device risks compressing our understanding of the variable and dialogic nature of the phenomenon of both the crusades and colonialism. James Muldoon and Felipe Fernández-Armesto declare that this 'expansion of Europe between 1000 and 1492 provided the foundation upon which modern expansion was built'.³³⁷ When discussing 'origins' or continuity there is a danger of endorsing a teleological form of historicism.³³⁸ Instead, this chapter investigates the medieval process of the invention of the mechanisms of colonialism that became characteristic of the 'New World', a term which could refer to the whole colonial Atlantic system as well as the space of the Americas. It explores the context of the late Middle Ages to expose more of the dimensions of colonialism rather than endorsing a teleology.

Felipe Fernández-Armesto's scholarship has made an essential contribution to our understanding of patterns of coloniality that emerged in the Middle Ages. Fernández-Armesto has observed how the House of Barcelona began to create

³³⁴ Lewis Hanke observed that 'if at any time the Indians gave proof of their ability to live under their own government, they were to be allowed to do so and pay only the ordinary feudal dues of Spain', Lewis Hanke, *The Spanish Struggle for Justice in the Conquest of America*, p. 24.

³³⁵ For example, Joshua Prawer, *The Crusaders' Kingdom: European Colonialism in the Middle Ages* (London, 2001).

³³⁶ Charles Verlinden, *The Beginnings of Modern Colonization* (Ithaca, N.Y., 1970), p. xii.

³³⁷ James Muldoon and Felipe Fernández-Armesto, 'General Edition Preface', in *The Medieval Frontiers of Latin Christendom, expansion, contraction, continuity* (Aldershot, 2008), pp. IX-XII, p. XI.

³³⁸ Marc Bloch discussed the 'idol of origins' in *The Historians Craft* (Manchester, 1992), pp. 24-29.

a network of island dominions.³³⁹ He has used the example of the colonisation of Majorca in the thirteenth century, which Pope Gregory IX had encouraged by offering indulgences to settlers. The stratagem of indulgences had been developed for the crusading context. The role of religious mechanisms in colonial processes is clear from the outset. In 1204, Pope Innocent III authorised the creation of a see in Majorca,³⁴⁰ this was important since Majorca later became the centre of an island kingdom which included Ibiza and Formentera. Fernández-Armesto included the subjugation and colonisation of Sicily and Sardinia within his examples of medieval colonialism; importantly, he demonstrated the medieval link between the exploitation and subjugation of labour and island communities.³⁴¹ This shows that the patterns, behaviours, and attitudes of colonialism were engineered in the Middle Ages, and this fragments the narrative of the modern world-system mentioned in the introduction.

Medieval legislation and the making of Atlantic world colonialism

Legal culture became essential to the identity of Latin America. Roberto González Echevarría has argued that 'Latin American history and fiction, the narrative of Latin America, were first created within the language of law, a secular totality that guaranteed truth and made its circulation possible'.³⁴² The importance of law in Latin America is a key legacy of the medieval projection of the 'New World' in the region. This 'New World' was a colonial construct codified in the complex web of medieval law, which was a blend of civil and canon law. Canon law was particularly important to the context of colonialism since papal grants for the expansion of Christianity were one of the key justifications of colonial practice.

My central claim that the New World was invented before it was discovered and that its identity as a colonised space was already determined by 1492, has been suggested in a different way by Luis Weckmann.³⁴³ Weckmann looked at the bulls of Alexander VI, particular *Inter caetera*, as the product of the structures

³³⁹ Felipe Fernández-Armesto, *Before Columbus: exploration and colonisation from the Mediterranean to the Atlantic, 1229-1492* (Philadelphia, 1987), p. 12.

³⁴⁰ Although James I did not conquer Majorca until 1229.

³⁴¹ *Ibid.*, p. 169.

³⁴² Roberto González Echevarría, *Myth and archive: a theory of Latin American narrative* (Durham, 1998), p. 10.

³⁴³ Luis Weckmann, *Las bulas alejandrinas de 1493 y la teoría política del Papado medieval: estudio de la supremacía papal sobre islas, 1091-1493* (México, 1949).

and traditions of the Curia. He described the bulls as a link between medieval and modern world, and the epilogue of a longer medieval juridical custom.³⁴⁴ He showed that Alexander VI's Bull *Inter caetera*, which invented the Americas as a Spanish possession, was actually part of a long medieval tradition of papal claims to island sovereignty known as the *doctrina omni-insular*, which had its origins in Roman imperial law.³⁴⁵ Weckmann investigated the legal traditions of administering islands and indicated that coloniality is merely an extension of this. James Muldoon follows a similar path, looking at the legal culture that culminated in the colonial system that prevailed in the Atlantic.³⁴⁶

Colonial legislation in the late medieval Atlantic was driven by the papacy and Castilian-Portuguese competition.³⁴⁷ *Inter caetera* (1493) was a landmark document since it formed the legal base of Ferdinand's and Isabel's claim to dominion over the lands and peoples of the New World. *El requerimiento*, issued by Ferdinand in 1513, was an emphatic reminder of the papal donation of the islands and mainlands to the Spanish monarchs made in *Inter caetera*.³⁴⁸ *Inter caetera* had deprived Portugal of nearly all privileges bestowed upon it by Nicholas V's bulls of 1452 and 1454, the *Aeterni Regis* issued by Sixtus IV in 1481, and the bull issued by Innocent VIII in 1484. *Inter caetera* had not ended disputes over boundaries however, but after further negotiations an agreement was reached in 1494 in Tordesilla which overhauled the conditions of the 1479 Treaty of Alcáçovas.³⁴⁹ Antonio Rumeu de Armas observed that papal legal traditions were not the only influence in the construction of the colonial Atlantic, since the competition between Portugal and Castile was essential to the creation of the Treaty of Alcáçovas which had brought an end to the naval battle

³⁴⁴ Ibid, p. 35.

³⁴⁵ Ibid, p. 33. Although, there are many alternative interpretations of the influence on *Inter caetera*, which was produced in 1493, after discovery but before 'America' was 'known'.

³⁴⁶ Especially, James Muldoon, *Popes, lawyers, and infidels: the church and the non-Christian world, 1250-1550* (Philadelphia, 1979).

³⁴⁷ I am referring to legislation which dispensed ownership and conquest rights to space which had not formerly been in possession by Europeans as 'colonial legislation'.

³⁴⁸ 'así que Sus Alezas son reyes y señores destas islas y tierra firme, por virtud de la dicha donación'; Juan López Palacios Rubios, *El requerimiento*, in Bartolomé de Las Casas, *Historia de Las Indias, Libro III* (Mexico D.F., 1951), pp. 26-27.

³⁴⁹ 'Treaty between Spain and Portugal, concluded at Alcáçovas, September 4, 1479. Ratification by Spain, March 5, 1480. [Ratification by Portugal, September 8, 1479.]', in Francis Gardiner Davenport ed. *European Treaties bearing on the History of the United States and its Dependancies to 1648* (Washington, D.C., 1917), pp. 36-41, translation at pp. 42-48; Treaty of Tordesilla, in M. Gimenez Fernández ed., *Nuevas consideraciones sobre la historia, sentido y valor de las Bulas Alejandrinas de 1493 referentes a las Indias* (Seville, 1944), pp. 213-232.

of Guinea.³⁵⁰ The Treaty of Tordesilla stipulated that ‘the said line or bound of the said division may be made straight and as nearly as possible the said distance of three hundred and seventy leagues west of the Cape Verde Islands’.³⁵¹ This line made it possible for the Portuguese to explore and colonise the eastern coast of South America in what became Brazil, as well as retain its influence in Africa and some Atlantic Islands. The line was negotiated and confirmed again in the 1529 Treaty of Saragossa. The Castilian-Portuguese boundary resulting from this legislation had long-term implications for the New World, since the Portuguese played a fundamental role in the construction of the trans-Atlantic African slave trade. Slavery was not abolished in Portuguese speaking Brazil until 1888.

The Alexandrine bulls have played an interesting role in the discourse of the New World, but their role is also contested. Weckmann suggested that their controversy is a reflexion of the general controversy of Alexander Borgia (or Borja).³⁵² The causes, purpose, and role of *Inter caetera* have all been debated. Wallace has also noted the importance of this legal tradition but denied the significance and impact of *Inter caetera* when he writes that Alexander VI:

was not giving Spain custody of the New World (nobody in 1493 realized that a new continent had been sighted), but rather applying the framework established by the two bulls of 1091 (*cum universae insulae, cum omnes insulae*), that had awarded Ireland to Henry II of England in 1155 and the Canaries to Don Luis de la Cerda of Castile in 1344.³⁵³

However, it does not matter that the geographical extent of the continent had not been realised as its colonised identity was already decided.

³⁵⁰ Antonio Rumeu de Armas, *El Obispado de Telde*, Capitulo V, ‘Encarnizada rivalidad entre Portugal y Castilla por el dominio de las Canarias’, pp. 61-72.

³⁵¹ Treaty of Tordesilla, in M. Gimenez Fernández ed., *Nuevas consideraciones sobre la historia, sentido y valor de las Bulas Alejandrinas de 1493 referentes a las Indias* (Seville, 1944), pp. 213-232.

³⁵² Luis Weckmann, *Las bulas alejandrinas de 1493 y la teoría política del Papado medieval: estudio de la supremacía papal sobre islas, 1091-1493* (Mexico D.F., 1949), p. 3.

³⁵³ David Wallace, *Premodern Places: Calais to Surinam, Chaucer to Aphra Behn* (Malden, MA, 2004), p. 227.

Researching the formation of the colonial identity of America in the Middle Ages, Weckmann argues that this papal tradition of *doctrina omni-insular* originated with Urban II in 1091 who claimed that all islands pertain to St Peter. Ernst Kantorowicz observes that ‘the “Americas” were treated as an “island”’, and this was very important for the papal claim to fit the legal tradition.³⁵⁴ Weckmann argues that the dispensation of islands to secular rulers or ecclesiastic dignitaries was formulaic, until 1545 when ‘the *omni-insular* doctrine was applied to seas hitherto unmapped’.³⁵⁵ However, the geographical identity of an ‘island’ was not the fundamental principle of this claim. Throughout the Middle Ages the papacy tried to extend the *omni-insular* doctrine (which was already applied to Britain) to Scandinavia and parts of Italy. However, the wording of *Inter caetera* and *Dudum siquidem* is interesting as it marks a definite departure from the focus on islands as it discusses both islands and mainlands.³⁵⁶

The boundaries of papal power were disputed and asserted throughout the Middle Ages. The papacy drew upon different sources of authority to justify its manipulation of global property rights. There are other traditions of papal claims to rights to lands and the power to invest them to others beyond the *omni-insular* doctrine.³⁵⁷ Theories of papal power were theologically grounded in the idea of the Christian Republic and the Universal Church (*ecclesia universalis*). Papal claims over the world could also draw on the authority of *The Donation of Constantine*, which invented the papacy as the heirs to the Roman Empire.³⁵⁸ However the influence of document is as contested as its origins. Around 1451

³⁵⁴ Ernst Kantorowicz, ‘Introduction’, in Luis Weckmann, *Las bulas alejandrinas de 1493 y la teoría política del Papado medieval: estudio de la supremacía papal sobre islas, 1091-1493* (México D.F., 1949), pp. 7-17, p. 8

³⁵⁵ Luis Weckmann, ‘The Alexandrine Bulls of 1493’, in Fredi Chiappelli, *First images of America: the impact of the New World on the Old* (Berkeley, 1976), pp. 209-209, p. 206.

³⁵⁶ Alexander VI, *Inter caetera*, Papal Bull of May 4, 1493, in M. Gimenez Fernández ed., *Nuevas consideraciones sobre la historia, sentido y valor de las Bulas Alejandrinas de 1493 referentes a las Indias* (Seville, 1944), pp. 165-194; Alexander VI, *Dudum siquidem*, Papal Bull of September 26, 1493, in M. Gimenez Fernández ed., *Nuevas consideraciones sobre la historia, sentido y valor de las Bulas Alejandrinas de 1493 referentes a las Indias* (Seville, 1944), pp. 205-212.

³⁵⁷ For example, in 1302, Boniface VIII issued *Unam Sanctam* which was a statement of papal supremacy.

³⁵⁸ *The Donation of Constantine*, in *On the Donation of Constantine*, trans. G. W. Bowerstock (London, 2008), pp. 83-93. The importance of clothing, and particularly shoes, as an indicator of property and political status, also appears in this document: ‘that they [the clergy] be the distinguished in the same way as our [Constantine’s] Senate, which makes use of shoes with felt socks – that is, with white linen’, and continues ‘thus will the celestial ranks be adorned like the terrestrial’; p. 152.

Lorenzo Valla employed the linguistic strategies of the humanist tradition in his *De falso credita et ementita Constantini Donatione declamatio* which deemed the *Donation* to be a forgery.³⁵⁹ Valla sought to re-evaluate letters in order to save the Holy Roman Empire, and he influenced Nebrija who used language to endorse the imperial strategies of fifteenth-century Castile.³⁶⁰ The power of language and the discourse of empire, whatever its form, were intrinsically linked.

Another dimension of justification for the papal right to invest lands to other sovereigns was, according to Muldoon, the claim of the 'papal responsibility for mankind' which was 'rooted in canon law'.³⁶¹ Muldoon argues that '*Inter caetera* was not, then, an assertion of long dead papal claims to world domination but rather a carefully worded statement which balanced the rights of the infidels, the papal responsibility for preaching the Gospel, and the political realities of aggressive expansions'.³⁶² Further, Muldoon states that *Inter caetera* was not about the division of the world, but a 'statement of Christian infidel relations'.³⁶³ Colonial legislation had many faces in the Middle Ages.

It is also possible to see *Inter caetera* in terms of the legacy of the Franciscan Poverty Dispute. *Inter caetera* is a powerful assertion of the papacy's ownership of unknown lands and its right to invest others with those property rights. It embodies the defeat of the Franciscans' critique of property, and their claim that Christ had owned nothing. If Christ had owned nothing then he could not invest Peter with anything (the basis of the papacy's claim to spiritual authority), nor could the papacy have accepted anything from Constantine (which the forged document that alleged the origin of papal rights to temporal authority claimed). Moreover, if the Franciscan position had proved to be legally verifiable, the papacy would have had to recognize the legitimate right of use of all the inhabitants of the unknown lands. However, despite the almost biblical

³⁵⁹ Lorenzo Valla *On the Donation of Constantine*, trans. G. W. Bowerstock (London, 2008). Valla responded to the political implications regarding the Donation's statement about socks, and the resultant confusion between the celestial and terrestrial spheres, p. 48.

³⁶⁰ Walter Mignolo, *The Darker Side of the Renaissance, Literacy, Territoriality and Colonization* (Michigan, 1995), p. 40.

³⁶¹ James Muldoon, 'Papal responsibility for the infidel: another look at Alexander VI's *Inter caetera*', *The Catholic Historical Review* Vol. 64, No. 2 (Apr., 1978), pp. 168-184, p. 167.

³⁶² *Ibid*, p. 183.

³⁶³ *Ibid*, p. 167.

description of the natives who were 'living in peace', 'going unclothed, and not eating flesh',³⁶⁴ there was no discussion at this time that they might have a right to the lands by the right of nature which was mentioned by William of Ockham.³⁶⁵

There was a discourse concerning the rights of infidels at this time taking place in the conciliar context, but this related mainly to the property of Muslims and Jews within Europe within the climate of Iberian '*reconquista*'. Muldoon explains that 'when the canonists came to consider the situation of non-Christians who lived beyond the bounds of Christendom, they began by extending previous discussions of non-Christians living within Europe to fit the new people whom they encountered'.³⁶⁶ Muldoon delineates the history of the canon lawyers' organisation of Christian society and its relation with non-Christians, beginning with Pope Innocent IV (1234-54). Pope Innocent IV's *Quod super his* justified the crusades, using the *Donation of Constantine* and the defence of the Holy Roman Emperor. However *Quod super his* also concluded that it was illicit for someone to deprive infidels of their property or lordship because they were infidels, and also that the pope had a responsibility for the souls of all men. This argument took the dualist perspective that secular powers, while an autonomous sphere of jurisdiction, were under ecclesiastical jurisdiction as subjects of the Church.³⁶⁷ Innocent IV argued 'that the pope could judge infidels in cases where they violated the natural law if their own rulers failed to punish them first'.³⁶⁸ This demonstrates the Christocentric universalist perception of natural law that will be important later.³⁶⁹ The precedent set by thirteenth century canon legislation is important for understanding later justifications of conquest and their origin. Innocent IV also explained the conditions under which an infidel society could be attacked, and noted that only the pope could authorise this.³⁷⁰ The thirteenth century canonist Hostiensis took a different view

³⁶⁴ Alexander VI, *Inter caetera*.

³⁶⁵ William of Ockham, *A Translation of William of Ockham's Work of Ninety Days*, 2 volumes, trans. John Kilcullen and John Scott (Lewiston, 2000), p. 438. *OND* hereafter.

³⁶⁶ James Muldoon, *Popes, lawyers, and infidels*, p. 3.

³⁶⁷ *Ibid*, p. 9.

³⁶⁸ *Ibid*, p10.

³⁶⁹ The definition of 'natural law' also has a complex history, see Janet Coleman, 'Property and poverty', in J. H. Burns ed., *The Cambridge History of Medieval Political Thought, c. 350-1450* (Cambridge, 1995), pp. 607-648, p. 618.

³⁷⁰ James Muldoon, *Popes, lawyers, and infidel*, p. 12, (Muldoon cited: Innocent IV, 3.34.8., fol. 177r).

to Innocent IV, and argued that sinners, including infidel could legitimately be deprived of their lordship and property.³⁷¹ The legal discourse concerning the rights of the infidel did not begin or end with Innocent IV, and Muldoon's book employs a legalistic perspective to provide a comprehensive survey of this issue. Muldoon's work demonstrates that the discourse concerning the legitimacy of claiming property and concerning the rights of non-Christians, which was characteristic of European overseas colonialism, actually has a long history within the politics of medieval Europe.

According to Muldoon, the papal handling of missionary relationships with non-Christians indicated that their motivation was not just theological, but also political, and, as I would argue, colonial. The papacy was accustomed to using missionaries for diplomatic purposes. In 1245 Innocent IV sent John of Plano Carpini to the Great Khan and in 1289 Nicholas IV sent John of Monte Corvino to visit China. These missionaries did not just seek conversions but also alliances. The Vatican's register 62 contains a collection of letters relating to the Tartars and other infidels and heretics, through the papal reigns of Clement V, John XXII, Benedict XII, and Clement VI. They also include four letters concerning the conquest of the Canary Islands. Muldoon argues that 'the inclusion of letters involving the first attempts to bring the Canary Islands under European domination foreshadowed increasing papal interest in newly discovered regions'.³⁷² The Vatican's register 62 is a valuable historical source because, as Muldoon explains, it 'provides a picture of papal relations with the world beyond Europe in the first half of the fourteenth century through the eyes of a contemporary papal official'.³⁷³ The papal dispatch of missionaries to the east, and the papal archiving of correspondence with places beyond Christendom demonstrate how the papacy had already constructed itself as a colonial entity in the fourteenth century.

Inter caetera is just one example of papal dispensation of property rights over 'discovered' lands. For example the bull *Romanus Pontifex* of January 8, 1455, issued by Pope Nicholas V granted to Portugal:

³⁷¹ James Muldoon, *Popes, lawyers, and infidel*, p. 17.

³⁷² *Ibid*, p. 75

³⁷³ *Ibid*, p. 77.

the right of conquest which in the course of these letters we declare to be extended from the capes of Bojador and of Nãõ, as far as through all Guinea, and beyond toward that southern shore, has belonged and pertained, and forever of right belongs and pertains, to the said King Alfonso, his successors, and the infante, and not to any others.³⁷⁴

Nicholas V authorised the King of Portugal:

to invade, search out, capture, vanquish, and subdue all Saracens and pagans whatsoever, and other enemies of Christ wheresoever placed, and the kingdoms, dukedoms, principalities, dominions, possessions, and all movable and immovable goods whatsoever held and possessed by them and to reduce their persons to perpetual slavery, and to apply and appropriate to himself and his successors the kingdoms, dukedoms, counties, principalities, dominions, possessions, and goods, and to convert them to his and their use and profit.³⁷⁵

Whatever the justification for the papal claim to ownership over all the 'discovered' lands, and this document refers to the commonwealth and the Universal Church God,³⁷⁶ the implications were the same due to the clarifications of the Franciscan Poverty Dispute. Given the pope was the owner, or had dispensed ownership to a monarch, the inhabitants of the 'discovered

³⁷⁴ 'Ipsarumque facultatis et presentium litterarum vigore jam acquisita et que in futurum acquiri contigerit postquam acquisita fuerint (contracted in quotation above), ad prefatos regem et successores suos ac infantem, ipsamque conquestam quam a capitibus de Bojador et de Nam usque per totam Guineam et ultra versus illam meridionalem plagem extendi harum serie declaramus etiam ad ipsos Alfonso Regem et successores suos ac infantem et non ad aliquos alios apectasse et pertinuisse ac impertuum spectare et pertinere de jure'; Nicholas V, *Romanus Pontifex*, January 8th, 1455, in Francis Gardiner Davenport ed. *European Treaties bearing on the History of the United States and its Dependencies to 1648* (Washington, D.C., 1917), pp. 13-20, p. 18, translation at pp. 20-26, p. 24.

³⁷⁵ 'quoscunque Sarracenos et paganos aliosque Christi inimicos ubicunque constitutos, ac regna, ducatus, principatus, dominie, possessions, et mobilia ac immobilia bona quecunque per eos detenta ac possessa invadendi, conquirendi, expugnandi, debellandi, et subjugandi, illorumque personas in perpetuam servitutem redigendi, ac regna, ducatus, comitatus, principatus, dominie, possessions, et bona sibi et successoribus suis applicandi, ac in suos successorumque suorum usus et utilitatem convertendi'; Nicholas V, *Romanus Pontifex*, p. 16, trans., p. 23

³⁷⁶ 'reipublice', 'universalis ecclesie', *Ibid*, p. 17, trans., p. 23.

places' were acting unjustly and illegally by using anything in those places as there was no right of use separate from the right of owning.³⁷⁷

In 1503, the *encomienda* system was established in the Americas. They were approved in 1512 by the Laws of Burgos, which were clarified and ratified in 1513.³⁷⁸ Lesley Byrd Simpson has posited that the Laws of Burgos were the 'blueprint of the perfect Christian commonwealth as conceived by the Spanish lawmakers, who were saturated in Aristotelian philosophy'.³⁷⁹ At the 1512 *junta*, the *licenciado* Gil Gregorio wrote of the *encomiendas*: 'it is beneficial for them [the Amerindians], to serve their lord without payment or reward...for total liberty is harmful to them'.³⁸⁰ The colonial psychology behind the construction of the *encomienda* system is clear in this patriarchal statement. The Laws of Burgos have been described as the 'first attempt at comprehensive colonial legislation', but the above examples have identified a much larger tradition of colonial legislation.³⁸¹ The *encomiendas*, supposed to embody contractualism, were a 'lucrative tribute system' where the crown retained possession and arriving colonists enjoyed usufruct.³⁸² Missionaries, such as the Franciscans, were inculcated within this system. Simpson described the mission system as 'a vast *encomienda*', as missionaries 'undertook to "discharge the conscience of the King"', another function of missionaries.³⁸³ Further, the Laws of Burgos explicitly entangled the Franciscans within the colonial system:

³⁷⁷ This will be explained in later chapters.

³⁷⁸ *The Laws of Burgos of 1513-1513, Royal Ordinance for the good government and treatment of the Indians*, translated, with an introduction and notes by Lesley Byrd Simpson (San Francisco, 1960).

³⁷⁹ Lesley Byrd Simpson, 'Introduction', in *The Laws of Burgos of 1513-1513, Royal Ordinance for the good government and treatment of the Indians*, translated, with an introduction and notes by Lesley Byrd Simpson (San Francisco, 1960), pp. 1-10, p. 3.

³⁸⁰ 'Que no fuessen asi aiervos que se pudieren vender y que ninguna persona pudiessen poseer, pero en disponer y mandar que serviesen a los cristianos quiso la Reyna ponerlos en una servidumbre qualificada cuomo es esta lo que les convenga pues la total libertad les deñava.' 'Parecer de Gil Gregorio', f. 2^r. Cited by Anthony Pagden, *The Fall of Natural Man, the American Indian and the origins of comparative ethnology* (Cambridge, 1982), p. 49; citation information in endnote 96, pp. 109-110. A *licenciado* is a Bachelor of Arts.

³⁸¹ 'From the Laws of Burgos', in Bartolomé de Las Casas, *An account, much abbreviated, of the destruction of the Indies, with related texts* edited with an introduction by Franklin W. Knight, trans. Andrew Hurley (Indianapolis, 2003), p. 89.

³⁸² Franklin W. Knight, 'Introduction', Bartolomé de Las Casas, *An account, much abbreviated, of the destruction of the Indies, with related texts* edited with an introduction by Franklin W. Knight, trans. Andrew Hurley (Indianapolis, 2003), pp. xi-l, p. xix.

³⁸³ Lesley Byrd Simpson, 'Introduction', in *The Laws of Burgos*, p. 10.

we order and command that now and in the future all the sons of chiefs of the said island, of the age of thirteen or under, shall be given to the friars of the Order of St Francis who may reside on the said Island, as the King my Lord has commanded in one of his decrees, so that the said friars may teach them to read and write, and all the other things of our Holy Catholic Faith; and they shall keep them for four years and then return them to the persons who have them in *encomienda*, so that these sons of chiefs may teach the said Indians, for the Indians will accept it more readily from them; and if the said chiefs should have two sons they shall give one to the said friars and the other we command shall be the one who is to be taught by the person who has him in *encomienda*.³⁸⁴

The *encomienda* system, which became synonymous with Spanish colonialism, can be viewed in terms of continuity with medieval Spain. Indeed, a system similar to *encomienda* was established in Granada in the late fifteenth century as Muslim communities came under Spanish rule.³⁸⁵ Weckmann observes that the rights and duties of *encomenderos* or *comendatarios* in the Indies reminds us of the Latin verb *commendo*, and shows the similarity between the *encomiendas* and the *commendatio* of Roman law, which became the basis for the feudal contract engineered by the Goths in the fifth century.³⁸⁶ Gradually *encomiendas* were replaced by a system of *repartimiento*, and *haciendas* (estates) were established and had a lasting legacy in the Spanish Americas. Weckmann argues that ‘the term *hacienda* (or in its archaic form, *facienda*) was in late medieval Andalusia synonymous with *cortijo*, and described a farm property cultivated with methods inherited from the Arab occupation’.³⁸⁷ Thus the asymmetrical system of property that typified Atlantic colonialism was not radically new, but had many similarities with systems of property that existed in medieval Europe. Weckmann states explicitly that ‘the laws and decrees that ruled colonization and the administration of justice in New Spain, and the

³⁸⁴ *The Laws of Burgos*, pp. 26-27.

³⁸⁵ This was observed by Lesley Byrd Simpson as the origin of the idea of *encomienda* for the Indies, as Isabella issued a Cédula in 1503 for the Governor of the Indies, Nicolás Ovando, to transfer the system to the Indies; Lesley Byrd Simpson, ‘Introduction’, in *The Laws of Burgos of 1513-1513*, p. 4.

³⁸⁶ Luis Weckmann, *The Medieval Heritage of Mexico*, trans. F. M. Lopez-Morillas (New York, 1992), p. 351-2.

³⁸⁷ *Ibid.*, p. 356.

methods employed in applying them, derive in a direct line from the medieval Spanish system of law, still in force in the Peninsula early in the sixteenth Century', and observes that these were inherited from Visigothic, Roman and canon law.³⁸⁸ Weckmann has emphasised the importance of the thirteenth century as 'laws were systematized and partially codified – especially in the *Siete Partidas* – under the influence of a new interest in Roman imperial law which had arisen in the universities, where it was considered as civil law in contrast to ecclesiastical or canon law'.³⁸⁹ It is important to recognize the importance of these traditions of legal cultures in the history of colonialism, in order to challenge meta-narrative assumptions of the modern nature of colonialism.

Medieval economics and the making of Atlantic world colonialism

Weckmann tried to demonstrate how colonial economics were in keeping with medieval administrative and economic traditions. He described the practice whereby places under papal jurisdiction paid 'Peter's Pence' (*denarius sancti Petri*) to the papacy as setting the precedent for the colonial relationship.³⁹⁰ Comparisons can be made between this and the metropolitan extractions of tributes from the 'colonies', for example the *encomiendas* of Hispaniola.³⁹¹

Wherever it began, the troubled history of the *encomiendas* of Hispaniola is a good example of the troubled history of the Spanish attempts at empire in the Americas. The discourse of rights and the justification of colonialism will be explored in Chapter Four. In 1513 Ferdinand II set up a committee of theologians to study the problem of the Indies; the result was *El Requerimiento* ('The Requirement'), written by the civil lawyer Palacios Rubios.³⁹² In 1519 Charles V announced the incorporation of the New World into the territory of

³⁸⁸ Ibid, p. 442.

³⁸⁹ Luis Weckmann, *The Medieval Heritage of Mexico*, p. 442. For the *Siete Partidas*, see Robert I. Burns ed. *Las Siete Partidas*, trans. Samuel Parsons Scott, multiple volumes (Philadelphia, c.2001).

³⁹⁰ Luis Weckmann, *Constantino el Grande y Cristóbal Colón, estudio de la supremacía papal sobre islas, 1091-1493* (Mexico, 1992), chapter III 'El "Denarius Sancti Petri" y la "doctrina omni-insular"', pp. 55-82.

³⁹¹ Luis Weckmann delineated these arguments in his book *The Medieval Heritage of Mexico*.

³⁹² Juan López Palacios Rubios, *El requerimiento*, in Bartolomé de Las Casas, *Historia de Las Indias, Libro III* (Mexico D.F., 1951), pp. 26-27. Palacios Rubios was also the author of '*Libellus de insularis oceanis*', which highlighted the primitivist virtues of the Indians, see Anthony Pagden, *The Fall of Natural Man: the American Indian and the origins of comparative ethnology* (Cambridge, 1982), pp. 51-52.

Castile, stating that “by donation of the Holy Apostolic See and other just, legitimate titles we are lord of the West Indies, the islands and mainland of the ocean sea already discovered and to be discovered”.³⁹³ By 1536 Charles V had issued a royal decree suspending the conquest of Nicuragua for two years. Charles V supposedly abolished the *encomienda* system in the New Laws of 1542 as ‘the existence of the *encomienda* made invalid the just title of the King of Spain to the Indies and stigmatised him as a tyrant rather than a lord’.³⁹⁴ However the New Laws made the continuation of some form of tribute system possible.³⁹⁵ From Hanke’s statement, and the troubled history of the *encomienda*, it is possible to see that the discourse of legitimate colonialism was intrinsically tied to the legitimacy and boundaries of systems of property law. Yet the official discourse of colonialism did not always relate to lived experience. While the legal system of the *encomienda* may have been phased out in New Spain, exploitative relationships remained in New Spain under the new name of *repartimiento*, or *mita* in Peru, and were based on the idea of debt peonage.³⁹⁶ The European philosophy of property was essential to the paradigm of colonialism that was enacted in the New World.

Charles Verlinden has researched the transfer of economic colonial techniques from the Mediterranean to the Atlantic.³⁹⁷ He has argued that colonial economic methods pioneered in the Canary Islands, such as the spread of cash crops like sugar, became synonymous with modern colonialism.³⁹⁸ Fernández-Armesto has also highlighted the emergence of sugar agronomy in the Canaries, which was an integral part of the medieval construction of the identity of the New World.³⁹⁹ As Verlinden writes, sugar cane production is a ‘striking example of the passage from the medieval economy of the Mediterranean to the economy of modern times in the Atlantic area’.⁴⁰⁰ Verlinden’s analysis is limited by his

³⁹³ Lewis Hanke, *The Spanish Struggle for Justice in the Conquest of America* (London, 1949), p. 147, quoted from Ricardo Levene, *Introducción a la historia del derecho indiano* (Buenos Aires, 1924), pp. 56-57.

³⁹⁴ Lewis Hanke, *The Spanish Struggle for Justice*, p. 83; Hanke cites Las Casas, *Historia de las Indias, Libro III*, cap. 136.

³⁹⁵ For example, see *The New Laws of the Indies, for the good treatment and preservation of the Indians* (Amsterdam, 1968), pp. xv-xvi.

³⁹⁶ Benjamin Keen, *Latin American Civilization, History & Society, 1492 to the Present* (6th edn, Boulder, 1996), p. 75.

³⁹⁷ Charles Verlinden, *The Beginnings of Modern Colonization* (Ithaca, N.Y., 1970), p. 3.

³⁹⁸ Charles Verlinden, *The Beginnings of Modern Colonization*.

³⁹⁹ Felipe Fernández-Armesto, *Canaries After Conquest*, p. 45.

⁴⁰⁰ Charles Verlinden, *The Beginnings of Modern Colonization*, p. 26.

subscription to feudalism, particularly the ‘feudal type of colonial landowning that’, he believed, ‘existed in the crusade colonies’; but his insight into ‘the formation, in the metropolis, of a company which received a charter from the government and this enjoyed almost complete administrative autonomy’ nonetheless shed light on the economic and administrative methods generated in the Middle Ages which became common place in patterns of later Atlantic world colonialism.⁴⁰¹ The darker side of the continuity of medieval ‘economic’ practice exists within the continuity of medieval slavery in Europe and colonial slavery in America.⁴⁰² Slavery became an integral component in the extension of the cash crop sugar.

While feudalism is a contested (and historicist) construct, it remains a relevant term as it still haunts historiography and has been used as a classification device in archival records. Ernst Kantorowicz observed that ‘Dr Staedler has demonstrated strikingly that the Holy See itself considered the charter of 1493 [*Inter caetera*] an instrument of feudal investiture’ since Alexander VI’s bull was registered in the *Leonicus* Collection of the papal archives, which contained documents that referred to the secular feudal overlordship of the Holy See of over various countries.⁴⁰³ Kantorowicz argued that ‘the incorporation of the Alexandrine bull into that collection proves beyond doubt that the papal administration itself had deemed the “Americas” feudally dependent on the Holy See.’⁴⁰⁴ While the idea of ‘feudalism’ as a homogenous economic system may be flawed, the classification of *Inter caetera* enables us to see continuity between a papal attitude to property law within medieval Europe and the New World.

The significance of papal claims to property, as land and the feudal style dues of ‘Peter’s Pence’ articulate another context in which the Franciscan critique of property was dangerous. The papacy needed its system of property to be both justifiable (theologically and ethically) and tangible. This context demonstrates

⁴⁰¹ Ibid, p. 9.

⁴⁰² Ibid, p. 33.

⁴⁰³ The *Leonicus* collection was compiled by Leonicus of Este at the orders of Pope Paul V (1605 -1621), and contained feudal documents from pontificate of Pope Gregory VII (1073-1085), Ernst Kantorowicz, ‘Introduction’, in Luis Weckmann, *Las bulas alejandrinas de 1493 y la teoría política del Papado medieval: estudio de la supremacía papal sobre islas, 1091-1493* (México D.F., 1949), pp. 7-17, p. 8.

⁴⁰⁴ Ibid, p. 8.

how the original Franciscan separation of a right of using from a right of owning would have made the system of papal ownership impossible. The papacy may own distant lands and extract tribute from those lands, but if people could claim a right of using those things than the papacy's power and the strength of its assets would be eroded.

From 1493 the Indies were legally and economically incorporated into the kingdom of Castile,⁴⁰⁵ and, as this chapter has shown, this process constituted the continuation of legal and economic mechanisms that had been negotiated in Europe throughout the Middle Ages. The Franciscans, with their philosophy of poverty and consequential entanglement with property law offer an additional perspective on the topic of medieval colonialism, or rather, coloniality. Colonialism is not a homogenous system, but a complexity dominated by asymmetrical power relationships. Colonial power is not totalitarian power, and nor is it unidirectional,⁴⁰⁶ interactions in the colonial context occurred in many different ways, some of which will be explored in Chapter Five. Colonialism, or rather coloniality, is also deeply ambiguous. The second part of this thesis explores the history of the Franciscans in order to emphasise this ambiguity. Economics and law (particularly property law) constitute just one dimension of the multifaceted paradigm of coloniality, which also involves language, ritual, culture and identity. Colonisation does not simply involve space, but also time and historical narratives. The following chapters of this thesis focus on the history and identity of the Franciscans in the hopes of understanding more of the dimensions of coloniality which were negotiated in the Middle Ages.

⁴⁰⁵ For more on this see Mario Góngora, *El Estado en el Derecho Indiano, época de fundación* (1492-1570) (Santiago de Chile, 1951). This book describes the establishment of colonial government in the Americas through structures such as the *Audiencias*. For explanations of the terminology of the government of the Indies, see Manuel Josef de Ayala, *Diccionario de Gobierno y Legislación de Indias*, revisado por Laudelino Moreno, Prólogo de Rafael Altamira (Madrid, 1988-1996).

⁴⁰⁶ Of course one could also contest how 'total' totalitarian power is.

Chapter Three. Poverty and the Franciscan World

A survey of Franciscan history, identities, and problematic relationship with poverty

This chapter explores the Franciscan identification with poverty and their theoretical struggle to define its terms and boundaries and begins to trace the history of the ways in which Franciscan poverty was compromised. It considers how the discourse of the Franciscan Poverty Dispute contributed to the paradigm of colonialism and the identity of the New World. Poverty was fundamental to Franciscan identity.⁴⁰⁷ Poverty is contradictory and the 'voluntary poverty' of the Franciscans even more so. Its definition as an absence [of property], or 'the condition of having little or no wealth or few material possessions',⁴⁰⁸ is symptomatic of the capitalist colonisation of thought. Franciscan poverty was not just an absence of property, but a possibility of freedom. William of Ockham warned against this colonisation of thought through property when he wrote 'it is more praiseworthy to reject the possession of temporal things by actual poverty, to free the mind from the care of the riches' as 'possession dangerously holds the mind'.⁴⁰⁹ Poverty is relative and has many forms.⁴¹⁰ Poverty has political as well as economic dimensions and it represents a system of thought as much as an identity. It has become a colonised identity which today dominates the discourse of the 'developing world' irrespective of the traditional quotidian structures of local cultures. Franciscan poverty

⁴⁰⁷ Poverty is not the only thing that characterises the Franciscan tradition. One could stress fraternity, humility or obedience. Justice is a guiding principle of Bonaventure's work and he frequently referred to the 'Sun of Justice', see Bonaventure, "Defense of the Mendicants" (*Apologia pauperum*), trans. Jose de Vinck (Paterson N.J., 1966), p.1. Nor has poverty been the only controversial thing in Franciscan history. The issue of clericalisation has also been problematic for the Order. St Francis also raised the question of the nature of Christ and the state of perfection. The question of how close one could get to knowing Christ resounded across the late Middle Ages and was the main focus of the *Devotio Moderna*. Despite of all this, my approach will focus on poverty.

⁴⁰⁸ OED online,

<http://www.oed.com.eresources.shef.ac.uk/view/Entry/149126?redirectedFrom=poverty#eid> (21.06.12).

⁴⁰⁹ William of Ockham, *A Translation of William of Ockham's Work of Ninety Days*, 2 volumes., trans. John Kilcullen and John Scott (Lewiston, 2000), p. 296, *OND* hereafter.

⁴¹⁰ For a historical overview of perceptions of poverty in the Middle Ages see Janet Coleman, 'Property and poverty', in J. H. Burns ed., *The Cambridge History of Medieval Political Thought, c. 350-1450* (Cambridge, 1995), pp. 607-648, p. 608.

constituted a philosophy with its own model of space, time, and existence. Franciscan Poverty was also performative and constituted a ritualised identity which had different meanings at different times. Yet, Franciscan poverty has not been without controversy, and its history is intertwined with the history of property, rights, and the practice and justification of colonialism. In this way, the history of Franciscan poverty has played a role in the invention of the New World.

The *Regula bullata* (the Later Rule approved in 1223) asked the brothers ‘to observe the holy gospel of our Lord Jesus Christ, living in obedience without anything of our own, and in chastity’.⁴¹¹ Through this Rule the brothers vowed poverty, obedience, and chastity, and while there is debate concerning which of this triumvirate was most significant it seems that their commitment to poverty has led to their exciting and turbulent history. The *Regula bullata* legislated for the exterior enactment of this poverty and specified the ‘inexpensive clothing’ that they should wear, which should be of poor material, and mended only by sackcloth.⁴¹² Significantly the Rule forbade ‘the brothers to receive money in any form either directly or through an intermediary’ and stipulated that ‘the brothers should not make anything their own, neither house, nor place, nor anything at all’; and go ‘as pilgrims and strangers in this world, serving the Lord in poverty and humility, let them go seeking alms with confidence’.⁴¹³ It is as strangers in this world, a consequence of their poverty, that they have had an interesting role and provide an intriguing historical perspective.

We have seen that the Franciscans have played a part in the history of global knowledge. This may be related to the global outlook of the Franciscans. St Francis’ vision was global, and he placed mission at the core of Franciscan

⁴¹¹ *Regula bullata*, in Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 1, The Saint* (New York, 1999), pp. 99-106, p. 100.

This is the later Rule. In the earlier Rule Francis added clarifications in chapter nine to prevent confusions of poverty occurring as a consequence of chapter seven on work. See David Flood, ‘Introduction, Franciscan Poverty (a brief survey)’, in G. Gál and David Flood eds, *Nicolaus Minorita, Chronica: documentation on Pope John XXII, Michael of Cesena and the Poverty of Christ with summaries in English: a source book* (New York, 1996), pp. 1-53, p. 6. See also David Flood and Thaddée Matura, *The birth of a movement: a study of the First rule of St. Francis*, trans. P. Schwartz and P. Lachance (Chicago, 1975).

⁴¹² *Regula bullata*, p. 101.

⁴¹³ *Regula bullata*, p. 103.

identity.⁴¹⁴ In his lifetime he travelled across Europe, and to Africa and the Middle East. The Franciscans proliferated as an international, or as this thesis argues, a translocal, network. They were part of the ventures of ‘discovery’ (and conquest) taking place throughout the late Middle Ages. Franciscan presence can be mapped in the Canary Islands in the fourteenth century and friars were often on board the Portuguese ships that were exploring the coast of Africa in the fifteenth century. They were multifunctional, acting as missionaries and occasionally chaplains to the crews while expanding their global knowledge. While St Francis had had an ambiguous relationship with learning,⁴¹⁵ Nicholas III had stipulated the legitimacy of the circulation of books ‘for the advantage of the friars, and for their consciences’, and this made their engagement with learning permissible.⁴¹⁶ Their translocal orientation was not simply the consequence of their geographic proliferation but also a consequence of their poverty ideology as they had to move continuously to avoid the creeping bonds of ownership.⁴¹⁷ In *The Sacred Exchange between St Francis and Lady Poverty*, poverty is described as a journey to God: ‘Among the other outstanding and exceptional virtues which prepare in us an abode and a dwelling for God and which show *an excellent* and unencumbered *path* of going to and arriving before Him, holy Poverty shines with a certain prerogative before them all’.⁴¹⁸ The Franciscan theology of poverty invented Franciscan existence as a constant journey and this contributed to their translocality.

⁴¹⁴ I am focusing on the Atlantic world, but as previously mentioned, the Franciscan network had also diffused to the East; see Christopher Dawson, *The Mission to Asia: narratives and letters of the Franciscan missionaries in Mongolia and China in the thirteenth and fourteenth centuries* (London, 1980).

⁴¹⁵ In the *Regula non bullata*, St Francis stipulated that the the clerical brothers ‘may have only the books necessary to fulfil their office’, and this suggests that they could not have them for more scholarly purposes; *Regula non bullata*, in Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 1, The Saint* (New York, 1999), pp. 63-86.

⁴¹⁶ ‘fratrum utilitatibus et eorum conscientis’ Nicholas III, *Exiit qui seminat*, in *Liber Sixtus, Corpus iuris canonici*, ed. E. Friedberg, Vol. 2 (Leipzig, 1879), (2nd edn, 1959, Graz), col. 1109-1121, col 117-116; translation from the *Register of Nicholas III*, pp.232-241, available at: <http://www.ewtn.com/library/PAPALDOC/N3SEMIN.HTM> (14.04.2011).

⁴¹⁷ For example Thomas of Celano, *The Life of St Francis*, in Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 1, The Saint* (New York, 1999), pp. 180-308, p. 214. This example will be explored further in Chapter Five.

⁴¹⁸ *The Sacred Exchange between St Francis and Lady Poverty*, in Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 1, The Saint* (New York, 1999), pp. 529-554, p. 529.

Franciscan poverty was also a philosophy that caused them to transcend space and time. Writing about Francis and his companions in the Spoleto Valley, Thomas of Celano wrote: 'greatly consoled in their lack of all *things of the world*, they resolved to adhere to the way they were in that place always and everywhere'.⁴¹⁹ Later, in the fourteenth century, Ockham would repeatedly cite Christ's declaration 'my kingdom is not of this world'.⁴²⁰ As the Franciscans endeavoured to be Christ-like through their re-enactment of Apostolic poverty it became unclear which world the Franciscans were in and whose rules applied to them. Through their pursuit of poverty the Franciscans transcended normative relationships with space and time.

Time has played an important role in the Franciscan tradition. The *Regula bullata* stipulated that the Franciscans should not interfere with 'temporal goods';⁴²¹ the Franciscan philosophy of poverty placed them outside normative time. For the Franciscans, journeying through space was intrinsically linked to journeying through time.⁴²² In Celano's *Vita Prima* the Franciscan journey is intrinsically linked to a particular relationship with time; he wrote 'though frequently on hazardous journeys, they were not anxious about where they might stay the next day'.⁴²³ This illustrates the interior dimension of Franciscan poverty, since Franciscan poverty was an internal position and did not depend upon an external location. This Franciscan capacity to transcend time, and its spiritual implications, is most emphatically demonstrated by the legend of St Francis' stigmata.⁴²⁴ As St Francis received the wounds of Christ he transcended the temporal distance separating his contemporaries from the age of Christ and Apostolic time, and he transcended the spatial distance between his own body and the body of Christ. This had political as well as spiritual implications.⁴²⁵ When Ockham defended the poverty of the Franciscans during the fourteenth-century Franciscan Poverty Dispute, he did so through an examination of the Apostolic time which the Franciscans claimed to be

⁴¹⁹ Thomas of Celano, *The Life of St Francis*, p. 214. This document is commonly referred to as *The First Life [Vita Prima]*.

⁴²⁰ For example see *OND*, p. 583 and p. 642.

⁴²¹ *Regula bullata*, p. 100.

⁴²² As mentioned in chapter 1, this link between space and time was often represented on medieval maps such as the Hereford *mappa mundi*.

⁴²³ Thomas of Celano, *The Life of St Francis*, p. 214.

⁴²⁴ *Ibid*, p. 264.

⁴²⁵ This will be explored more in Chapter Six.

enacting.⁴²⁶ Ockham argued that ‘the Apostles were imitators of Christ in respect of the counsel of poverty’,⁴²⁷ and that Christ, and his sub-community the Apostles, had abandoned property.⁴²⁸ This explanation of the Apostolic state was designed to justify the Franciscan position. Ockham connected this to future time as well as past time as he argued that the Apostles were forbidden to trouble for tomorrow, since they were forbidden estates.⁴²⁹ This endorsed the Franciscan position of avoiding anxiety for the future. As explained, time and the discourse of poverty were linked in the Franciscan tradition. This chapter will demonstrate that the opposition to the Franciscan position had significant legal ramifications which affected the paradigm of coloniality.⁴³⁰ The temporal philosophy of Franciscan poverty generated problems for the papacy and the papal interpretation of law. John XXII claimed that poverty did not make the Franciscans less anxious for the future and that such ‘lack of such lordship, devoid of all benefit in reality in the present and in hope for the future, does not make anyone who does not have it the poorer in respect of temporal poverty’.⁴³¹ Franciscan poverty, with its spatial, conceptual, political, and temporal dimensions, has been a source of anxiety and ambiguity.

In addition to the imagery of the stigmata, Saint Francis’ transcendence of time was also demonstrated through the story of his renunciation. As he shed his father’s clothes (the symbol of patriarchal property and authority), his nakedness became a sign that he had shed his past. St Francis has also been seen as transcending the distance to the future as he is seen as an accelerator of eschatological time.⁴³² The Franciscans were seen as ushering in the New Age.⁴³³ The temporal role of the Franciscans continues to influence historiographical interpretations of the Franciscans; Jacques Le Goff has argued that the nineteenth-century revival of interest in St Francis echoed his

⁴²⁶ *OND*, p. 107.

⁴²⁷ *OND*, p. 124.

⁴²⁸ *OND*, p. 125. Ockham specifically referenced their rejection of ‘the estates of Judea’.

⁴²⁹ *OND*, p. 128.

⁴³⁰ See focus on the fourteenth century Franciscan Poverty Dispute below.

⁴³¹ John XXII, *Ad conditorem canonum*, in *Corpus iuris canonici*, ed. E. Friedberg, Vol. 2 (Leipzig, 1879), (2nd edn, 1959, Graz), constitutiones XX. Ioannis Papae XXII, col. 1225-1230; translation by John Kilcullen and John Scott, they compare *Corpus iuris canonici* (Lyons, 1671) with Friedberg’s edition (Leipzig, 1879), http://www.mq.edu.au/about_us/faculties_and_departments/faculty_of_arts/mhpir/politics_and_international_relations/staff/john_kilcullen/john_xxii_ad_conditorem_canonum/ (15.04.2011).

⁴³² This will be discussed in Chapter Six.

⁴³³ This was the Third Age, the age of the spirit. See Chapter Six

'modernity',⁴³⁴ as the initiator of the Renaissance and the modern world.⁴³⁵ There is a connection between the temporal transcendentalism of the Franciscans and the making of modernity and its 'New World'. Novelty (and perhaps the renewal of time) has also played an important role in the Franciscan tradition, and the emphasis on newness is present throughout the early documents.⁴³⁶ Le Goff has highlighted St Francis' 'new methods of Apostleship',⁴³⁷ and others that Francis 'offered an alternative way of Christian living'.⁴³⁸ The way the Franciscans have been historicised parallels the way in which modernity and the 'New World' have been historicised. There is a subtle link between the spatio-temporal identity of Modernity and the New World, on the one hand, and the Franciscans, on the other; all emphasise novelty. Poverty plays an essential role in this entanglement and this also has implications for the meaning of property, which becomes the 'paradigmatic right' of modernity.⁴³⁹

Joseph Ratzinger argues that poverty became intrinsic to Franciscan identity due to Bonaventure, who was 'untiring in his efforts to inculcate poverty as the essential characteristic of the concrete Order of Franciscans'.⁴⁴⁰ The Franciscan philosophy of poverty generated a turbulent history. The battle to shape and define the legitimate character of Franciscan poverty began in the lifetime of St Francis, and the genesis of the Rule of the Order is a good example of this.⁴⁴¹ Around 1209 St Francis journeyed to Rome seeking approval for the Franciscan

⁴³⁴ This refers to the renewed interest in the 'Franciscan Question' following the Sabatier controversy.

⁴³⁵ Jacques Le Goff, *St Francis of Assisi* (London, 2004), p. 53.

⁴³⁶ See Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, The Saint, The Founder, and The Prophet*, (New York, 1999).

⁴³⁷ Jacques Le Goff, *St Francis of Assisi*, p. 65.

⁴³⁸ Regis J. Armstrong, J.A. Wayne Hellmann, and William J. Short, 'Introduction' to *The Life of Saint Francis by Thomas of Celano*, in Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 1, The Saint* (New York, 1999), pp. 171-179, p. 175.

⁴³⁹ This was claimed by Brian Tierney, *The idea of natural rights: studies on natural rights, natural law, and church law, 1150-1625* (Cambridge, 1997), p. 131. This is at the core of John Locke's philosophy which is intrinsic to teleologies of European thought. Locke wrote that 'the reason why men enter into society is the preservation of their property'; *Second Treatise*, § 222, quoted by J. W. Gough, *John Locke's Political Philosophy* (2nd edn, Oxford, 1973), p. 80.

⁴⁴⁰ Joseph Ratzinger, *The Theology of History in St Bonaventure* (Chicago, 1971), p. 52.

⁴⁴¹ For a comprehensive study of this see David Flood, *The Birth of a Movement: A Study of the First Rule of St Francis*, (Chicago, 1975).

Rule from Pope Innocent III.⁴⁴² The request was initially rejected. Reportedly, St Francis left Rome and entered the Spoleto Valley where he preached to the birds.⁴⁴³ Le Goff postulates that these birds represented Francis' anger at Rome, invoking an anecdote from Revelation 19: 17-18; he argues it 'shows that the extremist Franciscan party may have wanted to have the Order's founder assimilate Rome and the Church with accursed Babylon'.⁴⁴⁴ The *Regula non bullata* was compiled in 1221 at the last Pentecost Chapter.⁴⁴⁵ The Rule that was finally approved in 1223 by Pope Honorius III had been completely re-worked as the papacy forced many amendments.⁴⁴⁶ What ideas and intentions were sacrificed by this compromise cannot be known. The construction of the Rule is important as it was the way that the continuous and homogenous identity of the Order could be stabilised and secured. Adding to the complexity, Francis' intentions were often ambiguous as he wrote in an anti-legalistic way and his writings were often contradictory. Armstrong speculated that the Later Rule was mainly composed by someone other than St Francis, pointing to Cardinal Hugolino who 'concerned himself with the inner life of the brothers, especially those who were more educated and wanted a rule that would provide more structure'.⁴⁴⁷ Franciscan poverty was troubled by the process of codification and institutionalisation from the beginning.⁴⁴⁸ Significantly, Le Goff adds that we must also consider the social and apostolic context that the Rule was designed for.⁴⁴⁹

⁴⁴² Our knowledge of this meeting is derived from the hagiographies. For example see *The Life of St Francis by Thomas of Celano*, in *Francis of Assisi: Early Documents, The Founder*, pp. 180-308, pp. 210-212.

⁴⁴³ *The Life of St Francis by Thomas of Celano*, pp. 234-236.

⁴⁴⁴ Jacques Le Goff, p. 34. Le Goff argued that this scene was only pacified by the paintings of Giotto di Bondone (1266/7-1337) who painted the series of frescoes of the Upper Church at Assisi. For more interpretations of the significance of these birds see F.D. Klingender, St Francis and the Birds of the Apocalypse, *Journal of the Warburg and Courtauld Institutes*, Vol. 16, No. 1/2 (1953), pp. 13-23.

⁴⁴⁵ *Regula non bullata*, in Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 1, The Saint* (New York, 1999), pp. 63-86.

⁴⁴⁶ *Regula bullata*, in *Francis of Assisi: Early Documents, The Saint*, pp. 99-106. The *Regula bullata* became known as 'the marrow of the gospel'. It was approved by the papal bull *Solet Annuere*, in *Francis of Assisi: Early Documents, The Saint*, pp. 9.

⁴⁴⁷ Regis J. Armstrong, *St Francis of Assisi, Writings for a Gospel Life* (Slough, 1994), p. 114. Remember that Cardinal Hugolino became Pope Gregory IX.

⁴⁴⁸ Codification and institutionalisation were essential in the context of disciplinarian that emerged from the 1215 Lateran Council.

⁴⁴⁹ Jacques Le Goff, *Saint Francis*, p. 48.

The Rule that eventually received the papal seal deviated from Francis' intentions; he worried that the Order that was growing as he lay dying was drifting from his original vision. And so he wrote his *Testament*, which immediately became a controversial document.⁴⁵⁰ It reasserted the need for poverty and rigour amongst his followers. Some brothers of St Francis considered the *Testament* to be too limiting to be prescriptive and petitioned the papacy for freedom from its stipulations.⁴⁵¹ Others wished to be true to the words and wishes of the founder. This resulted in the first split in the Order between the rigorists and the moderates over the proper degree of severity of their poverty.⁴⁵²

The Franciscans were not unique in their emphasis on the significance of poverty;⁴⁵³ they are representative of a broader discourse which is often hidden by histories that emphasise poverty's antithesis: property acquisition. The histories of Empire that have dominated histories of the Atlantic world are paradigmatic examples of the focus on property acquisition. Histories of colonial economics and the emergence of capitalism have been linked. Histories driven by capitalist (or Marxist) thinking are dominated by a certain conception of property. Franciscan poverty can represent an alternative historical option for the Atlantic world, that of the 'poor Atlantic'. Poverty represents a silent majority. Robert I. Moore contextualised the importance of poverty in the late Middle Ages, arguing that there was a revival of heresy from the eleventh century

⁴⁵⁰ St Francis, *The Testament* (1226), in Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 1, The Saint* (New York, 1999), pp.124-127.

⁴⁵¹ In 1230 Pope Gregory IX issued *Quo elongati*, which freed the Franciscans from their obligation to be bound to the testament. Pope Gregory IX, *Quo elongati* (1230), in Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 1, The Saint* (New York, 1999), pp. 570-575.

⁴⁵² This is an issue on the historical agenda today as 'modern scholars have tended to regard poverty as the central issue in determining whether Franciscans remained true to their founder'; David Burr, *Olivi and Franciscan Poverty, the origins of the Usus Pauper Controversy* (Philadelphia, 1989), p. 7.

⁴⁵³ For example, Lester Little and Barbara Rosenwein observed that emphasising the importance of poverty was not an innovation of St Francis as Peter Damian (c. 1007-1072) had said that only those with nothing are fit for preaching. See Barbara Rosenwein, and Lester Little, 'Social Meaning in the Monastic and Mendicant Spiritualities', *Past & Present*, no. 63 (May 1, 1974), pp. 4-32, p.18. Of course, the model of Apostolic Poverty is based on accounts of the life of Christ in the New Testament. Given the poverty of Christ, the question of the permissibility of ecclesiastic property had been discussed at different times in the Middle Ages. Janet Coleman observed that Gratian had addressed this matter in the twelfth century when he ruled that clerics could own property unless they had taken a vow of poverty, Janet Coleman, 'Property and poverty', p. 619. The Augustinians and the Carmelites also emerged in the late Middle Ages and emphasised poverty.

because 'the church needed to be reformed, and the corruption of its government and the laxity of its priests expunged, so that it could respond to the spiritual needs of those who sought salvation through illumination of the soul, the rejection of worldly wealth and power, and the imitation of the Apostles'.⁴⁵⁴ He ascribed the emergence of wandering and conspicuously impoverished preachers to a sense that the 'Gregorian Revolution' had been betrayed.⁴⁵⁵ The Franciscans are historical representatives of the poverty that was integral in many contexts and identities of the late Middle Ages but is often hidden by emphasis on property acquisition. Other groups emphasizing the importance of poverty emerged at this time but the Franciscans had a unique blend as they managed to achieve tacit papal approval (perhaps thanks to his acceptance of clerically administered sacraments),⁴⁵⁶ whilst subscribing to a radical philosophy of poverty.⁴⁵⁷ Of course, identity categories are fluid and boundaries were not always clear. In the fourteenth century, Beguins were considered to be heretics, and they were often followers of the Spiritual Franciscans. The Franciscans blurred the boundary between orthodoxy and heresy and found themselves on both sides of the Inquisition, as both victims and perpetrators. This further demonstrates the Franciscans ambiguous relationship with authority.⁴⁵⁸ David Flood, a Franciscan from the St Bonaventure University, has argued that the Franciscans 'talked about the poverty of the Lord in order to transcend society's disdain and ostracism', yet the situation was more ambiguous than this as Franciscans also disdained aspects of society.⁴⁵⁹

The Franciscans may be seen as a mirror for a wider problem with authority in the Christian tradition. When Adam and Eve strayed from obedience in the Garden of Eden, they were cast out and the Fall aligned them with free will. The free will of fallen man complicates man's relationship with authority. St Francis'

⁴⁵⁴ R.I. Moore, *The formation of a persecuting society: power and deviance in Western Europe, 950-1250* (1990), p. 18.

⁴⁵⁵ *Ibid*, p.19.

⁴⁵⁶ Unlike the Waldendians and Humiliati who were condemned as heretics. See Edward Peters, *Heresy and authority in medieval Europe: documents in translation* (Philadelphia, 1980).

⁴⁵⁷ Unlike the Dominicans; Kilcullen explained that 'Dominican poverty did not altogether exclude community ownership'; see John Kilcullen, 'Introduction', *A Translation of William of Ockham's Work of Ninety Days*, Vol. 1, trans. John Kilcullen and John Scott, (Lewiston, 2000), pp. 1-46, p. 15. Later the Dominicans were allowed to store up to one year's supplies. For the Dominicans poverty was ancillary to preaching.

⁴⁵⁸ This struggle is emphasised in biographies/hagiographies of St Francis. Francis' patriarchal relationship and his relationship with the papacy were strained.

⁴⁵⁹ David Flood, 'Introduction, Franciscan Poverty', p. 8.

attempt to achieve inner poverty through rejecting the will can be seen as an attempt to address this fundamental problem within the Christocentric tradition. It was a problem that the Church articulated but did not address through its institution which demanded obedience.

Understanding the context of the late Middle Ages is important for understanding the significance of the Franciscan doctrine of poverty. Barbara Rosenwein and Lester Little have considered the way monastic and mendicant spiritualities 'reflected and modified two distinctly different societies'.⁴⁶⁰ They argue that 'the friars were born from a spiritual crisis brought on by the spread of the cash nexus'.⁴⁶¹ Flood has referred to Franciscan poverty as a 'socioreligious ideal'.⁴⁶² The context of economic change in late medieval Europe caused both anxiety and ambiguity and the Franciscans played a role in this. Giacomo Todeschini noted that Innocent III, who approved the Franciscan Rule of poverty, 'inaugurated the new century, bringing upon the altar a merchant who was not only pious but also active in the social and political field'.⁴⁶³ References to money (*pecunia*) reoccur in the early documents, and we can infer that anxiety over the moral implication of monetisation contributed to the Franciscan brand of poverty. The philosophy, symbolic depth, and discourse of money were only just developing at this time and the Franciscans played a role in this.⁴⁶⁴ John XXII's multiple annotations of the Franciscan Rule's monetary stipulations demonstrated this anxiety.⁴⁶⁵ Little reminds us that 'the money economy was altering some of the individual's relationships with nature, with work, with time, with human society and with his own deepest values and religious beliefs';⁴⁶⁶ the discourse of Franciscan poverty articulated the questions that these changes raised.

⁴⁶⁰ Barbara Rosenwein, and Lester Little, 'Social Meaning in the Monastic and Mendicant Spiritualities', p. 32.

⁴⁶¹ *Ibid.*, p. 24.

⁴⁶² David Flood, 'Introduction, Franciscan Poverty', p. 19.

⁴⁶³ Giacomo Todeschini, *Franciscan Wealth, From Voluntary Poverty to Market Society*, trans. Donatella Melucci, eds Michael F. Cusato O.F.M, Jean François Godet-Calogeras, Daria Mitchell, O.S.F. (New York, 2009), p. 24.

⁴⁶⁴ See Giacomo Todeschini, *Franciscan Wealth*.

⁴⁶⁵ Patrick Nold, 'Pope John XXII's Annotations on the Franciscan Rule: Content and Contexts', *Franciscan Studies*, Vol. 65 (2007), pp. 295-324, pp. 314.

⁴⁶⁶ Lester Little, 'Evangelical Poverty, the New Money Economy and Violence', in David Flood ed., *Poverty in the Middle Ages* (Dietrich-Coelde-Verlag, 1975), pp. 11-26, p. 15.

It is difficult to gauge how the voluntary poverty of the Franciscans related to 'real' poverty; often the Franciscans did not typically represent the 'real' poor but were drawn from more affluent groups, although their demographic composition varied across time and region, as did economic conditions. Franciscan poverty may have caused tension through increasing competition for alms, yet Franciscans were also required to donate anything exceeding their need to the poor.⁴⁶⁷ There were structural similarities between Franciscan poverty and common poverty, and the importance of movement linked the two conditions. Todeschini wrote that poor people 'moved around more every day, and the adventure of a new economy led them to discover reasons for life in wild places' as common poverty became 'a less immobile and more complex condition'.⁴⁶⁸ Franciscan poverty, their solidarity with the poor and marginalised, also enacted a criticism of the society they had chosen to exile themselves from. St Francis referred to the Gospel when he instructed his brothers that they must follow the example of the Apostles who 'must rejoice when they live among people considered of little value and looked down upon, among the poor and the powerless, the sick and the lepers, and the beggars by the wayside'.⁴⁶⁹ Moore refers to Bracton's description of the Jew: 'The Jew can have nothing of his own, for whatever he acquires he acquires not for himself but for the king; for the Jews live not for themselves but for others and so they acquire not for themselves but for others.'⁴⁷⁰ This shows that the Franciscan position was not only aligned with the economically poor ('deserving' or 'undeserving') but also the legally poor. St Francis reminded the brothers that 'the alms are a legacy and a justice due to the poor that our Lord Jesus Christ acquired for us', and he quoted the Gospel: 'let the one who does not eat judge the one that does' (Rom 14.3).⁴⁷¹ This reference to justice and judgement from the pen of St Francis demonstrates that Franciscan poverty was not just spiritual but also about justice (or rather morality) and even social order. Franciscan poverty disrupted the fabric of the medieval world. Coleman has written that 'the ideals of St Francis and the attempts to put them into widespread practice throughout the

⁴⁶⁷ This was part of a long discussion in the Middle Ages. See K. Wolf, *The Poverty of Riches: St Francis Assisi reconsidered* (Oxford, 2005).

⁴⁶⁸ Giacomo Todeschini, *Franciscan Wealth*, p. 31.

⁴⁶⁹ St Francis, in 'Part One: Writings from the Early Period to 1223', in Regis J. Armstrong, *St Francis of Assisi, Writings for a Gospel Life*, p. 78.

⁴⁷⁰ Robert I. Moore, p. 39.

⁴⁷¹ St Francis, in 'Part One: Writings from the Early Period to 1223', in Regis J. Armstrong, *St Francis of Assisi, Writings for a Gospel Life*, p. 78.

thirteenth and fourteenth centuries caused major social disruptions and reevaluations of practical attitudes to property and poverty'.⁴⁷² The paradoxical, or even cynical, link between voluntary poverty and power can also be found in its origins as 'Christian society and, in particular, its nobility come to discover liberty, the simplicity and the power proposed and synthesized by Jesus' life of poverty as the Gospels concretely described and depicted'.⁴⁷³ This ambiguous relationship with power made an important contribution to the identity of Franciscan poverty.

The model of Franciscan poverty experienced two structural strains from the outset. Firstly it was difficult to institutionalise Franciscan poverty, which was necessary for the Franciscans to be an Order. Gedeon Gal has stated that St Francis' *altissima paupertas*, or highest poverty, 'could, perhaps, be practised by a few dozen wandering preachers in Italy', but 'for a religious Order numbering in the thousands, educating the young and caring for the old and sick, it was practically impossible'.⁴⁷⁴ The expansion of the Order and of its popularity presented two challenges. Firstly, with more members reliance on daily begging as a means of subsistence level existence became impractical, possibly due to the stress a surge of mendicancy would place on local infrastructure, although there is no precise evidence of this, and possibly due to the natural tendency of communities to develop structures and for individuals to specialise in certain tasks. Further, the formation of the Poor Clares and the restrictions around their mendicant activities encumbered the Order with additional responsibilities.⁴⁷⁵ Therefore the Order was inclined to accept donations from benefactors who wished to invest in this new form of spirituality in the same way that earlier generations had wished to invest in monastic institutions. As we know, the Franciscans were not permitted to hold property individually or in common and so they could not copy the arrangements of the monasteries. Donors (those giving bread and those making more substantial donations) did not wish to have to provide for the Franciscans on a daily basis,

⁴⁷² Janet Coleman, 'Property and poverty', p. 629.

⁴⁷³ Giacomo Todeschini, *Franciscan Wealth*, p. 31.

⁴⁷⁴ G. Gal, 'Prolegomena', in G. Gal and David Flood eds, *Nicolaus Minorita Chronica, Documentation on Pope John XXII, Michael of Cesena and The Poverty of Christ with Summaries in English, A Source Book* (New York, 1996), pp. 7-30, p. 7.

⁴⁷⁵ In 1227 Gregory IX issued *Quoties cordis* which entrusted the friars minor with the care of the Poor Clares, <http://www.franciscan-archive.org/index2.html> (14.04.2011).

as this was a cumbersome task. Richer benefactors preferred to give money and not to be committed to a daily duty of charity. This was a problem for the Franciscans as they were only meant to accept what they needed for that day. They were following Christ's demand 'be not solicitous for the morrow'.⁴⁷⁶ This issue of storage and the need to maintain absolute poverty was constantly contested.⁴⁷⁷ Flood explains how the Franciscans' persistent need to defend their idea of poverty as they gained the social wealth of respect (which the factual poor do not have) led to the development of the juridical language of *dominium* and usage,⁴⁷⁸ and this stockpiled problems for the Franciscan Poverty Dispute.

The second strain tested the robustness of the concept of Franciscan poverty, which was found to be problematic. The Order faced a conceptual problem in maintaining the rhetoric of poverty in the face of reality. The Franciscans lived a life of symbolic poverty, and this symbolism had many forms and dimensions. A network of economics, canon law, theology, and ideals always had to be considered. Franciscans constantly discussed what poverty was.⁴⁷⁹ According to David Burr, Francis saw poverty 'as one aspect of a self emptying which involved the surrender not only of possessions but of prestige and power'.⁴⁸⁰ Yet, whether the Franciscans achieved this or tapped into alternative channels of power through their poverty is debatable. Further, maintaining poverty in the face of papal privilege, and an expansion of duties which were in contravention to the restrictions of poverty, resulted in tension. Franciscans were embroiled in a system of family and lay generosity, and as a respected Order they were entangled in legal apparatus and asked to witness wills.⁴⁸¹ Any refusal of

⁴⁷⁶ Matthew 6:34, *The Holy Bible*: authorised King James Version (London, 1957).

⁴⁷⁷ It was behind the *usus pauper*, or poor usage controversy.

⁴⁷⁸ David Flood, 'Introduction, Franciscan Poverty', p. 13.

⁴⁷⁹ For more on this see David Flood, 'Introduction, Franciscan Poverty'. Historians have also not agreed an interpretation of poverty. The difference between Kenneth Wolf, *The poverty of riches: St. Francis of Assisi reconsidered* (Oxford, 2003) and Jacques Le Goff, *Saint Francis of Assisi* (London, 2004) demonstrates this.

⁴⁸⁰ David Burr, *Olivi and Franciscan Poverty, the origins of the Usus Pauper Controversy*, (Philadelphia, 1989), p. 6, Burr provided the following footnote to accompany his comment: 'see especially *Regula non bullata*, c. 9. See also comments by Thomas of Celano in I Celano, n. 38, in AF, 10:30; and Jacques de Vitry in *Historia orientalis*, c. 32, in *Testimonia minora saeculi XIII de S. Francisco Assisiensi* (Quaracchi, 1926), 81.'

⁴⁸¹ Bonaventura is noted to have appeared in four wills (1272-82) witnessing three and receiving money in two; see David Burr, *Olivi and Franciscan Poverty*, p. 12.

donations and duties would have disrupted the theologically embedded mechanisms of society.⁴⁸²

Franciscan poverty was meant to be void of power and authority, but maintaining and organising this was difficult. Inga Clendinnen has written that, apart from the minister general, authority was not permanently assigned and 'lesser offices rotated by election, ensuring that the authority experience was transitory, and always followed by the antidote (and preferred) experience of powerlessness'.⁴⁸³ Yet the relationship between poverty, power, and authority, was often strained. Clendinnen also observed that 'ambivalence towards authority had marked the Order from its earliest days'.⁴⁸⁴ This ambivalence with authority, a consequence of their doctrine of poverty, was a key source of their colonial ambiguity which will be discussed in Chapter Five.

Franciscan poverty was not stable and universal, but experienced many transitions. It could also be interpreted in different ways by different Franciscans. Flood has identified five ages of Franciscan poverty: The Age of Jesus' Poverty (St Francis' time); Poverty as Asceticism (1230 *Quo elongati* until David of Augsburg's commentary on the Rule in the 1260s); Polemics and Poverty (the attack of the seculars against the mendicants in the 1250s until *Exiit* 1279); Poverty in Practice (concerning Olivi's *usus pauper* until the Council of Vienne (1311 -1312), and the repression of the Provençal Spirituals); The Age of Theory (or spite), (1322 -1329).⁴⁸⁵ Each stage made its contribution to the discourse and identity of Franciscan Poverty. The Age of Theory was most significant to the history of colonialism in the Atlantic world as it impacted upon the definitions of property and right, but I will use Flood's categories to provide a historic contextualisation of the problematic history of Franciscan poverty. Peters has argued that the 'comprehensive condemnations of 1270 and 1277 set the tone for the later thirteenth century and early fourteenth-century

⁴⁸² See David Burr, *Olivi and Franciscan Poverty*, p. 13.

⁴⁸³ Inga Clendinnen, 'Disciplining the Indians: Franciscan Ideology and Missionary Violence in Sixteenth-Century Yucatán', *Past & Present*, No 94 (1982), pp. 27-48, p. 38.

⁴⁸⁴ *Ibid.*

⁴⁸⁵ David Flood, 'Introduction, Franciscan Poverty', p. 3.

condemnations of other philosophies and doctrinal errors'.⁴⁸⁶ These stages of the poverty dispute demonstrate that Franciscan poverty was problematic throughout its history, and that the discourse of Franciscan poverty took many forms and was contextually embedded. The history of Franciscan poverty is difficult to trace since this history encompassed the manipulation of the meaning of poverty, and of property and right. The meaning of these concepts is not absolute and universal but manipulated and controlled, the historic discourse of Franciscan poverty is a window to this process, and, I argue, an opportunity to see another dimension of the coloniality which occurred within Europe at the end of the late Middle Ages.

Poverty in the Age of St Francis

Biographies of St Francis agree that he effectively had two conversions and that his poverty was 'realized in a series of gestures'.⁴⁸⁷ The first theatrically culminated in the moment where he throws his father's money away and strips from his father's clothes in order to begin his mendicant life of apostolic poverty.⁴⁸⁸ Until this point, according to Thomas of Celano, he had 'miserably wasted and squandered his time' and his property through extravagance, for which Thomas blames Francis' upbringing.⁴⁸⁹ Celano used this point to claim that there are many nominal Christians, like Francis before his conversion, who had become '*slaves of sin* through a voluntary servitude' and display all the '*weapons of iniquity*'.⁴⁹⁰ During Celano's narrative of the first stage of St Francis' conversion he wrote that Francis began his transformation by being 'changed in mind but not in body'.⁴⁹¹ Throughout the narratives of the conversion of St Francis, and later interpretations of poverty, there is a struggle between the importance of exterior and interior poverty. Celano describes how Francis came to despise money and 'trample on earthly things'.⁴⁹² Celano reported that St

⁴⁸⁶ Edward Peters, *Heresy and Authority*, p. 230. In 1270 'errors' were condemned, including the idea that the will of man wills or chooses from necessity, Edward Peters, *Heresy and Authority*, p. 45. In 1277 Pope John XXI issued the condemnation of the 219 propositions.

⁴⁸⁷ Giacomo Todeschini, *Franciscan Wealth*, p. 61. For another recent history of the life of St Francis see André Vauchez, *Francis of Assisi, The Life and Afterlife of a Medieval Saint*, trans. Michael F. Cusato (London, 2012).

⁴⁸⁸ Thomas of Celano, *The Life of St Francis*, p. 193.

⁴⁸⁹ *Ibid*, p. 183.

⁴⁹⁰ *Ibid*, p. 183.

⁴⁹¹ *Ibid*, p. 187.

⁴⁹² *Ibid*, p. 188.

Francis later had the Gospel explained to him, and heard that if he was to follow Christ he 'should not *possess gold or silver or money, or carry on their journey a wallet or a sack, nor bread nor a staff, nor to have shoes, nor two tunics*' (Mt 10: 9-10).⁴⁹³ From this moment St Francis deepened his interpretation of poverty. It is significant that St Francis ruled against 'two tunics', since clothes played an important role in Franciscan identity and became representative of Franciscan poverty. Clothing was a leitmotif of the Franciscan Poverty Dispute. Through the discourse of the Franciscan Poverty, clothing gained an important connection to the discourse property and rights. This connection lurked in the shadows of description of the nakedness of indigenous Atlantic people during the construction of coloniality in the Atlantic world. In the Franciscan tradition nakedness had been explicitly linked to the kingdom of God, as Lady Poverty had recounted: 'I was once in the paradise of God, where man was naked. In fact I was in man and was walking with naked man through that entire splendid paradise'.⁴⁹⁴ This assertion of poverty and nakedness as an indicator of godliness would be challenged throughout the many phases of the Franciscan Poverty Dispute, and this had implications for how the naked peoples of the Atlantic world could be interpreted.

One of the dominant images of poverty for St Francis was poverty as his bride Lady Poverty. Francis' reference to poverty as his bride appears early on in Thomas of Celano's *First Life*.⁴⁹⁵ In this way, poverty is associated with desire, love and virtue. This kind of iconography of poverty is repeated across the early documents. In hymn composed for the liturgical celebration of St Francis, he was described as 'in fields of poverty sublime'.⁴⁹⁶ It was perhaps this iconography of poverty that contributed the culture of Franciscan mysticism, which may have influenced the later religious tradition of the *Devotio Moderna*.

The renunciation of St Francis inaugurated the discourse of Franciscan poverty. Giacomo Todeschini argues that St Francis' rejection of wealth was 'to choose

⁴⁹³ Ibid, p. 201.

⁴⁹⁴ *The Sacred Exchange*, p. 537.

⁴⁹⁵ Thomas of Celano, *The Life of St Francis*, p. 188.

⁴⁹⁶ Gregory IX, 'Hymn' in Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 1, The Saint* (New York, 1999), pp. 328-329, p. 329.

other ways to represent it'.⁴⁹⁷ This underlines the complexity of the meaning of Franciscan poverty from its very origins. Recently, André Vauchez has placed Francis' renunciation in context and observed that 'this rejection of the family and by the family, far from being a simple hagiographical theme, is found in numerous biographies of the first half of the thirteenth century'.⁴⁹⁸ Richard Trexler has re-addressed the story of the renunciation in relation to the legal traditions of Italy.⁴⁹⁹ Trexler observes that the renunciation may correspond to the exercise of a rite of emancipation which was common in Italy.⁵⁰⁰ He posits that understanding the history of gender, as well as inter-generational tensions, may be crucial to interpreting Francis' renunciation. Trexler explores whether the renounced wealth may actually have belonged to Francis' mother and not his father. Trexler considers the impact of art on the legacy of the renunciation and explained that at this time of the rise of the commercial economy women's rights were declining, and so women are made to disappear from pictorial representations of the renunciation as 'men wanted to make them disappear from the public world of contracts and finances'.⁵⁰¹ The role of art in the Franciscan legacy is paramount.⁵⁰² Trexler also reminds us that we must think of the context in which art was produced as 'the images of the renunciation of Francis of Assisi that have come down to us were products of corporate artistic practices and of a need to communicate with lay audiences'.⁵⁰³ It is important to remember these different contributing factors to the contextual construction of the legacy of St Francis, including issues of gender and authority. The renunciation is symbolic of St Francis' problematic relationship with authority. As he sheds his clothes he is denying others authority over him. He becomes free, but this freedom is ambivalent as he was also following the Christian tradition of becoming a servant of Christ. This link between freedom and servitude in the tradition of Franciscan poverty established by this event was problematic and created an important paradox which underpinned Franciscan identity.

⁴⁹⁷ Giacomo Todeschini, *Franciscan Wealth*, p. 59.

⁴⁹⁸ André Vauchez, *Francis of Assisi*, p. 27.

⁴⁹⁹ R. Trexler, *Naked Before the Father* (New York, 1989).

⁵⁰⁰ *Ibid.*, p. 37.

⁵⁰¹ *Ibid.*, p. 65, and p. 88.

⁵⁰² For example the works of Giotto have had a profound impact on the legend of St Francis.

⁵⁰³ Richard Trexler, *Naked Before the Father*, p. 103.

Franciscan poverty had different meanings at different times. Armstrong observes that it is the phrase *sine proprio* (without anything of one's own) that occurs most in St Francis' writings.⁵⁰⁴ Interestingly St Francis never referred to *dominium* or *ius*, the two concepts that are central to the fourteenth-century Franciscan Poverty Dispute, suggesting that the issues of property and right are symbolic of the anxieties of the later context. The renunciation of money is most prominent in the works of Thomas of Celano. Armstrong reminds us that money had a different meaning of at the time of St Francis, as 'money had not yet become a medium for exchange as it is for us; it was more a means of what we would consider capital investment'.⁵⁰⁵ For St Francis the idea of poverty was not just a comparative economic identity. It had a powerful theological significance. Armstrong explains that the *Admonitions* of St Francis 'do not let us forget that through our clinging to what is not rightfully ours and the innumerable ways in which we exalt ourselves in acts of self-aggrandizement, we perpetrate the sin of Adam'.⁵⁰⁶ Armstrong tries to explain the controversial nature of poverty in the Catholic tradition and tells us that the *Sacrum Commercium* defines poverty as a 'special way of salvation'.⁵⁰⁷ Given the theological significance of poverty, it was important to find reassurance regarding the correct practice of poverty. Armstrong explains that the *Admonitions* demonstrate three kinds of poverty; that in relation to ourselves, in relation with one another, and our relationship with God.⁵⁰⁸ He purports that St Francis' poverty is 'sacramental' in nature, and consequently 'material poverty is an outward sign of a much deeper, interior poverty'.⁵⁰⁹ It is necessary to engage with the spiritual tradition of the Church to understand that this poverty is symbolic of an internal poverty and an inner relation with God. In the *Regula non bullata* St Francis warned that 'the spirit of the flesh very much desires and strives to have the words but cares little for the activity; it does not seek a religion and holiness in an interior spirit'.⁵¹⁰ This interior poverty is linked to the notion of humility that accompanies poverty in the *Regula bullata*.⁵¹¹ Poverty had to have an interior dimension since Francis admonished those 'who serve the world with their bodies, the desires of the

⁵⁰⁴ Regis J. Armstrong, *St Francis of Assisi, Writings for a Gospel Life*, p.153.

⁵⁰⁵ *Ibid*, p. 76.

⁵⁰⁶ *Ibid*, p. 145.

⁵⁰⁷ *Ibid*, p.152

⁵⁰⁸ *Ibid*, p.154.

⁵⁰⁹ *Ibid*, p.154.

⁵¹⁰ *Regula non bullata*, p. 75.

⁵¹¹ *Regula bullata*, p. 103.

flesh, the cares and anxieties of this world, and the preoccupations of this life' and instructed his followers to love God 'with a pure heart and a pure mind' and 'in the Spirit of truth'.⁵¹² Some have characterised St Francis' reflections on poverty in his *Admonitions* as the 'Canticle of inner poverty', or 'Canticle of minority'.⁵¹³

Significantly, Francis wanted his poverty to be, like his tunic, a 'thing that the world would never covet'.⁵¹⁴ Yet poverty, a symbol of justness and a path to salvation, carried power. The identity of Franciscan poverty was used by countless individuals to strengthen the position of their identity. Notoriously Christopher Columbus adopted the identity of the Franciscans following his failure to make substantial financial returns from his ventures in the New World.

Poverty as Asceticism

Gregory IX tried to negotiate the logistics of poverty for the Order. His commentaries on the Rule show that he wanted to develop 'spiritual friends' of the Order. He issued *Quo elongati* in 1230 initiating papal ownership of the Franciscans' immovable goods. Flood explains that *Quo elongati* 'replaced economic independence with juridical distinctions' by providing 'juridical devices to shore up the Order's way of dealing with money and ownership' through the designation of *nuntii* (intermediaries).⁵¹⁵ This system was further developed by Innocent IV's *Ordinem Vestrum*, who also extended papal ownership to moveable goods.⁵¹⁶ Coleman wrote that *Ordinem Vestrum* and *Quanto studiosus* split the Order and that 'it is here that the strand of apocalyptic biblical exegesis, whose origins were in the biblical commentaries of the late twelfth-century renegade Cistercian Joachim of Flora, rose to the surface'.⁵¹⁷

⁵¹² St Francis, *Later Admonition and Exhortation to the Brothers and Sisters of Penance (second version of the Letter to the Faithful)*, in *Francis of Assisi: Early Documents, The Saint*, pp. 45-51, p. 50 and p. 46-47.

⁵¹³ Regis J. Armstrong, *St Francis of Assisi, Writings for a Gospel Life*, p.152.

⁵¹⁴ Thomas of Celano, *The Life of St Francis*, p. 202.

⁵¹⁵ David Flood, 'Introduction, Franciscan Poverty', pp. 13-14.

⁵¹⁶ Innocent IV, *Ordinem Vestrum*, in Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 2., The Founder* (New York, 1999), pp. 775-779.

⁵¹⁷ Janet Coleman, 'Property and poverty', p. 634. Franciscan apocalypticism will be discussed in Chapter Six, it is important to note the connection between this and the poverty dispute.

Some Franciscans supported this arrangement. The Four Masters explained that this subordinated the system of provision to *forma paupertatis*.⁵¹⁸ They defined perfect poverty as ‘the spirit of poverty, the disposal both of superfluous goods and the necessary as one’s own, and the dependence on God’s provision through mendicancy’.⁵¹⁹ Flood argues that *Quo elongati* improved the fit between economics and poverty which led to the consolidation of the Order’s identity.⁵²⁰ Yet, fears regarding this compromise were visible in David of Augsburg’s commentary on the Rule in the 1260s. David of Augsburg’s explanation of the Rule in 1242 and the 1260s focused on confusion over money, as escaping the coin was a new and more pressing problem than escaping property. Flood argues that ‘David offers a new notion of poverty’.⁵²¹ The character of the poverty that Franciscan identity was based upon fluctuated; it was not a static universal.

Polemics and Poverty

The Franciscans’ popularity grew, and so too did their responsibilities, social profile, and tensions. Dominic Monti writes that ‘within this relatively brief lifetime, the Lesser Brothers of Francis of Assisi had been dramatically transformed from a group of itinerant, socially marginal labourers, hermits, and preachers, mostly laymen, to a vast international organization dominated by clerics, involved in numerous and virtually indispensable pastoral activities in the church’.⁵²² As a mendicant Order they owed allegiance directly to the pope and bypassed the secular clerical structure. This generated tensions, especially in the university context where the Franciscans had been given chairs. These tensions resulted in the secular mendicant controversy of the thirteenth century, regarding boundaries and authority. In this context Bonaventure wrote his defence of the mendicants,⁵²³ which became the basis for Nicholas III’s *Exiit qui seminat* (1279), arranging that the papacy would own the things that the

⁵¹⁸ David Flood, ‘Introduction, Franciscan Poverty’, p. 20.

⁵¹⁹ Following Chapter Six of the Rule; David Flood ‘Introduction, Franciscan Poverty’, p. 20.

⁵²⁰ David Flood, ‘Introduction, Franciscan Poverty’, p. 21.

⁵²¹ *Ibid*, p. 25.

⁵²² Dominic Monti, *St Bonaventure’s Writings Concerning the Franciscan Order* (New York, 1994) p. 1. Bonaventure’s work *Defense of the Mendicants (Apologia pauperum)* was a concerted effort to create a working definition of poverty for the practical purposes of the Order.

⁵²³ Bonaventure was minister-general of the Order from 1257 to 1274.

Franciscans used.⁵²⁴ Significantly, Bonaventure's work initiated the distinction between *dominium* (ownership/ruling) and *usus* (use):

There are two aspects to the possession of temporal goods: ownership and use. Since the use of temporal goods is a necessary condition of the present life, evangelical poverty consists in renouncing the ownership and property of earthly things, but not their use, which must be limited, however, in the spirit of the Apostle's advice to Timothy: Having food and sufficient clothing, with these let us be content.⁵²⁵

This statement was essential to the logistics of Franciscan poverty. Bonaventure explained the different forms of ownership:

the first form of common ownership is that which flows from the RIGHT OF THE NECESSITY OF NATURE, through which anything required for the sustainment of natural life becomes the share of the man who is in extreme need of it, even though it may have been appropriated by someone else'; secondly the 'RIGHT OF FRATERNAL CHARITY' (which is held in common); thirdly the 'civil law of the world, through which an empire, kingdom, or city is made to be one community of association'; fourthly the 'right of ecclesiastical donation.'⁵²⁶

He further explained that perfect poverty occurs 'by way of divinely instituted right', the vow of chastity and renouncement of own will,⁵²⁷ a distinction that would be important later in Ockham's defence of Franciscan Poverty. Bonaventure continued his explanation through categorisation, saying, 'four things are to be considered in temporal goods – ownership, possession,

⁵²⁴ Nicholas III, *Exiit qui seminat*, in *Liber Sextus, Corpus iuris canonici*, ed. E. Friedberg, Vol. 2 (Leipzig, 1879), (2nd edn, 1959, Graz), col. 1109-1121; translation from the *Register of Nicholas III*, pp.232-241, available at: <http://www.ewtn.com/library/PAPALDOC/N3SEMIN.HTM>, (14.04.2011). David Flood translated this title as 'the son of God left the bosom of the Father' (*Exiit*) and 'came on earth to sow the seed of salvation' (*qui seminat*); David Flood, 'Introduction, Franciscan Poverty', p. 34.

⁵²⁵ Bonaventure, *Defense of the Mendicants (Apologia pauperum)*, trans. Jose de Vinck (Paterson N.J., 1966), p. 127. Bonaventure cites 1 tm 6:8.

⁵²⁶ Bonaventure, *Apologia pauperum*, pp. 232–234.

⁵²⁷ *Ibid*, p. 235.

usufruct, and simple use'.⁵²⁸ Nicholas III used these distinctions to explain the separation of use and ownership which underlay the Franciscan position.⁵²⁹

Bonaventure added that simple use is required by *all* mortals.⁵³⁰ The egalitarianism of Bonaventure's extension of use to all mortals was problematic from a legal (and colonial) perspective. This natural and universal ability of people to use without ownership or right to those things is what the fourteenth-century papacy and the Atlantic world colonists would deny. Bonaventure's explanations became an essential part of the Franciscan philosophy of poverty. Bonaventure had clarified what the Franciscan enactment of poverty represented. The category of simple use of fact represented an alternative mode of existence, free from the legally regulated system of property, and open to all. This utopia, a depiction of paradise (the state of nature) on earth where use could occur without right or ownership, was the antithesis of the tangle of property law that came to dominate the Atlantic world. This monopolisation of the use of natural resources (including people), legitimated through the theoretical structures of property rights, was able to emerge following the denial and suppression of the Franciscan position as first articulated by Bonaventure.

Bonaventure depicted a world in which property rights were not the only path to legitimate use, and he challenged the boundaries of property law using Augustine to claim that 'property is permitted to the imperfect'.⁵³¹ This became an important issue in late fourteenth century political discourse. It also had

⁵²⁸ Ibid, p. 241.

⁵²⁹ "quum patri filius suo modo, servus domino, et monachus monasterio res sibi oblatas, concessas vel donatas acquirant: omnium utensilium et liborum, ac eorum mobilium praesentium et futurorum, quae et quorum usufructum scilicet ordinibus vel fratribus ipsis licet habere, proprietatem et dominium, quod et felicis recordationis Innocentius Papa IV praedecessor noster fecisse cognoscitur, in nos et Romanam ecclesiam plene et libere pertinere hac praesenti constitutione in perpetuum valitura sancimus"; Nicholas III, *Exiit qui seminat*, col. 1114. ('just as a son for [his] father in his own way, the servant for [his] lord, and the monk for [his] monastery; the property and dominion, of every utensil and book, and of those moveable things present and future, which and of which it is lawful for the order, or for the friars themselves to have the *usus facti*, because it was also judged to have been made by Our predecessor, Pope Innocent IV, of happy memory, We, by [Our] apostolic authority, receive as Our own and that of the Roman Church, and sanction to fully and freely pertain to Ourselves and the same Church by this present Constitution being valid in perpetuity', translation from the *Registers of Nicholas III*, pp. 232-241, at <http://www.ewtn.com/library/PAPALDOC/N3SEMIN.HTM>, (14.04.2011).

⁵³⁰ Bonaventure, *Apologia pauperum*, p. 241 (my italics).

⁵³¹ Ibid, p. 25.

implications in the colonial context where colonists tried to deny the property rights of the indigenous by considering them to be unfit for property ownership.

Alexander IV (1256) issued *Non sine multa* correcting the academic critics of the Order, such as Gérard d'Abbeville, but it was Nicholas III who finally resolved the dispute by issuing *Exiit qui seminat*, which used Bonaventure's category of *simplex usus facti* to legitimate the Franciscan position.⁵³² Through this bull the papacy assumed the ownership, and legal administration of the things Franciscans used. Nicholas III approved the ideology of the Order, saying: 'we say that the abdication of this kind of property over all things not only individually but also in common is in the sight of God meritorious and holy'.⁵³³ *Exiit qui seminat*, sometimes called the Magna Carta of the Franciscans, provided definitive guidance regarding how the obligations, boundaries and ideal identity of the Order should be practiced and realised.⁵³⁴ It stipulated how poverty can be maintained in practice, explaining how the Franciscans could use books, care for the sick, and adapt their clothing regulations to cold climates.⁵³⁵ Clothing was a great source of anxiety within the discourse of poverty. However, it should also be noted that when Bonaventure theorised about *simplex usus facti* he did not see this interpretation of freedom from property as dependent upon papal acceptance of Franciscan goods. While *Exiit* endorsed the Franciscan position it also entangled the Franciscans in a legal situation which would become the problem of the fourteenth-century Franciscan poverty dispute. Papal ownership of Franciscan goods had not been part of St Francis' conception of poverty or Bonaventure's interpretation of

⁵³² 'Nam quum in rebus temporalibus sit considerare praecipuum proprietatem, possessionem, usumfructum, ius utendi, et simplicem facti usum, et ultimo tanquam necessario egeat, licet primis carere posit vita mortalium: nulla prorsus potest esse professio, quae a se usum necessariae sustentationis excludat'; Nicholas III, *Exiit qui seminat*, col. 113. ('Nor by this, that one seems to have abdicated the property, use, and dominion of whatever thing, is one to be conjectured to have renounced the simple use of everything, who says not the *usus juris* but the *usus facti* in as much as having the name of "facti" it offers however in the using no right to those [so] using, nay even of necessary things as much as for the sustenance of life as for the execution of the duties of one's state', translation at <http://www.ewtn.com/library/PAPALDOC/N3SEMIN.HTM>)

⁵³³ 'dicimus, quod abdicatio proprietatis huiusmodi omnium rerum non tam in speciali, quam etiam in communi propter Deum meritoria est et sancta; Nicholas III, *Exiit qui seminat*, col. 112. (Translation from <http://www.ewtn.com/library/PAPALDOC/N3SEMIN.HTM>).

⁵³⁴ In the fourteenth century phase of the Franciscan Poverty Dispute, William of Ockham frequently drew upon the authority of *Exiit*. For examples see *OND*, p. 136, and especially p. 141 (where he used it to clarify the terms of the debate), and p. 166-8 (where he wrote in defence of its validity).

⁵³⁵ Nicholas III, *Exiit qui seminat*, col. 113.

simplex usus facti, nor was William of Ockham later dependent upon this ruling to explain the concept of Franciscan poverty. Nonetheless, this ruling was highly significant in the history of Franciscan poverty. The ruling would have been welcomed by some Franciscans, such as practical Conventuals who wanted a papally approved resolution of the controversial issue of Franciscan poverty; it also presented a conceptual challenge to poverty since it would later be used by the papacy to oppose Franciscan theorists such as William of Ockham, who claimed that Franciscan poverty was an absence of property. The difficulty in understanding Franciscan poverty as a freedom from property is testament to the extent of the control of the meanings of poverty and property.

Flood emphasises the importance of *Exiit*, arguing that Nicholas III 'turned the theological principle of the Rule as a precipitate of the gospel, the exegesis of Jesus' economic behaviour, and the juridical explication of the Franciscan refusal of property into a body of teaching integral to the Catholic system'.⁵³⁶ Flood has observed that in this early secure instance the Franciscans '*owned poverty*' as they were 'socially recognised as the group of religious who had the right to claim as theirs the poverty of Christ and his Apostles'.⁵³⁷ In this bull Nicholas respected the Franciscan observance of the gospel and the importance of their Rule:

This is the meek and docile religion of the friars Minor, rooted in poverty and humility by the gracious confessor of Christ, Francis, which sprouting the sprout from the true seed strew the same by [means of] the rule among his sons, whom he generated to be his own and God's through his ministry in the observance of the Gospel.⁵³⁸

⁵³⁶ David Flood, 'Introduction, Franciscan Poverty', p. 35.

⁵³⁷ *Ibid*, p. 38.

⁵³⁸ 'aliud tamen mite cor et docile, terra bona, suscepit, hoc et Minorum fratrum mitis et docilis in paupertate ac humilitate per alium Christi confessorem Franciscum radicata religio, qui, ex illo vero semine germinans, germen illud per regulam sparsit in filios, quos sibi et Deo per suum ministerium in observatione evangelii generavit'; Nicholas III, *Exiit qui seminat*, col. 110. (Translation from <http://www.ewtn.com/library/PAPALDOC/N3SEMIN.HTM>).

Nicholas III explained how an owner could grant the use of something to someone else and remain the owner.⁵³⁹ The complex clauses of *Exiit* indicate that Nicholas III was aware of some of its controversial implications. He tried to explain that the act of using something is only temporary. Further, he argued that the owner continues to profit from the thing even after they have granted its use to another since this is 'meritorious for eternity', and helps the owner to exchange temporal things for eternal things.⁵⁴⁰ This demonstrates that a certain conception of time was important to the arrangement of Franciscan Poverty.

Exiit qui seminat was a foundational constitution for the Franciscans and was used until its revocation during the fourteenth-century Poverty Dispute. Many of the issues discussed at later stages of the Franciscan Poverty Dispute can be found in *Exiit*. Throughout, it endorsed the extreme poverty of *usus pauper*, stipulating poor dress and poor use of goods. *Exiit* included the case of 'moveable goods' which became the key issue during the fourteenth-century phase of the poverty dispute.⁵⁴¹ Nicholas III also laid down in *Exiit* an answer to later critiques, claiming that Christ had a purse (*Christum loculos habuisse*) to condescend to the infirm and the imperfect.⁵⁴² The issue of whether (or why) Christ carried a purse became a trope of the fourteenth century discourse.

In 1312 Clement V partially accepted the Spiritualist view of poverty, the *usus pauper*, in *Exivi de paradiso* which confirmed that the brothers should be following the Rule of St Francis, which was based on the 'greatest poverty', in its 'purity and rigor'.⁵⁴³ *Exivi* reminded the brothers that they were bound to the Rule of poverty and to being strangers in the world.⁵⁴⁴

This intellectual debate between the secular and the mendicants at the University of Paris represented one dimension of the practices of the Order as a whole. Flood argues that 'as a theoretical performance, the apology of the

⁵³⁹ Nicholas III, *Exiit qui seminat*, col. 114.

⁵⁴⁰ 'meritoria ad aeternis'; Nicholas III, *Exiit qui seminat*, col. 113.

⁵⁴¹ Nicholas III, *Exiit qui seminat*, col. 117-118.

⁵⁴² 'Infirmorum imperfectionibus condescendens'; Nicholas III, *Exiit qui seminat*, col. 1112.

⁵⁴³ Clement V, *Exivi de paradiso*, in *Annales Minorum* of L. Wadding, Vol. 6. pp. 202-211, in Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 1, The Saint* (New York, 1999), pp. 769-783, p. 772 and p. 774.

⁵⁴⁴ Clement V, *Exivi de paradiso*, p. 777.

Franciscan masters for Franciscan life remained distinct from the social identity elaborated by each Franciscan community in the circumstances of its life⁵⁴⁵

Poverty in Practice

This phase was characterised by the dispute regarding *usus pauper*, or poor use. Burr has commented that the question of *usus pauper* was as old as the Order, but in 1279-1318 it was debated in a new context.⁵⁴⁶ The followers of St Francis could not agree on the correct practice of poverty. This disagreement meant that for the Franciscans poverty was a discourse as well as a practice. Hugh of Digne, John Pecham and Peter Olivi all commented on the Rule and the proper interpretation of poverty. Strict interpretation of poverty came to be known as the *usus pauper*, poor usage, or material restraint. Flood argues that 'without *usus pauper*, however expressed, the Franciscan system, with its economics and its ideal of poverty, did not work'.⁵⁴⁷ The *usus pauper* controversy queried whether the Franciscan vow bound them to just lack of ownership, or restriction of use as well.⁵⁴⁸ Due to the significance of the vow in this debate, the issue was as much about authority as it was about poverty. Poverty and authority were entangled.

Peter Olivi played a key role in the *usus pauper* debate,⁵⁴⁹ and was concerned that the Order was engaged in rich usage and not poor. He wrote a tract in 1279 which 'fought the reduction of the Rule's gospel poverty',⁵⁵⁰ and traced the New Testament roots of evangelical poverty. He especially wanted limitations on papal privileges and entanglement in wills and burial rights. Olivi 'used poverty to maintain a critical distance between social reality and a fully achieved world';⁵⁵¹ he defined *usus pauper* dialectically rather than materially. Olivi's position was that 'a Franciscan sins against the Rule's poverty if, factually, he collaborates with the enemy, settling down (*usus opulentus*) rather than

⁵⁴⁵ David Flood, 'Introduction, Franciscan Poverty', p. 29

⁵⁴⁶ David Burr, *Olivi and Franciscan Poverty*, p. x

⁵⁴⁷ David Flood, 'Introduction, Franciscan Poverty', p. 27.

⁵⁴⁸ In 1279 Olivi questioned *usus pauper*. The 9th question regarded evangelic perfection (17, in MS vat. Lat. 4986), he investigated whether restricted use of goods was an essential part of the Franciscan vow.

⁵⁴⁹ Olivi attended the 1287 general chapter to defend *usus pauper*.

⁵⁵⁰ David Flood, *Peter Olivi's Rule commentary*, (Wiesbaden, 1972), p. 8.

⁵⁵¹ David Flood, 'Introduction, Franciscan Poverty', p. 42.

hungering for justice'.⁵⁵² Olivi contributed to the preparatory discussion of *Exiit qui seminat*, wrote about the secular mendicant controversy and on the place of *usus pauper* in the Franciscan vow, and is often seen as a precursor to Ockham. Olivi also discussed the issue of papal authority in *Quaestio de perfectione evangelica* (*Questions on Evangelical Perfection*). The interpretation of poverty was always in dialogue with authority.

As the Council of Vienne (1311-12) issued the dogmatic assertion of *Fidei catholicae*, it also condemned the 'dissident' Spirituals and three of Olivi's propositions.⁵⁵³ The Spiritual faction had polarized around 1300 and included the notorious Angelo Clareno and Ubertino da Casale. John XXII ruled that 'all those who dare to assert that *usus pauper* is a substantial part of our vow of poverty should be judged superstitious holders of a pernicious doctrine'.⁵⁵⁴ The 'dissident' Spirituals insisted on pledging their allegiance to their vow and not the pope. This demonstrates the entanglement between poverty and authority, which was a driving force in the fourteenth-century phase of the Franciscan Poverty Dispute.

The Age of Theory (or spite)

This phase had the most significant implications for the identity of the New World and the mechanics of coloniality. The following discussion of the dispute is only a shadow since 'a complete biography on the poverty controversy, on the Spirituals, on the Fraticelli, on the fight between John XXII and Louis of Bavaria and on the other protagonists mentioned in the *Chronica*, would fill more than one volume'.⁵⁵⁵ Histories of the dispute tend to focus on documents produced by the papal office and the court of Louis IV of Bavaria, yet Franciscans from Catalonia, such as Berengar Taló of Perpignan, Jeremy of

⁵⁵² Ibid, p. 44.

⁵⁵³ The meaning of *usus pauper* was still being debated at the Council of Vienne.

⁵⁵⁴ *Sanctitati apostolicae*, 385f, in David Burr, *Olivi and Franciscan Poverty*, p. 126.

⁵⁵⁵ G. Gal, 'Prolegomena', p. 16. The wealth of documentation is the partly the consequence of John XXII's 1322 decision to lift the Nicholas III's ban on the discussing the Franciscan theory of poverty; according to Flood 'he wanted theologians to debate the question (and refute *Exiit's* doctrine)', David Flood, 'Introduction, Franciscan Poverty', p. 1. For analysis of a greater range of documents see Patrick Nold, *Pope John XXII and his Franciscan Cardinal, Bertrand de la Tour and the Apostolic Poverty Controversy* (Oxford, 2003), and 'Pope John XXII's Annotations on the Franciscan Rule: Content and Contexts', *Franciscan Studies*, Vol. 65 (2007), pp. 295-324. Nold's scholarship has excavated many documents relating to the Franciscan Poverty Dispute held in MS Vatican BAV vat. lat. 3740.

Catalonia, and Poncio Carbonello, also took an active role in the dispute.⁵⁵⁶ There were strong historic links between the Catalan region, the kingdom of Majorca, and the kingdom of Sicily, and the Spiritual Franciscans had particular support and influence in these regions, where the migration of ideas was facilitated by political connections. For example, Pons Carbonell had been an advisor to Benedict XII and was in the service of James II of Aragon, acting as a royal legate in James II's struggles with both King Robert of Naples and King Frederick of Sicily.⁵⁵⁷ The twists and turns of the Franciscan Poverty Dispute were embedded in their political context, and the political makeup of different regions, and links between them, ought to be considered. It is significant that the papacy was located in Avignon at this time, which bordered the intellectual hotbed of the Catalan region. Malcolm D. Lambert has suggested that Pope John XXII's opposition to Franciscan Poverty had already been conditioned by 1317,⁵⁵⁸ and his time in Sicily would have made him very aware of the Spiritualist position.

The fourteenth-century Franciscan Poverty Dispute was precipitated by the activities of the inquisition in Provence, where John of Belna, a Dominican, had decided that the proposition that Christ and the Apostles had nothing either in common or individually was heretical.⁵⁵⁹ The Franciscan Berengar Taló of Perpignan was at hand to direct the inquisitor to Nicholas III's clarification of this point and deferred the matter to John XXII.⁵⁶⁰ John XXII demonstrated his opposition to the Spiritual Franciscans in 1317 by issuing the bull *Quorundam exigit* which condemned the teachings of the Spirituals, four of whom were burnt in 1318.⁵⁶¹ The fourteenth-century phase of the Franciscan Poverty Dispute emerged within a political context. Jill Webster observes that the question of the Spiritual Franciscans emerged 'in an atmosphere fraught with intense political

⁵⁵⁶ José M. Pou y Martí O.F.M., *Visionarios, Beguinos y Fraticelos Catalanes (siglos XIII-XV)* (Madrid, 1991), especially Chapters Six and Seven, pp. 207-258. Carbonell has been confused by historians by another man with a similar name.

⁵⁵⁷ Jill R. Webster, *Els Menorets, the Franciscans in the Realms of Aragon from St Francis to the Black Death* (Wetteren, 1993), p. 215. Webster suggests that Pons Carbonell was himself sympathetic to the Spiritual cause and may have had a connection to Arnau de Vilanova.

⁵⁵⁸ Malcolm Lambert, 'The Franciscan Crisis under John XXII', *Franciscan Studies*, Vol. 32 (1972), pp. 123-143.

⁵⁵⁹ This is according to The *Chronica* of Nicholas the Minorite, cited in Virpi Mäkinen, *Property rights in the late medieval discussion on Franciscan poverty* (Leuven, 2001), p. 143.

⁵⁶⁰ John XXII was born as Jacques Duese in Cahors c. 1245. He served as chancellor to King Charles II of Sicily and to Robert of Naples, was elected pope in 1316.

⁵⁶¹ John XXII, *Quorundam exigit*, in *Bullarium Franciscanum*, Vol. 5, No. 89 (1898), pp.128-131.

implications because of the support lent to their cause by Frederick of Habsburg', the competitor of Louis IV of Bavaria as Roman King, and this context suggests the Franciscans may also have been pawns in a political game.⁵⁶² The political context was also complicated since the Spiritual Franciscans were sheltered by Frederick III of Sicily,⁵⁶³ and John XXII was in contest with Frederick regarding the ownership of the kingdom of Sicily. John XXII sought the support of James I of Aragon against Frederick III, since James I was also concerned with the fate of Sicily, given Aragon's historic links to the region. However, James I was a known supporter of the Franciscans, and sympathy for the Spiritualists was prevalent throughout Catalonia and the kingdom of Sicily; the papacy had to consider the political implications of involvement in the affairs of these regions.⁵⁶⁴ The condemned Spiritual Franciscans had supported the ideas of Olivi (from Languedoc) and regarded John XXII as the Antichrist. John XXII was advised in the heresy case of the Spirituals by the Franciscan, Bertrand de la Tour,⁵⁶⁵ who facilitated the condemnation of the sixty propositions extracted from Olivi's Apocalypse commentary. The involvement of Franciscans on both sides of this dispute illustrates the ambiguity of the Franciscan position and their entanglement with both papal and royal authority. This entanglement was derived from the historic Franciscan reliance on others for their existence; their doctrine of poverty guaranteed their entanglement with politics.

In 1322 John XXII issued *Quia nonnunquam*, which he supposed cleared the legislative way for his amendment of earlier papal bulls, this was essential as he set about withdrawing papal approval for Franciscanism.⁵⁶⁶ In *Quia nonnunquam*, John XXII explicitly referred to Nicholas IV's *Exiit* as an example

⁵⁶² Jill R. Webster, *Els Menorets*, p. 166. Frederick II was the second candidate in the disputed election of 1313 that led to the imperial crowning, and excommunication, of Louis of Bavaria.

⁵⁶³ David Burr, *The Spiritual Franciscans: From Protest to Persecution in the Century After St Francis* (University Park, PA, 2001), p. 163.

⁵⁶⁴ These links are explored by Jill R. Webster, *Els Menorets*, pp. 166-168.

⁵⁶⁵ Bertrand was appointed Archbishop of Salerno, and then Cardinal of St Vitale in 1320. In 1323 he became Cardinal Bishop of Tusculum.

⁵⁶⁶ 'non debet reprehensibile iudicari, si canonum conditor canones a se vel suis praedecessoribus editos, vel aliqua in eisdem contenta canonibus revocare, modificare vel suspendere studeat, si ea obesse potius viderit quam prodesse'; *Quia nonnunquam*, in *Corpus iuris canonici*, ed. E. Friedberg, Vol. 2 (Leipzig, 1879), (2nd edn, 1959, Graz), constitutiones XX. Ioannis Papae XXII, col. 1224; translation by John Kilcullen at http://www.mq.edu.au/about_us/faculties_and_departments/faculty_of_arts/mhpir/politics_and_international_relations/staff/john_kilcullen/quia_nonnunquam/ (15.04.2011).

of a papal bull that may need revoking. Later that same year he issued *Ad conditorem canonum* indicating which of the provisions of *Exiit qui seminat* the papacy was revoking.⁵⁶⁷ It revoked that the members of St Francis' Order "should not make anything their own, neither house, nor place, nor any other thing",⁵⁶⁸ and this revocation cleared the juridical pathway for the Franciscans to become owners and challenge their poverty. *Ad conditorem canonum* revoked that 'this [not making anything their own] should be observed "both individually and in common"',⁵⁶⁹ which challenged the special premise of the Franciscan Order that they should reject common as well as individual ownership. It rejected that the brothers only had simple use of fact of the things that they used and that the papacy owned such goods.⁵⁷⁰ It denied the arrangement of procurators by which the Franciscans managed their affairs.⁵⁷¹

In summary, the brothers should not deny that they own anything individually or in common, and the papacy was not the owner of the moveable goods that the Franciscans used. He argued that the brothers had not been 'freed from solicitude' or been made poorer.⁵⁷² By 1323 the situation was clarified further as *Quum inter nonnullos* decreed that it was heretical to claim that Christ and his Apostles owned nothing or in common.⁵⁷³ This denied both the legitimacy and

⁵⁶⁷ John XXII, *Ad conditorem canonum*, col. 1225, ff.

⁵⁶⁸ 'quod nihil sibi approprient, necque domum, neque locum, neque rem aliquam aliam'; John XXII, *Ad conditorem canonum*, col. 1225.

⁵⁶⁹ 'hoc debere servari tam in speciali quam in communi'; John XXII, *Ad conditorem canonum*, col. 1225.

⁵⁷⁰ 'the ownership and lordship of all equipment, books, movable things, both present and future, and also of all churches, chapels and cemeteries, both present and future, and also of other purchased things, and of things offered in divine alms or granted to the said brothers (in which, however, the offerers or granters decide not to reserve anything to themselves), belongs fully and freely to himself and to the Roman Church, Accepting those things to himself and that Church, reserving to the Brothers only simple use of fact in such things and goods'; John XXII, *Ad conditorem canonum*.

⁵⁷¹ 'si vendi contingeret res mobiles ante-dictas pretio aestimato, quod huiusmodi pretium per procuratorem deberet recipi, a praefata sede, vel cardinali gubernatore eiusdem ordinis deputandum, per procuratorem eundem in rem licitam, cuius usus esset permissus eiusdem ordinis fratribus', ('if the movable things referred to come to be sold for an estimated price, this price should be received through a procurator by the before mentioned See or by the Cardinal Governor [protector] of the same Order, to be allocated by the same procurator for spending on a licit thing the use of which would be permitted to the Brothers of the same Order'); John XXII, *Ad conditorem canonum*, col. 1225.

⁵⁷² John XXII, *Ad conditorem canonum*, this was a response to *Declaratio Magistorum et Baccalariorum de paupertate Christi et Apostolorum* of the Franciscan Order.

⁵⁷³ 'Dominum Iesum Christum eiusque Apostolos in speciali non habuisse aliqua, nec in communi etiam, haeticum sit censendum'; John XXII, *Quum inter nonnullos*, in *Corpus iuris canonici*, ed. E. Friedberg, Vol. 2 (Leipzig, 1879), (2nd edn, 1959, Graz), constitutiones XX. Ioannis Papae XXII, col. 1229-1230; translation available at <http://www.franciscan-archive.org/index2.html> (15.04.2011).

the religious memory of the Franciscan position. John was informed by the French Dominican Hervaeus Natalis' *Liber de paupertate Christi et apostolorum*.⁵⁷⁴ In 1324 John XXII issued *Quia quorundam*, a detailed defence of *Ad conditorem canonum* and *Quum inter nonnullos* which essentially the document at the heart of the dispute.⁵⁷⁵ Finally in 1329 *Quia vir reprobus* was nailed to the church doors of Avignon in response to Michael of Cesena's short appeal.⁵⁷⁶ It condemned Michael of Cesena and defended the constitutions: *Ad conditorem canonum*, *Cum inter*, and *Quia quorundam*. Most significantly, *Quia vir reprobus* argued that there was property before the Fall, as Adam had been given *dominium* by God and held this in community with Eve.⁵⁷⁷

Hervaeus Natalis, a supporter and defender of Thomas Aquinas,⁵⁷⁸ distinguished 'between poverty as a disposition of the mind (*praeparatio animi*) and poverty as an exterior effect (*exterior effectus*)'.⁵⁷⁹ He argued that poverty did not cause perfection and that it was better to have property in common. In many ways Natalis' position was linked to earlier currents of the discourse as he

⁵⁷⁴ Hervaeus Natalis' *Liber de paupertate Christi et apostolorum*, trans. John D. Jones, *The Poverty of Christ and the Apostles*, (Toronto, 1999), pp. 25-115. This text was found in a fourteenth century Vatican manuscript, Vat. Lat. 3740, ff 168r-200, Question 3, Article 1 dealt with the issue 'whether it is heretical to assert that Christ and the Apostles had no temporal things in common in terms of a right to and dominion over them', which was the subject of John XXII's *Quum inter nonnullos*. All subsequent references to Hervaeus Natalis are taken from this translation.

⁵⁷⁵ John XXII, *Quia quorundam*, in *Corpus iuris canonici*, ed. E. Friedberg, Vol. 2 (Leipzig, 1879), (2nd edn, 1959, Graz), constitutiones XX. Ioannis Papae XXII, col. 1230-1236; trans. by John Kilcullen and John Scott, at http://www.mq.edu.au/about_us/faculties_and_departments/faculty_of_arts/mhpir/politics_and_international_relations/staff/john_kilcullen/john_xxii_quia_quorundam/ (15.04.2011).

⁵⁷⁶ John XXII, *Quia vir reprobus*, in C. Eubel, ed., *Bullarium Franciscanum* Vol. 5 (1898). The whole text of *Quia vir reprobus* is included in Ockham's *OND*, which has become the standard source for this bull. Using H.S. Offler's edition of Ockham's *Opus nonaginta dierum* in *Guillelmi de Ockham, Opera Politica*, Vols 1 and 2 (Manchester University Press), John Kilcullen and John Scott have compiled the relevant paragraphs to create an online translation of this bull available at: http://www.mq.edu.au/about_us/faculties_and_departments/faculty_of_arts/mhpir/politics_and_international_relations/staff/john_kilcullen/john_xxii_quia_vir_reprobus/ (15.04.2011).

⁵⁷⁷ "videtur enim, quod Adam in statu innocentiae antequam Eva formaretur, solus habuerit dominium rerumtemporalium; commune enim domium, cum solus esset, pro illo tempore habere non potuit, cum communio plures require dignoscatur." *Qui vir reprobus*, (BF V, 415), cited in John Oakley, 'John XXII and Franciscan Innocence', *Franciscan Studies*, Vol. 46 (1986), pp. 217-226, p. 224.

⁵⁷⁸ John, D. Jones, 'Introduction', *The Poverty of Christ and the Apostles* (Toronto, 1999), pp. 1-19, p. 7.

⁵⁷⁹ *Ibid*, p. 9.

was particularly concerned with the issue of poor use, insisting that restricted use of temporal goods was virtuous, not poverty.⁵⁸⁰ Natalis stated:

Anyone who uses something either uses it as his own or as someone else's. If he uses it as his own, he has a right to it, since in this case we can say that "This is mine" [or] "This is yours" in so far as you and I have some right to the thing. If he uses it as someone else's, then he acts unjustly. Consequently, the licit or just use of something is inseparable from dominion over it.⁵⁸¹

The argument presents an opportunity to see the process of the manipulation of property and right, and man's capacity to be free from these structures. The argument that anyone who uses something licitly must be the owner could be taken at face value as a neutral exercise in scholastic logic. John XXII used Natalis' line of reasoning to argue that use implies some kind of property, and therefore to claim that the Franciscans were the owners of the things that they used.⁵⁸² The argument could be interpreted 'positively' as an extension of property rights, as anyone using something licitly must be the owner. Yet we should remember that property is not simply a freedom, but a legalistic system of control. This entanglement of property and just and licit use may also have a darker side, since it could also suggest that those who are not owners would not be able to claim to be using things licitly. Natalis explains the necessary conditions for the just and the licit, there must also be the unjust, the illicit, those without property and rights. What we also have here is evidence of the manipulation of the territory of property, rights, and freedom through elite scholastic discourse and the ruling of the papal office. This process is an indication of a coloniality of power within Europe, which has affected the history of concepts. This discourse focuses on using; the legalistic approach to this topic is significant since the boundaries of man's licit actions become the

⁵⁸⁰ Hervaeus Natalis' *Liber de paupertate Christi et apostolorum*, trans. John D. Jones, *The Poverty of Christ and the Apostles* (Toronto, 1999), pp. 25-115, p. 62.

⁵⁸¹ *Ibid.*, p. 39.

⁵⁸² John XXII, *Ad conditorem canonum*, in *Corpus iuris canonici*, ed. E. Friedberg, Vol. 2 (Leipzig, 1879), (2nd edn, 1959, Graz), constitutiones XX. Ioannis Papae XXII, col. 1225-1230; translation by John Kilcullen and John Scott, they compare *Corpus iuris canonici* (Lyons, 1671) with Friedberg's edition (Leipzig, 1879), http://www.mq.edu.au/about_us/faculties_and_departments/faculty_of_arts/mhpir/politics_and_international_relations/staff/john_kilcullen/john_xxii_ad_conditorem_canonum/ (15.04.2011).

subject of a legal discourse. The conjunction of property and rights in this debate is also significant, and is perhaps an entanglement which has had far reaching consequences; there are many historic examples of the link between loss of property and loss of other rights, particularly in the normative colonial context. This reasoning that all licit use must occur in conjunction with ownership was in direct opposition to the Franciscan position, yet it raises questions about the implications regarding the status of other forms of the dispossessed, and could perhaps be seen as having ramifications in the colonial context.

Natalis noted that ‘the words “dominion”, “right”, and “ownership” signify the same thing in reality’, which illustrates an important dimension of entanglement in the history of property and rights which was a key outcome of the Franciscan Poverty Dispute.⁵⁸³ This link between property and right has also had a significant legacy and contributed to the paradigm of coloniality. Natalis opposed a licit power of right with a power of fact which is neither just nor licit.⁵⁸⁴ Natalis clarified aspects of property rights in accordance with his position; he surveyed the boundaries of rights in rent agreements and mercantile exchanges.⁵⁸⁵ The context of exchange and transfer and the role of money fuelled the discussion regarding the boundaries of property and right.⁵⁸⁶ Yet, while contemporary context was important, legal theory involved the manipulation of a traditional legal framework. It is not known whether tracts such as this were designed to have a practical legal outcome beyond the conceptual problem being addressed: Franciscan poverty. While the discourse of Franciscan poverty did not always impact upon Franciscan practices, the problem of Franciscan poverty was not abstract as, like all intellectual debate, it was conditioned by practical concerns and driven by the demands of context. The issue of Franciscan poverty had many dimensions; it was also politically controversial and required clarification because of the legal implications of the transcendence of property law. In this way we can infer that these tracts were written with broader legal implications in mind. He opposed the Franciscans’ implicit criticism of the papacy by stating that ownership does not diminish

⁵⁸³ Hervaeus Natalis’, *The Poverty of Christ and the Apostles*, p. 40.

⁵⁸⁴ *Ibid*, p. 40.

⁵⁸⁵ *Ibid*, p. 42.

⁵⁸⁶ *Ibid*, p. 47.

perfection.⁵⁸⁷ Natalis also used the case that Christ carried a purse, which is also a justification of ecclesiastic possession.⁵⁸⁸ Natalis referred to the matter of Christ's purse throughout his argument. Natalis drew upon Augustine's *Ecclesial Property*, which argued that common property did not diminish perfection.⁵⁸⁹ Natalis was bolstering the image of property, by arguing that property was not at odds with perfection. In the context of this debate property develops a sanctity, and this entanglement of property and religion acquired increased significance within the discourse of colonialism. The legitimacy of papal property was the foundation to the genre of papal bulls dispensing conquest rights and dominium in the Atlantic world, which was at the foundation of late medieval colonialism.

Natalis opposed the sense of time which Franciscan poverty generated.⁵⁹⁰ He claimed that 'making provision for the future does not seem to impede or diminish love for God or neighbour except in so far as solicitude involved in making such provision leads us to prefer temporal things to spiritual things' and further that 'making no provision for the future diminishes the perfection of the contemplative life.'⁵⁹¹ He suggests that lacking provision for the future leads to greater anxiety for the future, which would mean that the Franciscans were less free to be devoted to God. Natalis claimed that the Franciscans were entrusting themselves 'to an uncertain eventuality'.⁵⁹² Natalis' message here is clear: the Franciscans cannot be free from the material future. This undermined the Franciscan quest for a spiritual future. Natalis claimed that the Franciscan state of 'anticipatory uncertainty' tested God and disparaged human assistance.⁵⁹³ This opposition demonstrates the many dimensions of anxiety which Franciscan poverty generated. They challenged the social order and its temporal arrangements.

⁵⁸⁷ Ibid, p. 86. He specifically comments on the perfection of prelates in relation to property in Question 2B, Article 2, pp. 87-90.

⁵⁸⁸ For example see Hervaeus Natalis, p. 53.

⁵⁸⁹ Hervaeus Natalis, p. 83. He also employed Bede.

⁵⁹⁰ Hervaeus Natalis, 'Question 2A, Article 3 – whether making provisions for the future diminishes the perfection of life', p. 62-76.

⁵⁹¹ Hervaeus Natalis, p. 65

⁵⁹² Ibid, p. 70.

⁵⁹³ Ibid, p. 72.

Natalis contributed to John XXII's argument that there was property in the state of innocence.⁵⁹⁴ He reasoned that 'if the time of innocence had endured to the present day, a person would have a right to take the necessities for his life, use them, and exercise dominion over them'.⁵⁹⁵ A shared understanding, or collective remembrance, of the state of innocence was a way of disseminating Christian belief about the perfect condition of man. Understanding about the state of innocence would have been transmitted in the Middle Ages as an act of collective memory (aided by images in churches which were mnemonic systems), since for the majority of Christians religion was not about textual exegesis but collective remembrance and performance. The state of innocence is the starting point of the Christocentric narrative of man, and so altering how this should be interpreted was akin to an attempt to manipulate the Christian collective memory. Natalis and John XXII were creating an image of the past that served their needs in their dispute over Franciscan poverty. They would have been aware of the significance of the argument that there was property in the state of innocence. It had political implications as it justified the paradigm of property which challenged the value of poverty and the freedom of use which it implied. This manipulation of religious memory was a strategy that formed part of the paradigm of coloniality.⁵⁹⁶ Memory was colonised so that the image of the past (freedom of use in the state of innocence) could not be used as a source of opposition to papal arguments that absolute poverty (or freedom from property as the Franciscans saw it) could not be interpreted as more perfect than the condition of having property.

The General of the Franciscans, Michael of Cesena, opposed the papacy's opposition to Franciscan poverty. Nicolaus Minorita compiled a chronicle of this dispute which includes notes on its origins, the declarations of the general chapter of Perugia, the three constitutions of John XXII, the appeal of Bonagrazia of Bergamo, the appeals and sentences of Louis of Bavaria, and accounts of the election of the antipope, Peter of Corvaro, and the story of the clash between Michael of Cesena and the pope.⁵⁹⁷

⁵⁹⁴ Ibid, p. 84.

⁵⁹⁵ Ibid, p. 84.

⁵⁹⁶ Similarly, in Chapter One it was noted that the control of history has played a role in colonial processes.

⁵⁹⁷ G. Gal, 'Prolegomena', p. 8. The chronicle also ends with a treatise on the power of the pope (author unknown).

At the Order's General Chapter in Perugia 1322 the Franciscans formulated their resistance against *Quia nonnunquam*; Michael of Cesena orchestrated the production of the *Littera Capituli Generalis Perusini*, an encyclical emphasising that the Franciscans were following Christ's renunciation of all property rights and inferred the authority of *Exiit*.⁵⁹⁸ At this time the *Declaratio Magistrorum et Baccalariorum de paupertate Christi et Apostolorum* was written and Bonagratia of Bergamo composed the *Tractatus de paupertate Christi et apostolorum*.⁵⁹⁹ Mäkinen summarises that the *Declaratio* was an explanation of the ideal of Christ's poverty which defended the theology of the perfection of property and the legality of the abdication from property rights; 'furthermore poverty involves an abdication that sets aside the right of ownership (*ius proprietatis*), the right of dominium (*ius domini*), and the right of special right (*ius iuris proprii*)'.⁶⁰⁰ *Declaratio* re-asserted Bonaventure's simple use of fact as something distinct from all property rights.⁶⁰¹ In 1323 Bonagratia issued a further appeal against *Ad conditorem canonum* in his *Appelatio Bonagratiae contra bullam Ad conditorem canonum*.⁶⁰² Bonagratia was imprisoned for a year for his efforts. The English provincial minister Richard Conington continued the dialogue with the pope over *Ad conditorem canonum* in his *Responsiones fratris Ricardi de Conyngtona ad Rationes papales que ponuntur in illo statuto Ad conditorem canonum*.⁶⁰³

The Franciscans were supported by Louis IV of Bavaria,⁶⁰⁴ who was locked in a battle for authority with John XXII. In 1324, advised by the Franciscan Henry of

⁵⁹⁸ *Littera Capituli Generalis Perusini*, ed. G. Gal and David Flood in the *Chronica*, pp. 67-70, cited by Mäkinen, p. 146.

⁵⁹⁹ Bonagratia of Bergamo, *Tractatus de paupertate Christi et apostolorum*, ed. P.L. Oligier, in *Archivum Franciscanum Historicum*, Vol. 22 (1929), pp. 486-511, cited in Virpi Mäkinen, p. 147.

⁶⁰⁰ Virpi Mäkinen, p. 154.

⁶⁰¹ *Ibid*, p. 161.

⁶⁰² Bonagratia of Bergamo, *Appelatio Bonagratiae contra bullam Ad conditorem canonum*, ed. Gal and Flood, (1996), pp. 89-117, cited in Virpi Mäkinen, p.148. Mäkinen suggests similarities with John Peckham's *Tractatus pauperis*.

⁶⁰³ Richard Conington, *Ad conditorem canonum* in his *Responsiones fratris Ricardi de Conyngtona ad Rationes papales que ponuntur in illo statuto Ad conditorem canonum*, ed. D. L. Douie, in *Archivum Franciscanum Historicum*, Vol. 24 (1931), pp. 355-369, cited in Virpi Mäkinen, p. 149.

⁶⁰⁴ This is unsurprising since John XXII had not recognised the election of Louis IV in 1314, and had excommunicated him in 1324. Louis appealed to the General Council, accusing the pope of heresies (in a situation reminiscent of the investiture controversy), and was advised by Marsilius of Padua, John of Jandun, (who were excommunicated with Michael of Cesena in 1327) and later by the Franciscans. Louis concluded that John was a heretic who had removed himself

Thalheim,⁶⁰⁵ he published an appeal against the pope's declarations. Louis defended Apostolic poverty and defined 'most high poverty' as absence of individual and common property.⁶⁰⁶ Louis was probably using the case of the Franciscan Poverty Dispute to challenge the authority of the papacy. The notion of poverty and authority were linked throughout the poverty dispute.⁶⁰⁷ The discourse of poverty had many political functions. Nevertheless, Louis offered valuable assistance in the organisation and publicity of the Franciscan case. Louis had Michael of Cesena's short appeal, and his own sentence against John XXII nailed on the church door in Pisa.⁶⁰⁸

In 1327 John XXII summoned Michael of Cesena to appear before him within thirty days to deny the 'heresies' of the 1322 Chapter of Perugia. Michael maintained his position and was placed under house arrest,⁶⁰⁹ when he appealed he was branded a *fautor haereticorum*, a promoter of heretics.⁶¹⁰ In 1328 Michael escaped with the other important defenders of Franciscan poverty, William of Ockham and Bonagratia of Bergamo. They first tried to reach Naples, but instead found a ship that took them under the protection of Louis of Bavaria. Michael was excommunicated (along with Ockham and Bonagratia),⁶¹¹ but while a new Minister General was elected,⁶¹² a loyal band of

from office by 'reversing papal traditions concerning the interpretation and approval of such teaching', see Virpi Mäkinen, p. 152. Louis IV orchestrated the election of the antipope Nicholas V, who was a Franciscan. Louis also complained about other misdeeds of John XXII, including his profiting from the Holy Land, see David Flood, 'The Break', in G. Gál and David Flood eds, *Nicolaus Minorita, Chronica: documentation on Pope John XXII, Michael of Cesena and the Poverty of Christ with summaries in English: a source book* (New York, 1996), pp. 174-176, p. 174. The pope responded to the King in *Quia quorundam mentes*, which was a statement of papal authority in doctrinal matters. In 1338 Louis declared imperial authority from God.

⁶⁰⁵ This is claimed by Virpi Mäkinen, p. 151.

⁶⁰⁶ David Flood, 'The opening salvos' in G. Gál and David Flood eds, *Nicolaus Minorita, Chronica: documentation on Pope John XXII, Michael of Cesena and the Poverty of Christ with summaries in English: a source book* (New York, 1996), pp. 55-61, p. 60.

⁶⁰⁷ Nicolaus Minorita also ended his *Chronica* on the issue of papal power in his *Tractatus de potestate papae*, in *Nicolaus Minorita: Chronica*, pp. 1163-1227.

⁶⁰⁸ Louis of Bavaria, *sententia imperatoris correcta*, in *Nicolaus Minorita: Chronica* pp. 457-468. Louis commanded his subjects to obey its rulings, another dimension of the awkward relationship between poverty and authority.

⁶⁰⁹ This is documented in *Nicolaus Minorita: Chronica*.

⁶¹⁰ David Flood, 'The Break', pp. 173-6, p. 174. The appeals of Michael of Cesena, the *Appellatio in forma maiore* (Long appeal) and the *Appellatio in forma minore* (Short appeal, issued on December 12, 1328) are published in *Nicolaus Minorita: Chronica*, pp. 227-424 and pp. 429-456. In response to these appeals John XXII issued *Quia vir reprobus*, published in *Nicolaus Minorita: Chronica*, pp. 553-613.

⁶¹¹ Michael later claimed that these excommunications didn't stand as John was a heretic. In the historiography, John XXII is often referred to as the heretic, James of Cahors. Different arguments were made regarding the heretical status of John XXII. In 1329 John gave the sermon '*Gaudete in Domino semper*', where he fell into the heresy of Sabellius. He also made

'Michaelists' still existed, illustrating that the Order could not easily be controlled by the papacy.⁶¹³

Within this Franciscan discourse it is more helpful to think about a community of ideas rather than individuals. Michael of Cesena, Bonagratia of Bergamo, Francis of Esculo (or Marchia), and Ockham all wrote in defence of the Franciscans in the early fourteenth century, from 1328 they were in Munich under the protection of Louis IV.⁶¹⁴ Their work forms the source corpus of the discourse of the Franciscan Poverty Dispute.⁶¹⁵ In 1328 Michael of Cesena wrote his *Appellatio in forma maiore* maintaining that use and ownership were separable, as it was for Christ and then for religious communities, using the example of tithes, gifts consumed by priests.⁶¹⁶ He used examples from civil law of slaves, children and monks to refute *Ad conditorem canonum*.⁶¹⁷ The separation of use and ownership continued to be essential to the Franciscan position. Michael delineated a 'fourfold community of goods' (similar to Bonaventure): from the necessity of nature, from divine right, from civil right, ecclesiastical, where goods are held collegially.⁶¹⁸ The most significant of these was 'from the necessity of nature'. The papacy's denial of legitimate use arising from the necessity of nature, which was Ockham's interpretation of the Franciscan position, could be interpreted as disinheriting the dispossessed, since, from the perspective of Natalis and John XXII, all *licit* users had to be the

heretical statements regarding the Beatific Vision, which he recanted on his death bed. Ockham declared John was a heretic throughout *OND*, for examples see p. 156, p. 231, p. 305, and p. 357. *Chronica* produced *quoniam ut ait Leo papa*, a list of all the corrections that John XXII made on deathbed, alongside a list of its shortcomings. See *Retractatio papae Ioannis xxii*, in *Nicolaus Minorita: Chronica*, pp. 1015-1016, and *contra defensores papae Ioannis* pp. 1017-1092.

⁶¹² Gerardus Odonis was elected Minister General of the Order.

⁶¹³ In contravention of the papal ruling Michael even called a General Council in 1338.

⁶¹⁴ This group are sometimes referred to as the Michaelists, and I will use this term as an abbreviation here.

⁶¹⁵ A large collection of these documents can be found in The *Chronica* of Nicolaus Minorita. The documents that are edited, translated and in common circulation are just a small representation of this source corpus. However, these documents largely reproduce the same argument, for example much of Ockham's *Work of Ninety Days* re-stated the Franciscan defence already posited in Michael's *Appeal*.

⁶¹⁶ David Flood, 'The Long Appeal', 'The opening salvos', in G. Gál and David Flood eds, *Nicolaus Minorita, Chronica: documentation on Pope John XXII, Michael of Cesena and the Poverty of Christ with summaries in English: a source book* (New York, 1996), pp. 213-226, p. 213. Apologies were a medieval genre with a long tradition.

⁶¹⁷ The errors of *Ad conditorem canonum* which Michael refuted are summarised by David Flood, 'The Long Appeal', pp. 214-215. There is a particular focus on the separation between use and ownership and a response to the case of consumables.

⁶¹⁸ David Flood, 'The Long Appeal', p. 220.

owners of the things used. There could, of course, still be illicit users, those who used things but were not the owners. It could be said that the papal ruling against the alternative understanding of licit use offered by the Franciscans, that it was possible to use the things of necessity licitly without a property right, had implications for the construction of the legal paradigm of coloniality. Again, it is significant that John XXII approached this theological issue in a legalistic way. Staging the debate in the field of law was another way in which the concepts of property and right were manipulated by the context of this discourse.

Michael argued that John XXII was wrong and that Church property did not exist in the time of Christ. He claimed that John had misinterpreted Augustine in *Quia quorundam* by saying that Christ condescended to the weak by owning a purse; 'double nudity and poverty in those who follow Christ: one of the heart, the other of heart and body'.⁶¹⁹ Michael explained that this nudity should be without excess and ownership, without ownership rights and without self will, and no property either individual or in common.⁶²⁰ He stated that *Cum inter nonnullos* was heretical, since John had implied that Christ and the Apostles owned things, but Michael said in reality they were forced into transactions by necessity.⁶²¹ According to Michael, John was heretical for confusing the role of knowledge and power in determining doctrine.⁶²² Franciscan awareness of the link between knowledge and power in their defence of poverty is interesting; as the Franciscans defended poverty they seemed to be aware of the implications of its denial. According to Flood, Michael argued 'that Scripture and tradition agree that Christ led the Apostles into life as lived innocently in Paradise' as use but not property existed in paradise.⁶²³ The continued claim that there was no property but only simple use in Paradise (despite John XXII's ruling) was significant and it challenged the construction of coloniality in the Atlantic world. The Franciscan position regarding licit use without ownership, and their case of the state of innocence, had implications for the Atlantic world context since the indigenous Atlantic peoples living 'innocently' could be without property but using things justly. John XXII's ruling that there was property in the Edenic state

⁶¹⁹ Ibid, p. 221

⁶²⁰ Ibid.

⁶²¹ Ibid, p. 222

⁶²² Ibid, pp. 222-3. According to Michael, John denied scripture and the Gospel support of *Exiit*, see David Flood, 'The Long Appeal', p. 224.

⁶²³ David Flood, 'The Long Appeal', p. 213

challenged the idea that natural man was free from property. Later, when biblical images of the Garden of Eden were used to describe the New World,⁶²⁴ the presence of the Franciscans who had insisted on this freedom to use represented both this challenge and its suppression. The Franciscans became symbols of ambiguity in the increasingly colonial Atlantic world. Descriptions of the New World as Paradise and the possible location of Eden were not neutral; the meaning of these terms had a political and intellectual history, with which the discourse of Franciscan Poverty had been entangled.

The contributions of William of Ockham are essential for understanding the significance of the Franciscan Poverty Dispute.⁶²⁵ In 1334 Ockham wrote his *Letter to the Friars Minor* as they were gathered for the General Chapter at Assisi to defend the orthodox faith against the heresies of John XXII contained within *Ad conditorem*, *Cum inter*, and *Quia quorundam*.⁶²⁶ In this letter Ockham re-affirmed the Franciscan position that poverty can contribute to perfection, that the Franciscans renounced lordship and were poorer as a consequence, that the Church's ownership of the Franciscan goods agreed by *Exiit* was not 'simple' but full, and that use of fact can be separated from ownership or lordship (and so the brothers do not own the things they use).⁶²⁷ Ockham responded specifically to John XXII's case of consumables. In Ockham's handling of the case of consumables it is possible to see the philosophical complexity of this issue. In the context of the Franciscan Poverty Dispute (which explored whether use and owning could be separated) the case of consumables is a way to visualise the relationship between the ontological existence of a thing and the idea of the thing. For Ockham, the act of using can be separate from the ideological structure of owning, and so it was possible that the

⁶²⁴ Christopher Columbus, 'Narrative of the Third Voyage of Christopher Columbus to the Indies, in which He Discovered the Mainland, Dispatched to the Sovereigns from the Island of Hispaniola', in *The Four Voyages of Christopher Columbus, being his own log book, letters and dispatches with connecting narratives drawn from the Life of the Admiral by his son Hernando Colon and other contemporary historians*, ed. and trans., J. M. Cohen (London, 1969), pp. 206-226, p. 218.

⁶²⁵ For a biographical background of Ockham and an introduction to his philosophical and political works beyond the Poverty Dispute see: Gordon Leff, *William of Ockham, the metamorphosis of scholastic discourse* (Manchester, 1975), Arthur Stephen MacGrade, *The political thought of William of Ockham Personal and institutional principles* (Cambridge, 1976). Takashi Shōgimen, *Ockham and Political Discourse in the Late Middle Ages* (Cambridge, 2007).

⁶²⁶ William of Ockham, *A Letter to the Friars Minor*, in *A Letter to the Friars Minor and Other Writings*, ed. Arthur MacGrade and John Kilcullen, Trans. John Kilcullen (Cambridge, 1995), pp. 3-15.

⁶²⁷ *Ibid.*, pp. 4-5.

Franciscan 'consumed' goods which the papacy owned. John XXII advocated an absolutist interpretation of property. For the papacy ownership was full and could not be separated from the act of using, and so the act of using (by the Franciscans) was designated to be a philosophical nonsense. According to Ockham this philosophical conclusion was contrary to Scripture; Ockham asserted the Bible as a form of ontological truth to support the possibility of separating an act of using from ownership. Ockham outlined John XXII's arguments and wrote that John XXII 'takes weapons from the law against the law, and attacks the Gospel from the Gospel, and creating lies from truths calls truth to support a lie'.⁶²⁸ Just as earlier stages of the debate were linked to the question of obedience, the issue was linked to truth. The Bible was the source of truth, and this was important as it determined what would happen to the soul. Ockham's use of the Bible as the source of truth is of political importance as he says 'for I prefer the divine Scriptures to a man who is a simpleton in sacred literature, and I prefer the teaching of the holy fathers reigning with Christ to the deliverances of those living in this mortal life'.⁶²⁹ Here Ockham indicated that authority came from the Bible and not the pope; this understanding is not, as is commonly assumed, a product of the Reformation but was important to the medieval discourse of the Franciscan Poverty Dispute.

Ockham wrote the *Work of Ninety Days* (*OND*) in the early 1330s in response to the constitution *Quia vir reprobus*.⁶³⁰ Ockham endorsed the position of the Franciscans, arguing that 'voluntary poverty is conducive to perfection', removes impediment to love of God, and removes occasions of sin.⁶³¹ Ockham referred frequently to *Exiit*, but noted that Nicholas III did not initiate renunciation of possessions; St Francis did by his vow.⁶³² Much of *OND* is devoted to demonstrating how St Francis and the Franciscans were following the example of Christ and the Apostles. He argued that Christ forbade the

⁶²⁸ *OND*, p. 49.

⁶²⁹ William of Ockham, *A Letter to the Friars Minor*, in *A Letter to the Friars Minor and Other Writings*, eds Arthur McGrade and John Kilcullen, trans. John Kilcullen, (Cambridge, 1995), pp. 3-15, p. 14.

⁶³⁰ William of Ockham, *A Translation of William of Ockham's Work of Ninety Days*, Vol. 1, trans. John Kilcullen and John Scott, (Lewiston, 2000). *OND* is 'recitative' and summarises the existing debate between the Michaelists and John XXII.

⁶³¹ *OND*, p. 483, p. 485, and p. 487.

⁶³² *OND*, p. 507.

Apostles lordship.⁶³³ Ockham was dedicated to arguing that Christ and the Apostles had owned nothing, that poverty was conducive with perfection, and that the Franciscans followed the true model of Christ's poverty in order to reach a state of perfection. He quoted Innocent V: "it is a high poverty to have few things of one's own for God's sake; it is a higher poverty that has no things individually, but has things in common; it is the highest that has nothing in this world either individually or in common".⁶³⁴ Like earlier stages of the poverty dispute the debate interrogated whether poverty was ordained by Christ and was conducive to perfection, and the degree of poverty that was possible. But this later stage was more philosophically oriented.

Ockham was able to respond philosophically to the challenge of John XXII. He critiqued John's linguistic approach and elaborated his own linguistic analysis. As a philosopher, Ockham was keen to represent the many possible interpretations of each point before concluding which was logical and true. This differed from John XXII's legalistic approach. Ockham represented the case of the ambiguity of property by representing linguistic ambiguity; he explored the various meanings of lordship.⁶³⁵ He explored the ontology of the 'act' which was the subject of the 'use of fact' in the controversial case of consumables and was able to argue that use of fact was a reality.⁶³⁶

Ockham made an important distinction between the right of heaven and the right of the forum.⁶³⁷ Ockham argued that John XXII was concerned with civil and not divine law. To conclude, as John XXII had done, that to use without right was unjust, was the consequence of focusing on the right of the forum and not heaven.⁶³⁸ Ockham also argued that there was another category, *fas*, which was between the 'just' and the 'unjust'.⁶³⁹ Franciscan poverty demanded this space of ambiguity, but John XXII had realised that the legal implications of this were too drastic. The removal of this space of 'fas' cleared the way for colonial legislation: there could be no legitimate action outside the parameters law, and

⁶³³ *OND*, p. 675.

⁶³⁴ *OND*, p. 516.

⁶³⁵ *OND*, pp. 65-66.

⁶³⁶ *OND*, p. 519.

⁶³⁷ Defined in *OND*, p. 445.

⁶³⁸ *OND*, p. 444

⁶³⁹ *OND*, p. 450. This involves the example of the field.

this law was an elitist institution. Like the Franciscans, the actions of indigenous Atlantic peoples would have to be classed in terms of the Eurocentred system of law. While the work of Ockham represented an alternative, this alternative was just a symbol and did not change legislation.

Ockham insisted that the Franciscans had no right as well as no property. He argued that the friars had no right of the forum and 'they cannot renounce the natural right of using, yet they can by vow resolve that they do not wish to have anything of their own or any right of their own to temporal things, and therefore they cannot use by right of the forum'.⁶⁴⁰ Ockham explained that they use another's things by permission or licence, and so the right of heaven issues into the act of using. Ockham represented the position of Franciscan poverty that rights represented something negative. This option of intellectual history became hidden by the dominant teleological history of rights which interprets them as something universally positive. Yet, as Ockham was aware, rights also had a darker side, which will be explored in Chapter Four. They represented entrapment in Eurocentred law which legitimated asymmetries of power and consequently contributed to the many dimensions of coloniality.

The debate was fuelled by linguistic distinctions. Ockham wanted to demonstrate that the use of fact of the Franciscans did not constitute a right or lordship. Ockham challenged John XXII's main argument that things that are consumable through use must be owned, as there can be no separate right of using.⁶⁴¹ Ockham observed that John XXII's main argument for this came from civil and not divine law.⁶⁴² He claimed that 'a power of using should not be called lordship'.⁶⁴³ Ockham analysed the property of the Apostles and the interpretation of Augustine, '*They had*: This is true in respect of a licit power of using, not in respect of lordship and ownership'.⁶⁴⁴ Ockham demonstrates that the attackers' [John XXII] argument shows that 'there can be licit use of fact in things consumable by use without any lordship, individual or common, that is proper to any particular community'.⁶⁴⁵ In Chapter 8 he asserted again that the

⁶⁴⁰ *OND*, p. 444.

⁶⁴¹ *OND*, p. 75-6.

⁶⁴² *OND*, p. 78.

⁶⁴³ *OND*, p. 106.

⁶⁴⁴ *OND*, p. 263.

⁶⁴⁵ *OND*, p. 107.

use of consumables can be separated from individual ownership.⁶⁴⁶ In Chapter 32 he demonstrated how Nicholas III arranged that the Franciscans had no rights, but simple use of fact, including in things consumable by use.⁶⁴⁷ Language, and the process of linguistic distinction, was essential to the discourse of the Franciscan Poverty Dispute. Through papal colonisation of the terms of reference of the dispute (property and right), the identity of Franciscan poverty can be interpreted as hybridised, since the Franciscans retained the identity of poverty, but the original meaning of this poverty was lost. Yet Franciscan poverty was not fully defeated as it retained a dimension of ambiguity. Perhaps this is because Franciscan poverty was also a performance of identity and therefore also existed beyond language.

The relationship between poverty and 'freedom' can seem paradoxical from a Franciscan perspective. On the one hand the friars claimed to be free from property and right so that they could submit their wills more fully to God's intention, and associated themselves with servants and slaves. On the other their poverty freed them from property, rights, and litigation. Ockham argued that Franciscans were free from solicitude as Martin IV, in *Exultantes in Domino*, appointed procurators to legislate on behalf of the brothers.⁶⁴⁸ Ockham referred to the right of using as servitude on numerous occasions.⁶⁴⁹ The freedom of Franciscan poverty was a paradox. Further, their association with the situation of slaves challenged the identity of slaves; their solidarity with slavery made other faces of slavery visible. Franciscan poverty challenged boundaries. The political implications of the Franciscan challenge intensified opposition to the Franciscan Order, yet as the challenge was more symbolic it was nearly impossible to suppress. The language of the Franciscan Poverty Dispute represents an attempt, and its many pathways and examples indicate the scope of the anxiety regarding the Franciscan challenge. The battle regarding liberty was not always abstract, when John preached about the victory of the Castilian king against the Saracens, in the course of defining the just, he rejected any distinction between God's *potentia ordinata* and *potentia absoluta* and said that God had to do what he did; the Michaelists argued that

⁶⁴⁶ *OND*, pp. 159-162

⁶⁴⁷ *OND*, chapter 32.

⁶⁴⁸ *OND*, p. 305.

⁶⁴⁹ For an example see *OND*, p. 358.

this position 'does away with liberty'.⁶⁵⁰ While Franciscan poverty may have had an ambiguous relationship with freedom, elsewhere we see the Franciscans defending liberty, for example, Ockham's political work specifically linked God's law with freedom.⁶⁵¹

Although the discourse of Franciscan Poverty did not end in the fourteenth century, manipulations of the meaning of Franciscan poverty which had begun in the thirteenth century, reached their climax with John XXII's rulings. Disagreements regarding the correct practice of this poverty continued throughout the fifteenth century,⁶⁵² and finally led to Pope Leo X's division of the order into the Observants and the Spirituals in 1517. Further discussion of Franciscan identity in the sixteenth century would have to be set amid the religious turmoil of the Reformation. This chapter does not attempt to depict a genealogy of Franciscan identity from the thirteenth to the sixteenth century, but to illustrate the controversial nature of poverty and the processes by which the concept was manipulated.

In conclusion, the issue of freedom typifies the ambiguous and paradoxical nature of Franciscan poverty, and its problematic relationships with authority. Through their poverty, the Franciscans were trying to negotiate a space of 'freedom', a realm of possible action outside the law, free from both property and rights. This possibility was designed by Bonaventure and termed *simplex usus facti*, and was defended by Ockham who defended *fas*, and argued that 'necessity has no law'.⁶⁵³ The implications of the denial of this possibility through the discourse of the Franciscan Poverty Dispute echo in the colonial context. From a hegemonic Eurocentred perspective no one could be free from Eurocentred law. Everyone had to be an owner of the things that they used in order to be acting licitly, justly and in accordance with the law; property was irreversibly tied to the notion of rights. Tracing this debate indicates that through the discourse of the Franciscan Poverty Dispute the meaning of property, rights

⁶⁵⁰ David Flood, 'the struggle goes on', in G. Gál and David Flood eds, *Nicolaus Minorita, Chronica: documentation on Pope John XXII, Michael of Cesena and the Poverty of Christ with summaries in English: a source book* (New York, 1996), pp. 867-878, p. 867.

⁶⁵¹ William of Ockham. '*Lex evangelica est lex libertatis*'; see Gordon Leff, *William of Ockham, the metamorphosis of scholastic discourse* (Manchester, 1975).

⁶⁵² See Michael Robson, *The Franciscans in the Middle Ages* (Woodbridge, 2006).

⁶⁵³ *OND*, p. 89, Matthew 12:3-5.

and poverty were manipulated, and this process suggests a dimension of coloniality within the history of concepts. Annabel Brett, Peter Garnsey, and Brian Tierney have argued that the fourteenth-century Franciscan Poverty Dispute represented an important stage in the development of the concept of property and right, but the context, power dynamics, and possible meanings of this have not been fully explored.⁶⁵⁴ In the fourteenth-century Franciscan poverty dispute, the concept of property is expanded, and applied to the whole territory of licit use. This was an important stage in the process of European invention of property. Stated another way, the meaning of property is first colonised, its meaning is defined emphatically and is controlled, and it is this concept of property, which is not neutral but manipulated and developed within a context of political and theological importance, which goes on to have an important role in the colonial context of the Atlantic world. Coloniality does not begin with a European conception of property being applied to extra-European territories, but with the control in the first instance of the meaning of property. From this we can see that while the Franciscan Poverty Dispute may have a role in the histories of property and right as depicted by Brett and Tierney, but it was also involved in a European colonial process whereby the meaning of key concepts (property and rights) was controlled and ambiguous interpretations with dangerous implications were not permitted. From this perspective we can see one of the ways in which the late Middle Ages invented the 'New World', a world that would be characterised by coloniality, and dominated by the spatial conception of space (and indeed 'use') as property. This space as property would be controlled by Europeans, and this chapter has sought to indicate that the control of the concept of property in the first instance established the preconditions for this situation which prevailed in the extra-European colonial context. This chapter has suggested that the concealment of other options (like the alternative understanding of property and right that the Franciscans represented) is a function of coloniality and part of the process of the construction of modernity. Coloniality and a mythologised modernity were both essential to the identity of the New World. Despite the legislation against Franciscan poverty, the memory of what the Franciscans had represented could

⁶⁵⁴ Annabel Brett, *Liberty, right and nature; individual rights in later scholastic thought* (Cambridge, 2003), Peter Garnsey, *Thinking about Property, From Antiquity to the Age of Revolution* (Cambridge, 2007), Brian Tierney, *The idea of natural rights: studies on natural rights, natural law, and church law, 1150-1625* (Cambridge, 1997).

not be completely lost. The Franciscans accompanied coloniality, which proliferated throughout the increasingly colonial Atlantic world, yet retained a dimension of ambiguity. They were symptoms of lost freedom, representing both the success of coloniality, the face of modernity and its origins, and the concealment of alternatives.

Chapter Four. Just Worlds?

Rights, colonialism, the geo-politics of intellectual history and the making of the New World

There is a challenge for historians to re-address the history of rights. Annabel Brett lamented that ‘the history of subjective right has not been written in a way that reflects the pluralistic nature of the present concept’.⁶⁵⁵ While the past concept of right could also be pluralistic, and the present concept of right may not always be interpreted pluralistically, it is clear that the history of rights needs reconsidering, so that the political function of the discourse of rights and its dominant teleological narrative can be explored and challenged. We need to transcend the existing historiography of rights to look at the function of the discourse of rights as part of the colonial process. This chapter approaches this topic by exploring the context and function of the rights discourse, to suggest it also has a darker side.

The history of rights is complicated, not least because it is framed within many different contexts. It intersects theories of law, government, and moral philosophy; these contexts entail particular understandings of the concept of right.⁶⁵⁶ Across these different constructions of right there is an often concealed strand of continuity, which is that the discourse of rights is intrinsically linked to the agenda of power. The history of rights is itself political. This occurs because the discourse of rights is linked to the teleological notion of modernity and is obsessed with the notion of origins. The history of rights has a binary structure and is characterised as the shift from objective to subjective rights. As John Finnis has summarised: ‘since there is no doctrine of subjective rights in the Christian Aristotelian synthesis of Aquinas, but there is in Suarez, a “watershed” must be situated somewhere between the thirteenth century and the

⁶⁵⁵ Annabel Brett, *Liberty, right and nature; individual rights in later scholastic thought* (Cambridge, 2003), pp. 2-3.

⁶⁵⁶ Any assertion of the character of right is a subscription to a philosophy. I am focusing on the political identity of rights, however, singling out rights from its contextual significances in this way risks endorsing an artificial construct.

seventeenth'.⁶⁵⁷ This demonstrates the teleology that haunts the history of rights.

The Franciscans have been included or neglected in these different teleologies of rights. While recent historiography may have moved away from focusing on the 'origin' of right, to focus on language, this approach has been teleological. This chapter interrogates the agenda of the rights discourse and its history and considers the process of the discourse of rights and its colonial implications, focusing in particular on the role of the Franciscan Poverty Dispute.⁶⁵⁸ The Franciscans had renounced property and rights, and John XXII opposed this. This simple matter impacted upon property, right, freedom, law, and the paradigm of colonialism. The history of rights exists as a discourse, a 'discursive totality',⁶⁵⁹ and this demonstrates that the history of rights is not neutral, but part of a broader hegemonic process.

The Eurocentrism and politics of the rights discourse

Rights and their Eurocentric histories can contribute to the asymmetries of power that characterise the existing geopolitics of knowledge. This chapter aims to rethink intellectual history's approach to the history of right by questioning the geopolitics behind European intellectual histories, which are still governed by the notion of a progression from the Middle Ages to Modernity. The notion of rights in Eurocentric modernity represents the culmination of this progress, they are seen as positive and universal, a gift perhaps, from Europe to the world, yet there are other stories to tell, stories where the rosey successes of the discourse of rights are counterintuitive to historic experiences. This chapter explores the way in which Eurocentric history has created a *telos* of rights from a European 'centre' and suggests alternative perspectives.⁶⁶⁰ Michel Foucault has observed the importance of the 'institutional site' for the construction of the

⁶⁵⁷ Brian Tierney, paraphrasing Joseph Finnis, *Natural Law and Natural Rights* (Oxford, 1980), pp. 206-207, cited in Brian Tierney *The idea of natural rights: studies on natural rights, natural law, and church law, 1150-1625* (Cambridge, 1997) p. 45.

⁶⁵⁸ Hereafter when I refer to the Franciscan Poverty Dispute I am focusing specifically on its fourteenth-century phase, the so-called 'age of polemics'.

⁶⁵⁹ Michel Foucault, *The Archaeology of Knowledge* trans. A.M. Sheridan Smith (Bristol, 1994), p. 27.

⁶⁶⁰ It would be improved by looking beyond the colonial Eurocentric discourse, considering the debates in the Council of the Indies (in the colonial 'periphery') and considering non-European sources.

speaker's authority in the creation of discourse.⁶⁶¹ This chapter suggests that geopolitics have contributed to the dominance of the 'School of Salamanca' and that an alternative (translocal) Franciscan narrative can challenge this. The Franciscan Poverty Dispute provides a window into the process of the construction of the hegemonic discourse of rights and its contribution to the paradigm of colonialism. Existing histories of rights have been limited as they have not considered the political agenda of rights and the process of the discourse of rights. This limitation is the consequence of the hegemonic function of modernity.

From the perspective of modernity, human rights are assumed to be universal, internationally defensible safeguards of access to basic human needs and dignified living.⁶⁶² Histories of rights tend to be teleologies that map the progression of the modern concept.⁶⁶³ The universality of rights invents them as objects beyond reproach or critical reflection. The Universal Declaration of Human Rights was codified in international law in 1948 in the aftermath of World War II and Genocide within Europe. The context of their creation forced rights into a space beyond critical analysis. Histories of the concept have reflected this problem. Yet there are problems with the concept of rights, its historical representation, and the political use of the language of rights. This problem is not simply the consequence of the context of trauma within Europe, which generated the understanding of rights now codified in international law.⁶⁶⁴ The history of rights has been plagued by theoretical problems, which have been difficult to address not least because the dominance of the liberal tradition makes it impossible to critique the universal and positive image of the concept of rights. But the discourse of rights has a darker side. This darker side becomes visible when we look beyond the teleological meta-narrative of rights within intellectual history. This meta-narrative itself is one of the historical functions that sustains the mythology of modernity. The first stages on the path

⁶⁶¹ Michel Foucault, *The Archaeology of Knowledge*, p. 51.

⁶⁶² The Universal Declaration of Human Rights was codified in international law in 1948 in response to the atrocities of World War II, <http://www.un.org/en/documents/udhr/> (21.03.2012).

⁶⁶³ For example see Brian Tierney's comprehensive and critically sound *The Idea of Natural Rights*, is still shaped by the impression of a telos of the modern concept. This kind of teleology is also present in Quentin Skinner's *The Foundations of Modern Political Thought*, V. 1 and V. 2 (3rd edn, Cambridge, 2005) although Skinner was concerned with a broader topic than the history of rights.

⁶⁶⁴ For more on the impact of trauma see Dominic La Capra, *Writing History Writing Trauma* (Baltimore, Md, 2001).

to a modern [European] discourse of rights are mainly located within the intellectual flourishing of the 'School of Salamanca' or 'second scholasticism', of which sometimes Francisco de Vitoria (c. 1492-1546), and sometimes Bartolomé de las Casas (1474-1566), are taken as figureheads,⁶⁶⁵ although there were Franciscans there, such as Bernardino de Arévalo, Alfonso de Castro, and Francisco Cervantes de Salazar. The disputation of 1550 between Las Casas and Juan Ginés de Sepúlveda (1489-1573) is often taken as the showcase battle that illustrates the strong first steps in the long march to modern human rights,⁶⁶⁶ yet Carlos Esteban Deive observes that 'in reality, Vitoria's opinion of the Indians scarcely differed from that of Sepúlveda'.⁶⁶⁷ The darker side of this discourse of rights is seen by the fact that this semantic flourishing coincided with an increase in slavery (coerced labour), exploitation and colonisation by Europeans overseas.⁶⁶⁸ Is it any wonder that the relocation of the atrocity of genocide from overseas colonies to within Europe also led to an intensification of the discourse of right?⁶⁶⁹ The paradox that 'rights' flourished in the context of loss of rights is implied by Lewis Hanke: 'in the years after the voyages of Columbus the Crown's authority had steadily tightened and the modern state which aspires to gain strength by wiping out dissension was well advanced in Spain after 1551, when Las Casas was putting the text of his *Defense* in final shape'.⁶⁷⁰ This chapter aims to demonstrate that the discourse of right is political and is part of a linguistic enterprise that has been embroiled in colonialism as well as modernity. Furthermore, this did not begin in the showcase rhetoric of the sixteenth century, but is visible in the late Middle Ages. We need to look beyond eulogies of the history of right as teleologies of

⁶⁶⁵ The UN has acknowledged its debt to Francisco de Vitoria as the founder of modern international rights by naming a room in the Geneva 'Consejo del Palacio de la Paz' after him, and decorated it with scenes from the university of Salamanca. For more on this see Luciano Pereña, *La idea de justicia en la conquista de América* (Madrid, 1992).

⁶⁶⁶ The discourse of the legitimacy of Spanish colonial action in the Americas had been initiated when Ferdinand summoned the first junta on the matter in 1504, the year of Isabella's death. Anthony Pagden suggested a connection between these two events, *The Fall of Natural Man: the American Indian and the origins of comparative ethnology* (Cambridge, 1982), p. 29.

⁶⁶⁷ 'La opinion de Vitoria sobre los indios, en realidad, apenas difiere de la Sepúlveda'; Carlos Esteban Deive, *La Española y la esclavitud de los Indios* (Santo Domingo, 1995), p. 21.

⁶⁶⁸ As his logbooks show, Columbus first enslaved Amerindians. Slavery then manifested itself in different ways in the Americas, including through the encomienda system. See Carlos Esteban Deive, *La Española y la Esclavitud del Indio*.

⁶⁶⁹ This understanding follows Césaire's thesis that genocide within Europe was the result of European colonialism turning in on itself, Aimé Césaire, *Discourse on Colonialism* (New York, 2000).

⁶⁷⁰ Lewis Hanke *All Mankind Is One: a Study of the Disputation Between Bartolomé De Las Casas and Juan Ginés De Sepúlveda in 1550 on the Intellectual and Religious Capacity of the American Indians* (1st pbk. edn, DeKalb, Ill., 1994), p. 88.

progress and look at what the mythology of rights is hiding. This means going further beyond Las Casas than even Daniel Castro proposed.⁶⁷¹ This chapter moves beyond the focus on poverty as an identity and considers the role of the Franciscans in the history of rights, both visible and hidden. As already seen in Chapter Three, the fate of rights was tied to the fate of property through Franciscan Poverty Dispute.⁶⁷²

This chapter is not a history of rights, but a comment on the implications of this history, an attempt to explore their darker side. Brian Tierney has asked ‘is the whole idea of human rights peculiarly a product of Western culture?’⁶⁷³ This relates to the now ‘standard criticism’ that “‘universal” human rights enshrine occidental values’.⁶⁷⁴ Yet the discourse of rights is even more problematic than this. It is a hegemon that illustrates the conspiracy between language and power. The discourse of human rights has universalising tendencies and is linked to the Christocentric tradition.⁶⁷⁵ Within medieval Western Europe, the notion of the origin of property found its origin in the Christian mythological tradition rooted in the Old Testament. Interpretative beliefs of First Acquisition were fundamental to the legitimacy of property.⁶⁷⁶ This biblical imagery took many different expressions and was immediately relevant to the colonial context, affecting both lands and peoples.⁶⁷⁷ John Mair, a Scottish theologian at the University of Paris in the early sixteenth century, wrote that ‘the first person to conquer them [the inhabitants of the Antilles], justly rules over them [because they are by nature slaves]’.⁶⁷⁸ These intellectual traditions provided the grammar for the rights discourse during colonial encounters. This rights’ discourse was also adaptive and interactive. The power of the rights’ discourse

⁶⁷¹ Daniel Castro, *Another Face of Empire: Bartolomé De Las Casas, Indigenous Rights, and Ecclesiastical Imperialism* (Durham, 2007).

⁶⁷² This is due to the equivalence of *dominium* and *ius* which was central to the Franciscan position and was exploited by the papacy.

⁶⁷³ Brian Tierney, *The Idea of Natural Rights*, p. 2. This is an important question that is being raised in many non-Western contexts today.

⁶⁷⁴ Peter Fitzpatrick and Eve Darian-Smith, ‘Laws of the Postcolonial: An Insistent Introduction’ in Eve Darian-Smith and Peter Fitzpatrick eds, *Laws of the Postcolonial* (Michigan, 2002) pp. 1-18, p. 8.

⁶⁷⁵ A comparative approach to the history of rights would be better.

⁶⁷⁶ The role of First Acquisition theory in the political discourse will be discussed at length later.

⁶⁷⁷ This notion is attributed to Rousseau but can be found in antiquity and the Middle Ages, as well as the classical period.

⁶⁷⁸ John Mair, 1519a, f. clxxxvijr, cited by Anthony Pagden, *The Fall of Natural Man*, p. 38. Slavery was thought by some to be a consequence of sin. Natural slavery was an Aristotelian concept which found new expressions in the sixteenth century.

is achieved through its monopoly of legitimacy and the terminology of engagement.⁶⁷⁹ It is not simply an assertion of universal meaning, but a process of appropriation through interaction. This is another dimension of the coloniality of power. Further, this monopolisation of meaning may be connected to the universalism of Christocentric philosophy.

Histories of rights raise questions about the boundaries of understanding and translations.⁶⁸⁰ Has the meaning of rights changed, and, if so, how can history sustain its attempt to recover past meaning without collapsing the past and present concepts into each other?⁶⁸¹ Further, is it an artificial exercise indicative of a form of historicism to abstract the concept of 'right' from the contexts in which it occurred: political theory, property law, ethics, and theology, to name but a few? Writing a history of rights that avoids re-inventing an artificial construct is difficult. This chapter attempts to address this by exploring the processes of the discourse of right in relation to its contextual role. Histories of right can only caricature rights because they cannot represent the complexity of plural understandings. Additionally, there are a number of genres of rights; some focus on nature and reason, and others on property, although all these issues are linked. The sixteenth-century discussions particularly focused on the nature of the Indians and Aristotle's notion of natural slaves. It was linked to the context of the Spanish Renaissance, which included the reception of classical learning.

On 16 April 1550 Charles V suspended further conquest in the New World and summoned a team of experts,⁶⁸² the 'Council of the Fourteen', to resolve the question 'Is it lawful for the King of Spain to wage war on the Indians before preaching the faith to them, in order to subject them to his rule, so that afterwards they may be more easily instructed in the faith?'⁶⁸³ This act in itself is a politicised performance of the 'justness' of Charles V's approach to empire. Subsequent historical representations of these debates have been

⁶⁷⁹ Legitimacy is itself a Eurocentred concept, originating with the eminent sociologist Max Weber, but the need for something to be construed as acceptable in order to be permitted occurs in different ways across various socio-cultural contexts.

⁶⁸⁰ This would be true in tracing the history of any linguistic signifier.

⁶⁸¹ For more on this problem see Reinhart Koselleck, *Futures Past: on the Semantics of Historical Time* (New York, 2004).

⁶⁸² The sessions began in mid-August.

⁶⁸³ Lewis Hanke, *All Mankind Is One*, p. 67.

characterised by the legendary confrontation between Las Casas and Sepúlveda, although the discourse was broader than this.⁶⁸⁴ Many historians have taken the subsequent debate between Las Casas and Sepúlveda as a point of origin for the teleological history of modern human rights.⁶⁸⁵ Las Casas, and the so-called 'second scholastics' of the school of Salamanca have dominated the history of rights.⁶⁸⁶ This chapter does not explore these debates, but considers the need for re-organising the field of the history of rights. 1550 should not be seen as an origin or break in the intellectual history of rights any more than 1492 should constitute a break in periods. We need to understand the political role that these historicist coordinates have, and to seek alternative narratives that help us to understand continuities and processes.

Rethinking Las Casas

The history of Las Casas has become a legend of Eurocentric modernity. Writing about Las Casas is often eulogistic.⁶⁸⁷ The construction of the legend of Las Casas is another dimension of the history of Las Casas. It has been constructed and employed for a range of political motivations. Intellectual history has not always demonstrated critical awareness of this, but has taken the legend of Las Casas as an origin. In doing so, intellectual history has reinforced the identity of Eurocentric modernity.

The dominance of Las Casas has created a meta-narrative that obscures alternative narratives. Las Casas' *Defense* became definitive of the rights discourse.⁶⁸⁸ Las Casas played a role in the process of the construction of the European historical meta-narrative, not least through his contribution to the

⁶⁸⁴ It is possible that the historiography is skewed to focus on this dimension of the debate because it effectively spawned a print war which would have influenced the historical record. See Lewis Hanke, p. 63. Hanke also provides a broader narrative of the 1550s discourse, including the role of the case of Betanzos.

⁶⁸⁵ This model takes the discussion of the rights of the American Indians to be the first, or at least the first 'modern', discussion of rights. The sixteenth century debate forms the background to Lewis Hanke's work, it is the guiding principle in Annabel Brett's work, and it makes a significant contribution to Brian Tierney's work, and features in the archetypical hegemonic timeline of Quentin Skinner's *The Foundations of Modern Political Thought*.

⁶⁸⁶ The volume of books devoted to Las Casas and the number of translations of his work speak for themselves.

⁶⁸⁷ For example, Andrée M. Collard, 'Introduction' Bartolomé de Las Casas, *History of the Indies* (New York, 1971), pp. ix-xxiv.

⁶⁸⁸ Bartolomé de las Casas, *In Defense of the Indians: the Defense of the Most Reverend Lord, Don Fray Bartolomé De Las Casas, of the Order of Preachers, Late Bishop of Chiapas, Against the Persecutors and Slanderers of the Peoples of the New World Discovered Across the Seas*, trans. Stafford Poole, (DeKalb, 1992).

legend of Columbus.⁶⁸⁹ Daniel Castro has done much to challenge the existing historical legend of Las Casas.⁶⁹⁰ Tierney also contributed to challenging Las Casas' legendary contribution to the history of rights; he argued that Las Casas' immediate agenda was 'to dissuade the kings of Spain from granting to the Spanish colonists permanent *encomiendas*'.⁶⁹¹ This suggests that Las Casas was more engaged in practical administrative issues of the colonial system than the broadly defined utopia of rights. Castro's re-evaluation of Las Casas is limited. In his place he emphasised the role of another sixteenth-century intellectual, Montesinos, as the inaugurator of 'one of the most important debates of the sixteenth century, pitting the philosophical, moral, and natural rights of the Indians to be free in their own terms against the political, economic, and juridical-theological arguments supporting Spain's claims to the jurisdiction and dominion of America'.⁶⁹² While Montesinos undoubtedly has an important place in the discourse of the New World, we need to transcend big figure narratives and consider the complex dimensions and implications of political performances. It is important to consider discourses, such as the discourse of rights, as multidimensional processes. Our analysis of this can be led by the previous demonstration regarding the way in which the terms of the rights discourse were manipulated during the Franciscan Poverty Dispute of the late Middle Ages. Neither Montesinos nor Las Casas inaugurated a debate; they continued an ongoing medieval discussion.⁶⁹³ Realising the importance of medieval discourses and their complexity contributes to the disruption of Eurocentric meta-narratives such as teleologies of rights that begin with Las Casas.

The dominant history takes Las Casas' famous statement that 'all mankind is one' as the foundation of the discourse of rights.⁶⁹⁴ While historians have stressed Las Casas' contribution to the development of modern rights, it is hard

⁶⁸⁹ See Bartolomé de Las Casas, *History of the Indies*, ed. Andrée M. Collard (New York, 1971), where he described Columbus as a 'tall, imposing, good-natured, kind, daring, courageous, and pious man', p. 15. Las Casas also preserved and edited the diary of Columbus, Anthony Pagden, 'Introduction', in Bartolomé de las Casas, *A Short Account of the Destruction of the Indies* (London, 1992), pp. xiii-xli, p. xv.

⁶⁹⁰ Daniel Castro, *Another Face of Empire*.

⁶⁹¹ Brian Tierney, p. 280.

⁶⁹² Daniel Castro, *Another Face of Empire*, p. 57.

⁶⁹³ For example see James Muldoon *Popes, Lawyers and Infidels* (Philadelphia, 1979).

⁶⁹⁴ 'todo linaje de los hombres es uno'; Bartolomé de las Casas *Apologética historia de las Indias* ed. M. Serrano y Sanz (Madrid, 1909), p. 128.

to locate any ideas that were radically new. Las Casas had witnessed and recorded Antonio de Montesinos' sermon in which he is reported to have asked: 'Are these Indians not also men? 'Don't they have rational souls?''⁶⁹⁵ Despite being seen as the 'origin' of the modern discourse of rights, these statements coincided with the expansion in scale of human rights abuses and the origin of the Atlantic slave trade. Consequently, a longer history of rights that considers the colonial role of language is still needed to penetrate this paradox of modernity. Following his statement that all people are the same and born without education,⁶⁹⁶ Las Casas then stated that when such wild people are found they are like earth which has not been ploughed and can easily produce bad grass and useless spines.⁶⁹⁷ The agricultural metaphor regarding production and the reference to corporal strength illustrates the colonial agenda that shadows Las Casas' statement that all mankind is one.⁶⁹⁸

Daniel Castro punctured the legend of Las Casas by looking more closely at his life, character, and motivations. Motivated by the greed that drove so many conquistadores, Las Casas arrived on Hispaniola in 1502 as a member of Governor Nicolás Ovando's expedition. It was not until 1515 that he decided to stop holding slaves and to give up his *encomienda* and devote his energy to the defence of the Amerindians.⁶⁹⁹ Las Casas had had a role in getting New Laws approved in 1542. Las Casas returned to Spain in 1547 and took part in the discussions of 1550 regarding the rights of the Amerindians. While we cannot know the true motivations of Las Casas, or properly measure the impact of his work,⁷⁰⁰ Castro's description of Las Casas as 'tactician of ecclesiastic imperialism' has opened new analytic territory.⁷⁰¹

⁶⁹⁵ '¿Estos, no son hombres? ¿No tienen ánimas racionales?'; Antonio de Montesinos (called Anton de Montesino by Las Casas), recorded by Bartolomé de Las Casas, *Historia de las Indias, Libro II*, ed. Agustín Millares Carlo (Mexico D.F., 1951), pp. 441-442.

⁶⁹⁶ 'las cosas naturales son semejantes, y ninguno nace enseñado'; Las Casas, *Apologética historia de las Indias*, p. 128.

⁶⁹⁷ 'De manera que cuando algunas gentes tales silvestres en el mundo se hallan, son como tierra no labrada que produce fácilmente malas yerbas y espinas inútiles'; Las Casas, *Apologética historia de las Indias*, p. 128.

⁶⁹⁸ This language is also similar to the parable of the seeds.

⁶⁹⁹ He began his *History of the Indies* in 1527, and wrote *The Very Brief Relation of the Destruction of the Indies 1540-44*.

⁷⁰⁰ Lewis Hanke wrote that there is no consensus on the outcome of 1550, *All Mankind Is One*, p. 146.

⁷⁰¹ Daniel Castro, *Another Face of Empire*, p. 13.

Las Casas was also a politician who exploited identity politics to bolster his authority. Significantly, like Columbus before him,⁷⁰² he tapped in to the power of the theatre of poverty. Andrée Collard wrote that Las Casas ‘arranged the most theatrical renunciation of his earthly goods’.⁷⁰³ Perhaps Las Casas was mimicking Montesino’s performance of poverty which had enhanced his fiery sermon in 1511; Las Casas recorded that Montesino finished his speech, stepped down from the pulpit with his head held high to avoid showing fear to the people whom he had disgraced, and then ate nothing but cabbage broth without olive oil.⁷⁰⁴ From the beginning of European intervention in the Americas, poverty, and its ambiguous function as both a symbol of power and humility, played an important role in the emergence of colonialism, its discourse of rights, and the identity of the ‘New World’.

It would be possible to write a sixteenth-century history of rights that challenged the dominance of Las Casas by looking at other documentary evidence and advocates of Indian rights beyond Las Casas, and this would demonstrate the role of the Franciscans. Hanke provides an immediate pre-history to this debate and indicates that these arguments were based on an ongoing broad discussion.⁷⁰⁵ For example, prior to Las Casas, Cristóbal Rodríguez had lived amongst the Tainos, learning their language and defending them at a hearing with Ferdinand in 1505.⁷⁰⁶ Other Franciscans also played a defensive role, including Jacobo de Testera and to some extent Bishop Zumárraga, and Quiroga.⁷⁰⁷ The Franciscan Alfonso de Castro wrote *Utrum indigenae novi orbis instruendi sint in mysteriis theologicis et artibus liberalibus* in 1542 arguing that

⁷⁰² Columbus had a connection to the Franciscan Order and is thought to have become a tertiary Franciscan and worn a Franciscan habit. He also wrote about his own poverty during his hunt for gold in a letter to Ferdinand and Isabella, ‘letter written by Christopher Columbus, viceroy and admiral of the Indies, to the most Christian and Mighty king and queen of Spain, our sovereigns, notifying them of the events of his voyage and the cities, provinces, rivers and other marvels, also the situation of the many goldfields and other objects of great riches and value’, in J. M. Cohen ed., *The Four Voyages of Christopher Columbus: being his own log-book, letters and dispatches with connecting narrative drawn from the Life of the Admiral by his son Hernando Colon and other contemporary* (London, 1969), pp. 283-304, especially p. 303-304.

⁷⁰³ Andrée M. Collard, ‘Introduction’ Bartolome de Las Casas, *History of the Indies*, p. xxiv

⁷⁰⁴ ‘Concluído su sermón, bájase del púlpito con la cabeza no muy baja, porque no era hombre que quisiese mostrar temor, así como no lo tenía, si se daba mucho por desagradar los oyentes ... no tenían qué comer nada, sino caldo de berzas sin aceite’; Las Casas, *Historia de las Indias, Libro II* (Mexico D.F., 1951), p. 442.

⁷⁰⁵ Lewis Hanke, *All Mankind Is One*.

⁷⁰⁶ *Ibid.*, p. 10.

⁷⁰⁷ Lewis Hanke, *All Mankind is One*, p. 16. Their arguments centred on reason, Hanke cited Quiroga’s claim that the Indians were used “like beasts and animals without reason”. The concept of reason played an important role in the colonial discourse of rights.

Indians should receive education; his tract was approved by Vitoria and submitted to the emperor.⁷⁰⁸ While it is possible to emphasise the role of these Franciscans to challenge the dominance of Las Casas in the sixteenth-century rights discourse, many Franciscans were associates of Las Casas,⁷⁰⁹ and it would be useless to simply substitute a Dominican-focused model of history with a Franciscan one. The Franciscans should not be eulogised or used to expand the teleology of rights.

Las Casas did not emerge in a vacuum; he did not initiate the discussion of the rights of the Amerindians, or constitute a radically new discourse of rights. He had a documentary tradition at his disposal to augment his case of rights; for example, Paul III's bull *Sublimis Deus*, which advocated conversion rather than enslavement of Amerindians. It claimed that 'they [the Indians] should enjoy their liberty and the possession of their property'.⁷¹⁰ *Sublimis Deus* 'served as a principle weapon of Las Casas and other Indian defenders'.⁷¹¹ These documents defending rights were not new; the 1512 Laws of Burgos disguised the abuses it permitted by emphasising conversion and avoiding the language of slavery, but prevented the Amerindians from going 'back to their customary idleness and vice'.⁷¹² The Laws of Burgos, advised by 'persons of good life, letters, and conscience', facilitated the establishment of coloniality in the Americas, best represented by forced migrations and labour, by creating a discourse of legitimacy.⁷¹³ The issue of the legitimacy of Spanish colonialism in the Americas and the question of how the indigenous should be treated were continually discussed at the Council of the Indies established in 1524, under the presidency of García de Loaysa, who was Charles V's confessor and the General of the Dominican Order. The humanist Aristotelian scholar Sepúlveda was in fact encouraged to write a treatise by the Council of the Indies. It is possible that the 1550s debate has been emphasised by Eurocentric historians because it took place within the hegemonic 'core' of Europe rather in the

⁷⁰⁸ Lewis Hanke, *All Mankind is One*, p. 23.

⁷⁰⁹ *Ibid.*, p. 142.

⁷¹⁰ Pope Paul III, *Sublimis Deus*, 1537, reproduced in Lewis Hanke *All Mankind is One*, p. 21.

⁷¹¹ Lewis Hanke, *All Mankind is One*, pp. 21-22.

⁷¹² *The Laws of Burgos of 1513-1513, Royal Ordinance for the good government and treatment of the Indians*, translated, with an introduction and notes by Lesley Byrd Simpson (San Francisco, 1960), p. 12.

⁷¹³ *Ibid.* The Laws of Burgos laboured to legitimate the forced relocations of the Amerindians, and permitted that their villages be burned after their forced removal, p. 16.

'peripheral' council of the Indies.⁷¹⁴ These continuities within Las Casas' sixteenth-century context are in addition to the longer continuities with medieval traditions.

We must not forget the economic context to this debate. Hanke observed that the New Laws of 1542 and the revocation of the law that would have phased out the *encomienda* system in 1545 intensified the question on the nature of the capacity of the Indians.⁷¹⁵ This was not an abstract question of the intellectual meaning of right, but a matter of economic interest. Nor can this question of rights be abstracted from the agenda of conversion. Many of the sixteenth-century debates focused on the question of whether Indians had the capacity to become Christians, and subsequently have the capacity of rights, although some continued longer medieval debates of the rights of infidel. Las Casas was concerned with the only method of preaching the true faith.

What practical impact did Las Casas have? Did his rhetorical defence of the rights of the Indians have any practical effect? Las Casas had played a role in securing the New Laws, a rhetorical defence of the indigenous.⁷¹⁶ However, it could be argued that Las Casas' rhetorical defence and the emergence of the Laws of Burgos, and Isabella's 1503 *cédula* affirming the freedom of the Indians,⁷¹⁷ simply generated the veneer of legitimacy, behind which atrocities could continue. The School of Salamanca assisted the justification of Spanish colonialism and contributed to the colonial ideology of a 'civilising mission'. The sixteenth-century discourse of rights fuelled another trope of the legitimacy narrative of the paper empire. When we move away from focusing on the theory rights and look at the practical impact of the sixteenth-century rights discourse, we cannot find a positive translation of the rhetoric into improved conditions or efficient safeguards. This does not suggest that there was no conception of human rights at this time, but that it functioned in different ways, in different

⁷¹⁴ The debate took place in Valladolid.

⁷¹⁵ Lewis Hanke, *All Mankind is One*, p. 60.

⁷¹⁶ *The New Laws of the Indies, for the good treatment and preservation of the Indians* (Amsterdam, 1968).

⁷¹⁷ Isabella's 1503 *cédula* to Nicolás Ovando asserted that the Indians were free and not slaves, whilst authorising the enforced labour system of the *encomienda*. See *The Laws of Burgos of 1513-1513*, pp. 4-6.

contexts, can be interpreted in different ways, needs to be understood pluralistically, and has had a darker side.

The history of Las Casas is interesting because he intersected different historical narratives. As a Spaniard between the Americas and Spain, he embodied the tension between identity and place. It is speculated that he had a Jewish heritage and that his attitudes were influenced by this, and the actions of the inquisition in Spain. His work referred to the Amerindians, but the intended audience of his work were intellectuals in Spain. This history of Las Casas does not represent a discussion with the Amerindians, nor does it does not suggest a two-way relationship. Las Casas was a colonial figure that represented the condescending paternal attitude that became characteristic of colonialism. The most powerful Franciscan of late medieval Spain, Cardinal Cisneros, bestowed upon Las Casas the title of 'universal protector of all the Indians of America' and, through this linguistic ceremony, Las Casas' legend was cemented in Eurocentric history.

Given all these challenges, the dominance of Las Casas in the historical narrative may seem strange. In fact, Las Casas has been emphasised in history not because of his contribution to rights, but because of his contribution to empire since he represented the critical voice and emphasis on mission. Las Casas' efforts could be used by the Spanish crown to demonstrate that they were adhering to the terms of the conquest rights ceded by the papacy to the crown of Spain, which had stipulated that the faith should be spread.⁷¹⁸ Historians interested in using Spanish history to strengthen the Spanish nation and valorise the memory of empire have criticised the 'Black Legend' of Las Casas.⁷¹⁹ According to Anthony Pagden the 'Black Legend' was 'largely an

⁷¹⁸ Alexander VI, *Inter caetera*, Papal Bull of May 4, 1493, *Nuevas Consideraciones sobre la historia, sentido y valor de las bulas Alejandrinas de 1493 referentes a las Indias*, ed. M. Gimenez Fernández (Seville, 1944), pp. 165-194 (two versions).

⁷¹⁹ The 'Black Legend' is often associated with Las Casas' *A Short Account of the Destruction of the Indies* (London, 1992). Anthony Pagden reminds us that Las Casas' rival Juan Ginés de Sepúlveda suggested that Las Casas' writings threatened the interests of the Spanish monarchy; Anthony Pagden, 'Introduction', in Bartolomé de las Casas, *A Short Account of the Destruction of the Indies* (London, 1992), pp. xiii-xli, p. xiv. The term 'Black Legend' was coined by the conservative Spanish crown official Julián Juderías in his *La leyenda negra* (Madrid, 1914). This work prompted many apologist histories, especially Ramón Menéndez Pidal's *El Padre Las Casas, su doble personalidad* (Madrid, 1963). Although more moderate Edward Bourne *Spain in America 1450-1580* (New York, 1962), and even Lewis Hanke *Aristotle and the American Indians* (London, 1959), have been associated with this revisionist school.

instrument of Anglo-Dutch propaganda', and was used to emphasise the superiority of the English and Dutch Empires compared to the Spanish.⁷²⁰ Las Casas has also been used by the Spanish to show that conscience was part of the history of their empire; he is important to the White Legend, an attempt to argue that the Spanish brought the Indians Christianity and freed them from ignorance and cannibalism.⁷²¹ In this way, Las Casas (and Vitoria) are narrative devices tied to the discourse of imperialism. This realisation facilitates our understanding of the darker side of the discourse of rights which is often hidden. Marcel Bataillon wrote: "In this authentic Apostle, even better than in Professor Francisco de Vitoria, is revealed the generous soul of colonial Spain".⁷²²

Beyond Las Casas, the Dominican theologians of the sixteenth-century 'School of Salamanca' are often taken as the starting point in the history of modern rights.⁷²³ The problems surrounding the history of Las Casas continue into broader intellectual histories regarding the School of Salamanca. This 'School of Salamanca' is often seen as the start of the discussion of the justification of Spanish colonialism which spawned the discourse of colonialism. For example, Castro wrote that the School of Salamanca 'sought to establish a religious and juridical rationale for explaining Spain's presence in the Indies'.⁷²⁴ Taking this sixteenth-century discourse as a starting point for the justification of Atlantic colonialism, a discourse of rights, and a critique of slavery, overshadows the longer medieval history of this narrative. Understanding the medieval context to the history of rights should not be a way to re-locate the 'origin' and extend the teleology, but to start to understand the process and the mechanics of the discourse of rights and to penetrate some of the geo-political mythologies of

Interestingly, the French Franciscan André Thevet also challenged the authenticity of Las Casas. For a further discussion see Benjamin Keen, 'The Black Legend Revisited: Assumptions and Realities', *The Hispanic American Historical Review*, Vol. 49, no. 4 (1969), pp. 703-719.

⁷²⁰ Anthony Pagden, 'Introduction', in Bartolomé de las Casas, *A Short Account of the Destruction of the Indies* (London, 1992), pp. xiii-xli, p. xiv. Keen also observed that Richard Hakluyt cited Las Casas (and Benzoni) in his attack on Spanish cruelty to the Indians, Benjamin Keen, 'The Black Legend Revisited: Assumptions and Realities', *The Hispanic American Historical Review*, Vol. 49, no. 4 (1969), pp. 703-719, p. 713. Keen observed that Las Casas' Very Brief Account was published in 1578 to provide unity against Philip II's rule in the Dutch revolution, 'The Black Legend Revisited', p. 716.

⁷²¹ See Benjamin Keen, 'The Black Legend Revisited: Assumptions and Realities'.

⁷²² Hoffner (1957) pp. 517-518, cited by Lewis Hanke, *All Mankind is One*, p. 141.

⁷²³ This so-called 'School of Salamanca' spans from Francisco de Vitoria (c.1512) to Suárez. The 'School of Salamanca' is often split into an earlier period, which included Vitoria Melchor Cano, and Domingo Soto, and a later period which was dominated by Jesuits. Much of this is beyond the parameters of this thesis.

⁷²⁴ Daniel Castro, *Another Face of Empire*, p. 27.

existing histories of rights. Teleologies of rights have been the handmaiden to modernity, and both have a darker side: coloniality.

Castro argued that we need to 'get rid of prevailing utopian fictions surrounding the historical origins of the New World'.⁷²⁵ Reflecting on the role, identity, and intellectual tradition of the Franciscans problematises this assumption and enables us to deepen our understanding of, and find a new perspective on, the history and implications of the utopian modern rights discourse.

This thesis explores the ambiguities of the Franciscans and their doctrine of poverty in the colonial context of the Atlantic world. This also influenced the intellectual discourse of rights that is associated with Atlantic world colonialism. The Franciscans represented a possible realm of freedom: freedom from the law; the freedom to consume the things necessary to sustain one's existence without owning them, unencumbered, and without pain of litigation. The discourse of rights, which continues into modernity, is directly linked to the loss of this freedom. Through this realisation, we start to see the darker side of the rights discourse. We also see how a hegemonic discourse is constructed through the concealment of possible alternatives. This chapter sheds light on the longer history and the possible Franciscan impact on the later debate. A prosopographical approach to Franciscan ideas also helps us to transcend traditional models of intellectual history which have been big figure led.⁷²⁶

Rethinking the teleological meta-narrative of rights

The polemics of Las Casas, the School of Salamanca, and the opposition to Sepúlveda, have been seen as making a decisive contribution to the history of rights.⁷²⁷ Yet, this was also the time of the continuation of the abuse and vassalage of the Amerindians,⁷²⁸ and the initiation of the Atlantic slave trade

⁷²⁵ Ibid p. 13.

⁷²⁶ The emphasis on Las Casas and Sepúlveda is an example of this traditional model of intellectual history.

⁷²⁷ For example, Annabel Brett, *Liberty, right and nature*.

⁷²⁸ The *encomienda* system was challenged by the critics such as the Dominicans Pedro de Córdoba and Antonio de Montesinos, who refused to administer sacraments to *encomenderos*, but the Laws of Burgos and the New Laws only served to regularise the abuses of the *encomienda* system, which was only gradually replaced by an equally repressive system of *repartimiento* towards the end of the sixteenth century. There is also evidence of the continuation of *encomiendas* in New Spain at this time. For a review of the historiography of the *encomienda* see Robert S. Chamberlain, 'Simpson's The Encomienda in New Spain and

which would not end until the nineteenth century. While Hugh Thomas notes that Columbus' enslavement of around 1,660 Amerindians in 1495 actually means that the Atlantic slave trade began in a west-east direction,⁷²⁹ he also notes that before these slaves had arrived, Margarit and Fray Boil 'had been developing a theory at court that the Indians were potentially Christian subjects of their Highnesses and, therefore, should not be enslaved',⁷³⁰ and that Isabella ordered a proportion of these people to be returned by Francisco de Bobadilla in 1500. However, this did not signal the end of the enslavement of Amerindians;⁷³¹ Nicolás Ovando (third governor of Hispaniola 1502-1509, and successor of Francisco de Bobadilla) had secured permission to enslave the Tainos captured in the wars of Higüey and Jaragua at the start of the sixteenth century, and this is just one example among many.⁷³² The discourse of slavery in the Americas followed many twists and turns, enslavement of Amerindians continued in many forms alongside the development of African slavery. Biological and cultural genocide hides behind this so-called flourishing of the discourse of rights. It can be argued that the 'School of Salamanca' and, in particular Vitoria, made a valuable contribution to International Law, and a discourse of rights, which may have eventually contributed to the protection of basic human conditions and dignities,⁷³³ although nowhere has this been linear or absolute. This chapter does not seek to make a contribution to our historical understanding of rights or legal structures in a normative sense. It seeks to use the Franciscans to try to understand the mechanics of the discourse of rights and the conspiracy between power and language in colonial context of the late medieval Atlantic world, to navigate the world of rights using different historical coordinates.

Recent Encomienda Studies', *The Hispanic American Historical Review*, Vol. 34, No. 2 (1954), pp. 238-250. For comments on *repartimiento* see Benjamin Keen, *Latin American Civilization, History & Society, 1492 to the Present* (6th edn, Boulder, 1996), pp. 73-76.

⁷²⁹ Hugh Thomas, *Rivers of Gold, The Rise of the Spanish Empire* (London, 2003), p. 175

⁷³⁰ Ibid, p. 176; Thomas cites Carlos Esteban Deive, *La Española y la esclavitud del Indio* (Santo Domingo, 1955), [6:38], 58 for this theory. Thomas adds that Cardinal Cisneros contributed to this questioning of Amerindian slavery, p. 178.

⁷³¹ These events did not constitute the start of slavery in the Americas. Thomas notes that 'Slaves close to the European definition were well known in the Americas before the Europeans arrived, though not in Taino societies'; Hugh Thomas, *Rivers of Gold*, p. 331.

⁷³² Hugh Thomas, *Rivers of Gold*, p. 286.

⁷³³ This notion is eulogised in articles such as: Carl Watner, "'All Mankind is One", The Libertarian Tradition in Sixteenth Century Spain', *The Journal of Libertarian Studies*, Vol. VIII, No. 2 (1987), pp. 293-309.

The rights discourse may be seen as one of the elements of what Antonio Gramsci calls the 'hegemony of Western Culture over the whole World Culture'.⁷³⁴ I argue that the rights discourse fits what Gramsci describes as 'cultural hegemony', a concept that he used 'to address the relationship between culture and power under capitalism'.⁷³⁵ T. J. Jackson Lears comments that 'the concept of cultural hegemony can only be understood within a variety of historical and intellectual contexts'.⁷³⁶ Lears sees Gramsci as 'anticipating Michel Foucault's emphasis on the role of "discursive practice" in reinforcing domination'.⁷³⁷ Further, 'Gramsci realized that "every language contains the elements of a conception of the world"'.⁷³⁸ Lears states that, from a Gramscian perspective, people create their own symbolic universes which can become hegemonic, and 'even subordinate groups may participate in maintaining a symbolic universe, even if it serves to legitimate their domination'.⁷³⁹

The colonial process of language and the construction of a cultural hegemony created the colonised identity of the New World. The 'New World' was a linguistic construct, and its identity was defined by the discursive practice of the late Middle Ages, including the discourse of property, rights, and reason. The word America on the map created America,⁷⁴⁰ and Peter Martyr's writing of the New World (and later Acosta and Las Casas), gave a literary baptism to its existence.⁷⁴¹ The colonial process of language continued to be important for maintaining the colonisation of the identity of the New World.⁷⁴² Don Abbot

⁷³⁴ Antonio Gramsci, *Selections from the Prison Notebooks*, ed. and trans. Q. Hoare, and G. Smith (London, 2005), p. 416.

⁷³⁵ For more on this see T. J. Jackson Lears. 'The Concept of Cultural Hegemony: Problems and Possibilities'. *The American Historical Review* 90, no. 3 (June 1, 1985): 567–593, p. 568, the notion of capitalism is itself, perhaps, a hegemonic notion. It would be interesting to explore the notion of the 'origin' of capitalism in this context as it ties in with Dussel's argument regarding the European meta-narrative and the marginalisation of Latin America, but alas there is no time. One might also argue that this term cannot legitimately be ripped from its Marxian analytic concept, but I think it can be used outside of its Marxist framework as an explanatory device. It is, as Lears argued, a flexible concept. Also might be interesting to follow up on Lears' exploration of slavery as a 'nonissue', p580.

⁷³⁶ T. J. Jackson Lears, 'The Concept of Cultural Hegemony: Problems and Possibilities', *The American Historical Review* 90, no. 3 (June 1, 1985), pp. 567–593, p. 568. Also comments that it should be seen in relation to domination and the coexistence between consent and force.

⁷³⁷ *Ibid*, p. 569.

⁷³⁸ *Ibid*.

⁷³⁹ *Ibid*, p. 573.

⁷⁴⁰ For America on the Waldseemüller map see plate 11 in T. Lester, *The Fourth Part of the World* (New York, 2010).

⁷⁴¹ Peter Martyr D'Anghiera, *De Orbe Novo*, ed. Francis Augustus MacNutt (New York, 1912).

⁷⁴² For example see Don Paul Abbott, *Rhetoric in the New World: Rhetorical Theory and Practice in Colonial Spanish America* (Columbia, 1996).

argued that 'rhetoric was central to many aspects of European encounter with new peoples and place'.⁷⁴³ Acosta and Las Casas 'confronted the question of audience in ways that European theorists had done'.⁷⁴⁴ Antonio de Nebrija 'laid out the historical significance of the invention of the alphabet and the import of language in the consolidation of the Spanish Empire'.⁷⁴⁵ Nebrija published the first Castilian grammar in 1492, contributing to this year's significance in the history of coloniality. Thomas Harrington has written that 'Nebrija's vision of the Castilian nation was also heavily inscribed with religious imperatives' with an 'extraordinary' messianic tone.⁷⁴⁶ This demonstrates the entanglement between language, religion, and the colonial dimension of power at work in the construction of both nation and empire. Walter Mignolo has claimed that Nebrija was the 'ideological seed of what would become a gigantic campaign to colonise Amerindian languages'.⁷⁴⁷ The relationship between language and power was demonstrated by the theatrical battlefield readings of the *Requerimiento*.⁷⁴⁸ This used the ritual of language to invent the Americas as colonised lands. Linguistic colonisation became the *modus operandi* of Castile (and the Castilianization of regions such as Granada), and Nebrija's strategy became 'a winning geopolitical formula' taken up by other European polities.⁷⁴⁹ Nebrija also Latinized Castilian;⁷⁵⁰ Latin and the Latin alphabet were seen as the universal linguistic system, while other semiotic systems could not attain the same status.⁷⁵¹ This belief in the universalism, superiority, and spirituality of the Latinate system contributed to the colonial mentality of Europeans and their philosophy of European essentialism.

⁷⁴³ Don Paul Abbot, *Rhetoric in the New World*, p. 2.

⁷⁴⁴ *Ibid.*, p. 3.

⁷⁴⁵ Walter Mignolo, *The Darker side of the Renaissance* (Michigan, 1998), p. 29. Antonio de Nebrija, *Gramática de la lengua Castellana* (Madrid, 1992). Nebrija was from Andalusia, the region which was essential for the engineering of Spanish colonial policy.

⁷⁴⁶ Thomas Harrington, 'Rapping on the Cast(i)le Gates', in Mabel Moraña ed., *Ideologies of Hispanism* (Nashville, 2005), pp. 107-137, p. 113.

⁷⁴⁷ Walter Mignolo, *The Darker side of the Renaissance*, p. 40.

⁷⁴⁸ Juan López Palacios Rubios, *El requerimiento*, in Bartolomé de Las Casas, *Historia de Las Indias, Libro III* (Mexico D.F., 1951), pp. 26-27. This was read out to populations, irrespective of their understanding, informing them that non-compliance with its instructions would lead to [justified] war.

⁷⁴⁹ Thomas Harrington, 'Rapping on the Cast(i)le Gates', in Mabel Moraña ed., *Ideologies of Hispanism* (Nashville, 2005), pp. 107-137, p. 113.

⁷⁵⁰ Walter Mignolo, *The Darker side of the Renaissance*, p. 58.

⁷⁵¹ Nebrija also wrote the *Introductiones latinae*, 1481. Nebrija's Latin grammar was later used as a missionary text by the Jesuits.

The colonisation of language (or linguistic meaning) had an internal as well as external dimension. This thesis will explore the colonisation of the discourse of rights and its implications for the discourse of colonialism. The colonisation of the discourse of rights was an important part of the invention of the New World as a legitimately colonised world. The fourteenth-century phase of the Franciscan Poverty Dispute contributed to the colonisation of the discourse of rights. The linguistic battle to define terms and control meaning in the course of the dispute illustrates the process of the construction of a hegemonic position through language. This demonstrates the role of discourse and language in the construction of coloniality. These processes underpinned the colonising process of the invention of the New World. The discursive practice of the fourteenth-century Franciscan Poverty Dispute established a hegemonic conception of the 'rights' that was linked to property, and this link became essential to the identity of colonialism and the New World.

'Rights' were inherently universalising, and an idea of right had to occupy a hegemonic position. Lears described that hegemony was established by 'privileging certain sign systems as necessary, natural, or inevitable ways of recognising meaning and suppressing or ignoring other sign systems'.⁷⁵² The discourse of rights operated like this, monopolising the territory of justness and legitimacy. This represents a key way in which Europe has asserted its dominance. Rights were defined as 'natural'; to be outside the system of rights, or contravention with their demands, was to be against the order of the natural world which God had created.

The importance of language to Spanish colonialism may also be connected to broader cultural trends of the Renaissance. This phenomenon was not neutral, but linked to an assertion of a hegemonic cultural identity. According to Hanke, in 1539, in Salamanca, Diego Covarrubias 'declared that empires are not established and maintained by arms, but by culture'.⁷⁵³ Language took on importance within this context. Motolinia was a critic of Las Casas; he undermined Las Casas and the authenticity of his commitment to the natives by

⁷⁵² Observation by T. J. Jackson Lears, 'The Concept of Cultural Hegemony: Problems and Possibilities', p. 590.

⁷⁵³ Lewis Hanke, *All Mankind is One*, pp. 62-3.

observing that he was ignorant of languages.⁷⁵⁴ Language was important to identity politics. This was not new, since the term ‘barbarians’ came from ‘babblers’, someone who couldn’t speak Greek and was therefore devoid of *logos*.⁷⁵⁵ Language was linked to the idea of being human, and being within society (outside society there was no need for language). Descriptions of the Amerindian capacity for language were tied to the capacity for reason and rights.⁷⁵⁶ The emphasis on this may have been linked to the renewed interest in Aristotelianism; Aristotle had referred to language as the messenger of understanding’.⁷⁵⁷ This intellectual context demonstrates a potential significance of Boccaccio’s description of the Canary Islander; he commented that ‘the languages of these people were said to be so different, that those of one island did not understand those of another, and they had no means of communication except by swimming’.⁷⁵⁸ Descriptions of language and capacity for language were not neutral but tied to the process of colonialism.

Of course, the sixteenth-century relationships between Europe and the Americas were multi-directional. The old world did not simply construct and colonise the ‘New World’. The Amerindians and their language systems impacted upon the rights discourse in Europe. Abbot wrote that ‘nowhere was the complexity and fragility of language more apparent than in the New World, with its spectrum of symbol systems’.⁷⁵⁹ European assumptions were challenged by the Americas. A history of rights in this period must be from a transatlantic perspective, and take complexities and influences into account. Don Abbot wrote that there was ‘fusion of the rhetoric of the old world with the discourse of the new’.⁷⁶⁰

⁷⁵⁴ Daniel Castro, *Another Face of Empire*, p.11

⁷⁵⁵ Anthony Pagden, *Fall of Natural Man*, p. 13. Pagden provides a historical survey of the term ‘barbarian’.

⁷⁵⁶ The Franciscan Poverty Dispute had fused the link between reason and rights, the implications of this will be explored later in this chapter.

⁷⁵⁷ Francisco de Vitoria, *Political Writings*, ed. Anthony Pagden, and J. Lawrence (Cambridge 1991), p. 8.

⁷⁵⁸ Giovanni Boccaccio, ‘Narrative of the 1341 Voyage’, in *The Canarian or, Book of the conquest and conversion of the Canarians in the year 1402*, by Jean de Bethencourt, composed by Pierre

Bontier, and Jean Le Verrier, ed. and trans. R.H. Major (London, 1872), pp. xiii-xix, p. xvii.

⁷⁵⁹ Don Paul Abbot, *Rhetoric in the New World*, p. 2.

⁷⁶⁰ *Ibid*, p. 20.

The hegemony of text which was essential to the sixteenth-century discourse of rights has not been challenged by intellectual histories of rights. Intellectual histories have continued the tradition of the hegemony of text. Mignolo considers the 'philosophy of writing in the European renaissance' to be 'a decisive factor in the politics of language implemented by the crown and the religious orders in the New World'.⁷⁶¹ Mignolo's work explores this link between language and the colonial process, but there is more work to be done.

Traditions of thought: the meta-structures of intellectual history

The history of rights has traditionally been arranged according to the dualistic model whereby the objective right of the Middle Ages is replaced by the subjective right of modernity.⁷⁶² While the role of Las Casas and the 'School of Salamanca' are emphasised by these histories of rights, historians are split 'between those who hold that the School represents a return to an authentic Thomist-Aristotelian theory, depending on the notions of natural law and of right as the object of justice ('objective right'), and those who argue that, although on the surface these Spanish neo-Thomists may appear faithful to Aristotle and Aquinas, in reality they thought of right as a faculty or liberty of the individual (subjective right)', and that their political theory is based on such rights and is a forerunner of Hobbes'.⁷⁶³ Either way, Thomism is used to characterise and define the debate. Brett has observed that 'the origin of subjective right is attributed to Thomism's traditional opponents, the voluntarists and nominalists of the late thirteenth and fourteenth centuries who are widely portrayed as the destroyers of the Thomist synthesis, initiators of a philosophy of individualism and *esprit laïque*'.⁷⁶⁴ This historiographical strand recognised the importance of the Franciscans and claimed that the origin of subjective right can be found in the voluntarist theology of the Franciscan Poverty Dispute, but within a historicist framework.⁷⁶⁵ However, Tierney has played down the role of nominalism and voluntarism,⁷⁶⁶ and, instead, stressed longer continuities

⁷⁶¹ Walter Mignolo, *The Darker Side of the Renaissance*, p. 1.

⁷⁶² Tierney opposed this dualism, but was still restricted by it.

⁷⁶³ Annabel Brett, *Liberty, right and nature*, p. 1.

⁷⁶⁴ Annabel Brett, *Liberty, right and nature*, pp. 3-4. Brett noted that Tierney is the exception to this since he questions that the idea of subjective right is a late medieval development and denies the dualistic picture of 'subjective' and 'objective' rights (footnote 10, p. 4).

⁷⁶⁵ This underlies Brett's model.

⁷⁶⁶ Tierney challenged the link between Ockham's politics and his moral philosophy, suggesting that he did not continuously subscribe to a voluntarist or nominalist system of ideas.

between the fourteenth-century development of natural rights theories and twelfth-century humanistic jurisprudence.⁷⁶⁷ This extension of the history of right has provided a new perspective for intellectual history, but it has not challenged the teleological structure or the dominance of Las Casas and the sixteenth-century debates. One problem with this historiography is that it focuses on the intellectual traditions of elite discourse within an existing framework of intellectual history;⁷⁶⁸ it does not interrogate that framework or consider the political use of the discourse of rights.

Tierney's interest lay in the question 'when did the phrase *ius naturale*, which traditionally meant cosmic harmony or objective justice or natural moral law, begin to acquire also the sense of a subjective natural right? And what cultural context, what set of contingent historical circumstances, made the shift of meaning possible and acceptable?'⁷⁶⁹ Yet we should not be searching for the 'idol of origins' to endorse a teleology which adds the authority of tradition to the discourse of the seventeenth century.⁷⁷⁰ Instead, we must consider what became hidden at this time, and what this discourse of rights hides. We must avoid projecting modern conceptions onto the Middle Ages.

The discourse of rights is a tradition of thought and it is also influenced by traditions.⁷⁷¹ According to Max Weber, tradition is one of the three forms of legitimate authority.⁷⁷² Traditions are a form of cultural hegemony. They represent successfully transmitted ideas. They are interesting from an historical perspective because they constitute both continuity and change. Tierney cites the Latin American author Carlos Fuentes who wrote that "there is no creation without tradition; the 'new' is an inflection of a preceding form; novelty is always a variation on the past".⁷⁷³ This has a particular significance in the context of the invented 'New World'. It is important to remember the role that traditions play.

⁷⁶⁷ Brian Tierney, p. 43.

⁷⁶⁸ Stuart B. Schwartz in *All can be saved* (New Haven, 2008), made a similar point about the history of toleration. He wrote that 'these studies usually concentrated on a particular thinker and his (or, more rarely, her) contribution to the general development of the theory of toleration' (p. 4); this model also occurs in the case of rights.

⁷⁶⁹ Brian Tierney, pp. 46-47

⁷⁷⁰ Marc Bloch, *The Historians Craft* (Manchester, 1992), pp. 24-29.

⁷⁷¹ This chapter engages with the influence of a range of thought traditions, but many others, such as Augustinianism, are neglected.

⁷⁷² Max Weber, *On Charisma and Institution building, selected papers*, ed. S. N. Eisenstadt (Chicago, 1968), p. 46.

⁷⁷³ Brian Tierney, p. 77, no reference provided.

The discourse of rights was part of a long medieval discourse of the relationship between Christians and non-Christians and the rights of infidel, Jews, Muslims, and 'pagans'.

Thomism is the tradition of intellectual history that dominates the meta-narrative of rights⁷⁷⁴ Thomism dominates because the Dominican proponents of the 'School of Salamanca' have been seen as the origins of the hegemonic meta-narrative of the modern rights discourse. They were predominantly Dominicans (in the early phase of the school) and are known as the 'second scholastics' because Aquinas' *Summa theologiae* is seen as their legal framework.⁷⁷⁵ This emphasis is in some ways strange because Thomism traditionally emphasised the role of the reason of God and objective right, whereas voluntarism emphasised the importance of the will and is seen as important to emergence of 'modern' subjective rights. These Spanish 'neo-Thomists' dominate teleological histories of right.⁷⁷⁶ Vitoria, author of *De Indiis* (1532) was part of this school; his work is sometimes emphasised, instead of Las Casas', as the origin of the modern rights discourse. Annabel Brett has explored the historiographical split between those who saw the School as representative of Thomist-Aristotelian philosophy and those who suggest that they actually subscribed to a theory of subjective right as a 'faculty of liberty of the individual' and as such were forerunners to Hobbes.⁷⁷⁷ Brett surveyed how sixteenth-century Dominicans tested the boundaries of Thomism, and perhaps even defected to the subjectivist view of rights, but does not challenge the importance of the role of Thomism.⁷⁷⁸ In both cases, Thomism is used as a guiding principle. This struggle to identify the presence or absence of Thomism in the late Middle Ages and Early Modern period is related to the struggle to determine the boundaries of the Middle Ages; it is a characteristic of the historicism at work in intellectual history. The end of the Middle Ages is at once seen as the time of the disintegration of the Thomistic synthesis and the time of the emergence of neo-Thomism. Thomism acts as a meta-narrative that structures an abstract

⁷⁷⁴ For a history of Thomism in the history of rights from the Middle Ages to the sixteenth century see Annabel Brett, *Liberty, right and nature*.

⁷⁷⁵ Thomas Aquinas, *Summa theologiae* (Ottawa, 1944).

⁷⁷⁶ For example, see Quentin Skinner, *The Foundations of Modern Political Thought*, 2 volumes, (3rd edn, Cambridge, 2005).

⁷⁷⁷ Annabel Brett, *Liberty, right and nature*, p. 1.

⁷⁷⁸ Annabel Brett, *Liberty, right and nature*, Chapter 2, pp. 88-122. Brett argues that Thomism came to accommodate a subjectivist view of rights, p. 91.

discussion of rights and connects ‘big thinkers’ across time. This abstract discussion does not consider the practicalities of a discourse of rights in context, but looking at the practical testing of the boundaries of rights in the colonial context could challenge the traditional structure of intellectual history.

Francisco de Vitoria is associated with this ‘School of Salamanca’ which was charged with the discussion of the rights of the American Indians in the New World in the sixteenth century.⁷⁷⁹ Vitoria is often given a dominant place in teleologies of the modern notion of rights and international law.⁷⁸⁰ Intellectual historians have found it difficult to reconcile the ambiguity of Vitoria’s reception of the late medieval ‘subjective’ rights discourse with his Thomism, and this debate represents the aforementioned tension on the traditional structure of intellectual history.⁷⁸¹ Tierney observed that Vitoria quoted Aquinas, saying that the law was the ground of right;⁷⁸² he also noted that Vitoria was influenced by Gerson’s doctrine of rights (as framed by Summenhart),⁷⁸³ as well as by Rufinus, Aquinas, Scotus, Ockham, and John XXII.⁷⁸⁴ Despite his arguments for the influence of Thomism, Tierney demonstrated that the dominance of Aquinas in the history of property-rights in the New World was flawed, since ‘Thomas never concerned himself directly with how first acquisition of private property from common stock could have come about licitly, and he never wrote specifically about a “right” *ius* to property’, which were of course important arguments in the rights discourse.⁷⁸⁵ However, despite acknowledging these broader influences, Tierney illustrates intellectual history’s pathway dependency on Thomism and insisted that Vitoria was influenced by Thomism as in *De Indiis* he ‘applied the Thomist argument to his discussion about the kinds of creatures that could be holders of dominion’.⁷⁸⁶ Michel Villey’s view is, on the contrary, that Vitoria betrayed Aquinas when he attributed subjective rights to the

⁷⁷⁹ Vitoria held the Prime chair of theology at Salamanca from 1529 until 1546. He had studied at the University of Paris where he had been instructed in the theology of Thomas Aquinas. He returned to Spain in 1523.

⁷⁸⁰ Domingo de Soto was also important.

⁷⁸¹ For a full discussion of this, see Annabel Brett, *Liberty, right and nature*, chapter 4.

⁷⁸² Brian Tierney p. 259. Tierney also stated that Vitoria depended on Aquinas’ teaching on justice.

⁷⁸³ *Ibid*, p. 261.

⁷⁸⁴ *Ibid*, p. 265.

⁷⁸⁵ *Ibid*, p. 146.

⁷⁸⁶ *Ibid*, p. 269.

American Indians.⁷⁸⁷ Vitoria has become a focal point not just for the teleology of rights, but also for the historicist tension in intellectual history. The historiographical struggle to determine whether Vitoria was a Thomist, and consequently whether he subscribed to objective or subjective rights, represents this historicism. It is underpinned by the politicised valuation at work in periodisation; everything 'positive' must be associated with Modernity, everything 'negative' must be confined to the Middle Ages. Modernity is the hegemonic identity, and this is sustained through the colonisation of time. The traditional structure of intellectual history supports this process, while the struggle regarding Thomism is a symptom of the tension within the model.

The emphasis on the importance of Thomism has obscured the contribution of the Franciscans to the history of rights. The work of Tierney has gone some way to challenge this, but he does not challenge the Eurocentric model of intellectual history. The Franciscans are fitted into the existing portrait of rights; the colonial character of rights is not explored. Tierney has commented that 'Las Casas resembled Ockham'.⁷⁸⁸ Tierney is still influenced by the dominance of Thomism as he explores the boundaries of its influence in this discourse of rights. He argues that Vitoria was a faithful Thomist who did not teach subjective rights, but kept to objective sense of *ius*.⁷⁸⁹

Tierney does not use the Franciscans to challenge the political teleology of the history of rights. He identifies his agenda to find 'how a peculiar doctrine of natural rights that had grown up in medieval jurisprudence and was then nurtured by an obscure squabble about Franciscan poverty, and by the conciliar movement for Church reform, could survive into the new age and persist as a major strand in Western political theory'.⁷⁹⁰ Tierney frequently refers to the link between the Franciscan Poverty Dispute and later theories of rights, from Vitoria and the 'School of Salamanca' to Hobbes, Pufendorf and Locke. Tierney writes that while 'Pufendorf expressed a hearty contempt for all medieval thought' he 'constructed a theory of property remarkable like that of a fourteenth-century Franciscan', and that his ideas regarding property and its

⁷⁸⁷ See Brian Tierney p. 257.

⁷⁸⁸ Brian Tierney, p. 276.

⁷⁸⁹ Ibid, p. 257 and, p. 261.

⁷⁹⁰ Ibid, p. 236.

origins where similar to Ockham's.⁷⁹¹ Tierney has noted that the sixteenth-century Spanish scholastics had been important in transmitted medieval thought, and that Francisco Suárez may have been influenced by *OND*.⁷⁹² Indeed, Suárez draws on the case of slavery to explicate his political position in a way that is similar to Ockham.⁷⁹³ Brett has also raised the possibility of the importance of Franciscan thought in the Western tradition of rights, and perhaps challenged the dominance of the School of Salamanca, as she used the Franciscans to form a new teleology of rights from the Franciscans to Hobbes.⁷⁹⁴ These trajectories suppress the intentions which the Franciscans had before the Franciscan Poverty Dispute regarding their philosophy of poverty, which were in opposition to the system of property and rights. Tierney has argued that the ideas of Ockham and Gerson were transmitted through Jacques Almain and John Mair; and that Summenhart's discussion of *dominium* and *ius* was continued by Mair, Sylevester Prieras, Vitoria, De Soto, and Molina.⁷⁹⁵ In reality, it is Ockham's failure which is transmitted through this intellectual network, since the intellectual possibilities that he posited regarding freedom from property were suppressed by canon law. As the Franciscans are inserted into the teleology of the Western rights tradition, they become tools of a European meta-narrative, one structure of which is the discourse of rights. The discourse of rights is part of the narrative of European progress. While Tierney has demonstrated the importance of the Franciscans to the discourse of rights he has not challenged the teleological framework which confines the discourse of rights to being a European meta-narrative.

Big figure-led history can be challenged both by finding alternative narrative pathways and by fragmenting the historical legacy of the big personalities in question. This is important as these narratives have far reaching implications. The mythology surrounding the prominent intellectuals at the University of Salamanca in the sixteenth century has generated the notion of the 'School of Salamanca' which further elevates the historical prominence of these scholars,

⁷⁹¹ Ibid, p. 168. Samuel von Pufendorf was an important seventeenth-century scholar who worked on ideas of natural law and property and revised the work of Thomas Hobbes.

⁷⁹² Ibid, p. 168.

⁷⁹³ See Harald Braun, 'Lawless Sovereignty in Sixteenth-Century Spain' in Robert S. Sturges ed., *Law and Sovereignty in the Middle Ages and Renaissance* (Abingdon, 2011), p. 31.

⁷⁹⁴ See Annabel Brett, *Liberty, right and nature*, p. 8.

⁷⁹⁵ Brian Tierney, *The Idea of Natural Rights*, p. 245

making them readily available tools for teleological narratives. Vitoria *et alii* have been seen as the founders of the system of international law.⁷⁹⁶ It is important to place these intellectuals in context and to consider their many dimensions and complexities if we are to generate more critical histories of the discourse of rights and international law. Antony Anghie writes that ‘Vitoria is an extremely complex figure; a brave champion of Indian rights in his own time,⁷⁹⁷ he may also be seen as an apologist for imperialism whose works are all the more insidious precisely because they justify conquest in terms of humanity and liberality’.⁷⁹⁸ Anghie has argued that ‘Vitoria’s real importance lies in his developing a set of concepts and constructing a set of arguments that have been continuously used by Western powers in their suppression of the non-Western world, and that are still regularly employed in contemporary international relations in the supposedly post-imperial world’.⁷⁹⁹ It is important to understand the colonial function of European knowledge systems and discourses such as the rights’ discourse to challenge the politics often at work in European intellectual histories and impacts upon contemporary global identities and power relationships.

Practitioners of intellectual history should always consider the identity and context of the scholars who were the vehicles of the ideas that have been used to constructed trans-historical discourses of rights. Within Europe, intellectual history has not yet fully departed from the traditional focus on elite white men. A prosopographical take on the ideas of a group, and the enactment of these ideas through a performed identity, may be a way to move away from focusing on individuals. Further, identity is important for understanding the significance of certain contributions to the ‘discourse’. For example both Tierney and Brett emphasise the importance of Gerson in the construction of the rights discourse. Gerson was the pupil of Pierre d’Ailly, who was known to have an interest in

⁷⁹⁶ For example see *La Escuela de Salamanca y el derecho internacional en América, Jornadas Ibero Americanas de la Asociación Española de Profesores de Derecho Internacional y Relaciones Internacionales. Del Pasado al Futuro*, (Salamanca, 1993); and Antony Anghie, ‘Francisco de Vitoria and the Colonial Origins of International Law’, in Eve Darian-Smith and Peter Fitzpatrick eds, *Laws of the Postcolonial* (Michigan, 2002), pp. 89-107.

⁷⁹⁷ James Scott, *The Spanish Origin of International Law* (Oxford, 1934), cited by Antony Anghie, p. 103.

⁷⁹⁸ Antony Anghie, ‘Francisco de Vitoria and the Colonial Origins of International Law’, p. 103. Anghie cites Robert Williams, *The American Indian in Western Legal Thought* (New York, 1990).

⁷⁹⁹ Antony Anghie, ‘Francisco de Vitoria and the Colonial Origins of International Law’, p. 103.

'global' issues as well as mystical theology.⁸⁰⁰ It is understood that Columbus used d'Ailly's calculations of the size of the world. Gerson himself was writing at the time of the conquest of the Canary Islands by his fellow Frenchman Jean de Béthencourt, while we cannot claim he was influenced by this context we do know that his teacher would have been interested in any additions to global knowledge that this expedition could bring. Broader understanding of the identities of these intellectuals that have constituted the discourse of rights may help us to understand more of the motivations for certain arguments and create new links and perspectives on the discourse. This could help us to break away from the linear structure that has dominated intellectual histories of rights.

Looking at the role of alternative historical traditions to Thomism may contribute to the re-evaluation of the history of rights. The Franciscans represent a number of threads of different historical traditions. The Franciscans are often associated with the *via moderna*, a phenomenon which is open to different interpretations.⁸⁰¹ However, we cannot simply recalibrate the influential forces within the existing model of the intellectual history of right. Instead we must consider the mechanics of the process of the discourse of rights and try and understand its role in colonialism.

New perspectives of the history of rights: rights as fiction

The discourse of rights incorporates dimensions of fiction and myth because it was not simply designed to protect rights but to legitimate colonialism. This process intensified in the sixteenth century. For example, the Laws of Burgos (1512) and the New Laws (1542) were not designed to protect the rights of the Amerindians, but to improve the image (and efficiency) of the Spanish monarchs' colonisation, as the crown feared that tales of the exploitation rather than conversion of the Amerindians would lead to papal withdrawal of their conquest rights, and so the crown created a facade indicating its concern with rights as wealth flowed at the expense of Amerindian exploitation. The New Laws asserted that the Amerindians were not slaves by vassals of the crown,

⁸⁰⁰ This observation is also made by Annabel Brett, *Liberty, right and nature*, p. 78.

⁸⁰¹ The role of mysticism and the *via moderna* on the identity of the New World is discussed in Chapter 6.

and that they must be treated well so that the population would increase,⁸⁰² which did little but reinforce the monarch's claim to any wealth generated by the Amerindians in the Americas. Later in this same documents the presence of Indian [and black] slaves was accepted, albeit under the guise of assuring their protection.⁸⁰³ Similarly *El Requerimiento* was a kind of unidirectional contract, which, when broken, legitimated the enslavement of the Amerindians.⁸⁰⁴

The historic discourse of rights is not just a hegemonic meta-narrative, it is a utopian fiction.⁸⁰⁵ This notion has been expressed by Alisdair McIntyre, who writes: "there are no such rights and belief in them is one with belief in witches and in unicorns".⁸⁰⁶ Villey writes that the "whole modern attempt to base a system of jurisprudence on an affirmation of individual rights was fundamentally misguided", and that "it is Utopian because the supposed absolute rights are fictions; they usually do not exist in actual law or real life".⁸⁰⁷ Fictitious or not, the mythology of rights is intensely political and contributes to the progressive ideology of Eurocentred modernity.

Because the rights discourse is a utopian mythology, it has been driven by the notion of origin and teleology. We need to think instead about the mechanics of these mythologies and their political implications. Mythology plays an essential role in the history of property and rights, especially in the colonial context. In particular mythologies of the origin of property played a big role in historic structuration of the concept of property, and they also contributed to the identity of the New World. As the New World was associated with a state of innocence, it became entangled with different notions of the theory of property. The encountered naked indigenous appeared to the conquistadores to be living without even the property of clothes and akin to the state of innocence.⁸⁰⁸ Theories of property in relation to the state of innocence took on more

⁸⁰² *The New Laws of the Indies, for the good treatment and preservation of the Indians* (Amsterdam, 1968), p. xii and vii.

⁸⁰³ *Ibid*, p. xiv.

⁸⁰⁴ Juan López Palacios Rubios, *El requerimiento*, in Bartolomé de Las Casas, *Historia de Las Indias, Libro III* (Mexico D.F., 1951), pp. 26-27.

⁸⁰⁵ The politics and significance of utopias is discussed further in Chapter Six.

⁸⁰⁶ A. MacIntyre, *After Virtue* (2nd edn, Notre Dame 1983), p. 69, in Brian Tierney, p. 43.

⁸⁰⁷ Brian Tierney, p. 21.

⁸⁰⁸ Of course, these observations do not represent the lives and identities of indigenous peoples in the subject regions. See Charles C. Mann, *1491: New Revelations of the Americas Before Columbus* (New York, 2011).

significance in this context. As the Franciscan Poverty Dispute demonstrated, within the Christocentric tradition images and beliefs around First Acquisition and the state of innocence were essential not only to theological orthodoxy but also to the concepts of property and right. The early Church fathers' ruling that private property was the consequence of Adam's fall and expulsion from the Garden of Eden had been assimilated into the work of canon and civil law and re-stated in the thirteenth century by the Franciscan friar Alexander of Hales.⁸⁰⁹ John XXII's ruling that there was property (dominium, possibly more accurately to be translated here as lordship) in the Garden of Eden was a radical change and this acquired an important relevance in the colonial context.⁸¹⁰ John Oakley has argued that John XXII's extension of the origin of property before the Fall 'integrated that time into the general scheme of the historical development of mankind' which actually 'accepted the Franciscan argument at least to the extent of conceiving that the Garden of Eden and fourteenth-century Europe were not separated by an abyssal difference of human nature'.⁸¹¹ In the account of his voyages, Columbus wrote that he was approaching the paradise of the Garden of Eden,⁸¹² and he also wrote to the pope to inform him of this.⁸¹³ This understanding was possible since a Franciscan sense of time had been accepted by the papacy when John XXII used innocence in his disputation with the Franciscans. Yet John XXII had not only used but manipulated the Franciscan position. His ruling had colonised the meaning of the collective religious memory of paradise so that it was not a state free from property, but somewhere where lordship could exist, and where 'First Acquisition' was legitimate. It resulted in the colonisation of the collective memory of property. John XXII's position became hegemonic, and in the Early Modern period, the

⁸⁰⁹ Janet Coleman, 'Property and poverty', in J. H. Burns ed., *The Cambridge History of Medieval Political Thought, c. 350-1450* (Cambridge, 1995), pp. 607-648, p. 614-16. The Fall was not the only theory of the origin of private property and Augustine had argued that it was a creation of imperial law, and that it had certainly never occurred in the Garden of Eden; in the *Decretum Gratian* cited Augustine (see Janet Coleman, 'Property and poverty', p. 617).

⁸¹⁰ John XXII, *Quia vir reprobus*, in C. Eubel, ed., *Bullarium Franciscanum* Vol. 5 (1898).

⁸¹¹ John Oakley, 'John XXII and Franciscan Innocence', *Franciscan Studies*, Vol. 46 (1986), pp. 217-226, p. 225.

⁸¹² For example, Christopher Columbus, 'Narrative of the Third Voyage of Christopher Columbus to the Indies, in which He Discovered the Mainland, Dispatched to the Sovereigns from the Island of Hispaniola', in *The Four Voyages of Christopher Columbus, being his own log book, letters and dispatches with connecting narratives drawn from the Life of the Admiral by his son Hernando Colon and other contemporary historians*, ed. and trans., J. M. Cohen (London, 1969), pp. 206-226, p. 218.

⁸¹³ 'que allí en la comarca es el Paraíso Terrenal'; Christopher Columbus 'Carta al Papa Alejandro VI', in Consuelo Vareal ed. *Textos y documentos completos, relaciones de viajes, cartas y memorials* (2edn, Madrid, 1984), pp. 310-313, p. 311.

political thinker John Locke echoed the claim that there had been property in the state of nature.⁸¹⁴

Christianity was not the only tradition influencing the mythological history of the origin of property. The literary imagination of medieval Europe contributed to the invention of the New World and the discourse of rights that shadowed it. Classical mythologies of origins and property also impacted upon the mythology of property and rights that escalated in importance in the context of Atlantic colonialism. Seneca had had vision of a golden age when all things were held in common.⁸¹⁵ This image of a 'golden age' was important to the identity of the 'New World'. The golden mythology of El Dorado became a driving force for the identity of the 'New World' which was plagued with wave after wave of precious metal rushes. Perhaps the Renaissance rediscovery of classical texts gilded the belief in the 'primitive' peoples that had been 'encountered' in the Canaries and the Americas. Or perhaps a more complex process was at work on the psychology of medieval Europe which constructed the mythology of the 'New World', a Garden of Eden, a promised land, and an El Dorado. Mythologies of the origins of property contributed to mythologies of the global 'world-system'. The New World, a Garden of Eden ripe for First Acquisition, created a site for the colonialism that would drive the European capitalist system (or at least its historic representations). The narrative of 1492 as the start of Modernity, the Middle Ages, and the New World, is linked to the start of capitalism, which was seen by Wallerstein as essential to the genesis of the European dominated 'world economy'.⁸¹⁶ For Wallerstein, the discovery of America was the by-product of the economic expansion of Europe, a process governed by

⁸¹⁴ J. W. Gough, *John Locke's Political Philosophy* (2nd edn, Oxford, 1973), p. 80.

⁸¹⁵ Brian Tierney, p. 137.

⁸¹⁶ See Immanuel Wallerstein, *The Modern World-System, Capitalist Agriculture and the Origins of the European World-Economy in the Sixteenth Century*, Vol. 1 (London, 1974). Wallerstein sees the period 1450-1650 as the start of the world-system, but for Wallerstein, this phase, is still 'only a European world-system', and the 'world-system is not completed until the seventeenth and eighteenth century; Immanuel Wallerstein, *The Modern World-System* Vol. 1, p. 10. Wallerstein's work notes the importance of economic expansion and the incorporation of [eastern Europe] and Hispanic America into the world-economy in the sixteenth century, and does not emphasise 1492 (Wallerstein, p. 102). For Wallerstein, Hispanic America represented the periphery which was essential to his theory of world-economy. Enrique Dussel has argued that this focus on Northern Europe (rather than Spain and the pre-seventeenth century period) marginalises the role of Spain and the importance of the Spanish speaking world of Latin America. A. Lughod argued the case for a medieval 'world' economic system, but it neglected the Atlantic. As discussed in Chapter Three, many of the economic (and legal) patterns that became characteristic of modernity (particularly colonial economics) were engineered in the Atlantic world of the late Middle Ages, and not the sixteenth century.

demographic and climatological factors.⁸¹⁷ In this narrative focused on economics, 'commercial revolution' and 'monetisation' are seen as a preceding stage of the capitalisation necessary for the creation of modernity.⁸¹⁸ Janet Coleman writes that in eleventh-century Tuscany 'the increasing use of money and the development of an elaborate structure of financial credit in the new market economy, especially conspicuous in towns, gave rise to impersonal transactions unaffected by considerations of the status of buyer and seller; this helped to produce a mentality in which the seed of capitalism was sown, thereby generating attitudes to property that were to survive into and beyond the modern era'.⁸¹⁹ Lester Little endorses these notions, but notes that 'the adjustment of the Latin Christian Church to the development of a commercial, monetary economy was not accomplished without violence and its complement of human suffering'.⁸²⁰ The Franciscans are seen as a reflection of the moral anxiety precipitated by this genesis of the cash nexus. Giacomo Todeschini even suggests that they influenced what the market economy became.⁸²¹ Their anxiety regarding property also survived in some form into the modern era. It is therefore significant that they were omnipresent in the narrative of the 'discovery' and colonisation of the New World. Their identity was based on poverty, yet they have an important (and silent) place in the economic meta-narratives of monetisation, colonisation, and capitalisation. They are symbols of poverty existing alongside the conquistadores in search of their golden El Dorados. The complexity and ambiguity of this semiological entanglement is where we should begin our penetration of the mythology of rights.

These meta-narratives of economic change have played a role in the history of property and right. For example, Lopez suggested that the subject of property

⁸¹⁷ See Immanuel Wallerstein, *The Modern World-System, Capitalist Agriculture and the Origins of the European World-Economy in the Sixteenth Century*, Vol. 1 (London, 1974).

⁸¹⁸ These macro-economic theories are, of course, deeply historicist. For more on the theory of the medieval commercial revolution see Robert Sabatino Lopez, *The commercial revolution of the Middle Ages 950 – 1350* (Cambridge, 1976). Theories of monetisation play an important role in Wallerstein's work. Urbanisation is also seen to play an important role in the construction of modernity, and the foundation of Franciscan convents is seen to be part of this process; Jill R. Webster, *Els Menorets, the Franciscans in the Realms of Aragon from St Francis to the Black Death* (Wetteren, 1993), p. 105.

⁸¹⁹ Janet Coleman, 'Property and poverty', p. 608.

⁸²⁰ Lester Little, 'Evangelical Poverty, the New Money Economy and Violence', in David Flood ed., *Poverty in the Middle Ages* (Dietrich-Coelde-Verlag, 1975), pp. 11-26., p. 11.

⁸²¹ Giacomo Todeschini, *Franciscan Wealth, From Voluntary Poverty to Market Society*, trans. Donatella Melucci, eds Michael F. Cusato O.F.M, Jean François Godet-Calogeras, Daria Mitchell, O.S.F. (New York, 2009). In particular he highlights the role of Peter Olivi.

was important in this context of change as a system of mutual obligation shifted towards property rights.⁸²² An article by Barbara Rosenwein and Lester Little explores this relationship between the religious orders and the economic context, and interpreted that these orders were responding to anxieties regarding the economic contexts in which they emerged.⁸²³ Although the semiology of poverty encompasses more than economics, economic contexts must be considered as the interaction between ideas and economic systems is significant.⁸²⁴ Coleman sees Franciscan entanglement with economic contexts differently to Rosenwein and Little, writing that ‘the new mendicant Orders of the thirteenth century made a unique contribution to the already elaborate theological and legal justification of property and wealth’.⁸²⁵ This reminds us that economic contexts are embedded in political, juridical, and theological systems, and that the Franciscans were active agents in the construction of their economic context.

The emergence of colonialism in the Atlantic world was linked to the establishment of economic systems such as the *encomienda*, which as Luciano Pereña writes, during the governance of Diego Colón (1509-1515) ‘had degenerated into a regime of absolute slavery’.⁸²⁶ The emergence of colonial economics has been linked with the emergence of capitalism and modernity, but the problematic of Franciscan poverty helps us to explore the complexity of this context. The link between economics and religion is the subject of much historical analysis, for example the link between faith and credit is often stressed. These meta-narratives of economic change inform geo-political identities (Wallerstein argues that the emergence of the capitalist world system generates the dominance of the west).⁸²⁷ They also contribute to the psychological context in which discussions of right (linked to theories of property) occur. This limits the viability of abstract discussions of rights (as

⁸²² Phrase of Robert Lopez, cited by Brian Tierney, p. 131

⁸²³ Barbara Rosenwein, and Lester Little, ‘Social Meaning in the Monastic and Mendicant Spiritualities’, *Past & Present*, no. 63 (May 1, 1974), pp. 4–32.

⁸²⁴ To a certain extent, Weckmann explored this by looking at the medieval traditions behind colonial economics

⁸²⁵ Janet Coleman, ‘Property and poverty’, p. 611.

⁸²⁶ ‘habían degenerado en un régimen de esclavitud absoluta’; Luciano Pereña, *La idea de justicia en la conquista de América* (Madrid, 1992), p. 16.

⁸²⁷ For an introduction to this idea see Immanuel Wallerstein, *World-systems Analysis: an Introduction* (Durham, 2004).

concepts, products of thought), yet nonetheless intellectual histories have traditionally focused on the discourse of rights in this way.

The Franciscan Poverty Dispute, which changed the face of rights, was founded on the notion that Franciscan poverty (freedom from property and rights) could not occur in reality. Pope John XXII's denied the reality of the Franciscan arrangement, claiming that their act of using could not exist,⁸²⁸ and this precipitated the dispute which had a profound impact on the history of rights. The notion that something that is not possible in legal terms cannot have a place in reality is a premise which shapes the nature of the discourse of rights. Everyone is subject to the law, and the centre of legal (civil or canon) authority occurs within Europe. This facet of intellectual history impacts upon geo-political identities.

Implications of the Franciscan Poverty Dispute for the [colonial] discourse of rights

Chapter Three illustrated that the Franciscan Poverty Dispute concerned the Franciscan philosophy of poverty, their anxiety regarding the practicalities of this philosophy, and their enactment of these anxieties through their identity. The discourse of rights was part of this multi-dimensional negotiation. Tierney analyses the Franciscan Poverty Dispute with regards to the meaning of *iūs*, the concept of right, and this creates a new mythology of rights. Tierney encountered many problems in trying to organise his work around the meta-theme of rights. Tierney observes that 'while Bonaventure had referred to property, possession, usufruct and simple use of fact, it was Nicholas III himself who introduced the phrase 'right of using', and so ensured that the subject of a right would become of major importance in the subsequent disputes'.⁸²⁹ Burr argues that 'in describing the poverty of Christ, his disciples, and the Apostles, the *sancti* always allude more expressly to *usus pauper* than to a lack of property rights'.⁸³⁰ This indicates that we should not assert an anachronistic importance of rights onto the history of Franciscan poverty; the importance of rights is constructed by the significance of rights' theory in the later colonial

⁸²⁸ *Ad conditorem canonum*. As we saw in the last chapter, this argument originally referred to the case of consumables, but was extrapolated to include all things.

⁸²⁹ Brian Tierney, *The Idea of Natural Rights*, p. 94.

⁸³⁰ David Burr, *Olivi and Franciscan Poverty, the origins of the Usus Pauper Controversy* (Philadelphia, 1989), p. 63

context. Undoubtedly, the Franciscan Poverty Dispute precipitated conceptual redefinitions which contributed to the canon of rights history, but the multidimensional nature of the Franciscan Poverty Dispute also suggest an alternative way to approach the history of the meaning of right.

History is plagued with problems of language, and we must avoid anachronistic interpretations of linguistic signifiers.⁸³¹ Language is always on the move. Meaning is not static but dynamic. This realisation is important to the history of language because 'right' is not an object, but a concept whose meaning is constantly being redefined according to context.⁸³² As mentioned, one of the questions within the teleological history of rights is at what stage did rights shift from an objective to a subjective meaning? Approaching rights as an interpretive subject in itself assumes a particular understanding of rights. We can only comment on contextual implications in order to contribute to reconfiguration of the historical character of rights.

While Tierney has tried to trace a history of language, it is not possible to do this without considering the contexts that language has existed within. Language, especially interpreted as the historical trace of the past thought, is somewhat abstract if not linked to contextual analysis. In the discussion of the boundaries of Franciscan poverty, the topics of rights and property were intrinsically linked and cannot effectively or accurately be discussed in separation. This link between property and rights is problematic. Firstly it indicates the colonisation of our terms of reference because we are not able to conceive of an alternative situation. Tierney also articulates this anxiety when he writes that 'property became a paradigmatic right in later Western thought'.⁸³³ It is often thought that John Locke, who 'set out to justify the unequal political and social structures consequent upon the development of capitalism',⁸³⁴ established the link between property and right through his assertions that property was a natural right which

⁸³¹ Again, for a discussion on time and translation see Koselleck, Reinhart, *Futures Past: on the Semantics of Historical Time* (New York, 2004).

⁸³² The problematic relationship between context and ideas and the construction of perception are discussed in J. Femia, 'Historicist critique of 'revisionist' methods', in James Tully ed., *Meaning and Context, Quentin Skinner and his Critics* (Princeton, 1988).

⁸³³ Brian Tierney, p. 131

⁸³⁴ J. W. Gough, *John Locke's Political Philosophy* (2nd edn, Oxford, 1973), p. 88.

existed in the state of nature and that everyone has in their own person.⁸³⁵ However, neither capitalism nor the entanglement of property and right, nor the theory that there was property in the state of nature, began in the Early Modern Period, but in the late Middle Ages. In the thirteenth century, Henry of Ghent had written that everyone had a property right in their own person.⁸³⁶ One of the three theories for the origin of the notion of subjective rights summarised by Brett was the notion of property as the paradigmatic right.⁸³⁷ Here, subjective right was the ‘domain of individual sovereignty wherein the individual’s will is her rights’.⁸³⁸ Brett has argued that the origin of property as the paradigmatic right lay in the equivalence of *dominium* and *ius* in Franciscan writing.⁸³⁹ It is an interesting paradox that the Franciscan attempt to live in poverty, free from property, led to the emergence of property as the paradigmatic right. Property as the paradigmatic right, a system from which no one can be free, is the consequence of the defeat of the Franciscan position.

The original Franciscans had claimed to renounce both property and rights to individual and common goods. Ockham stated that there were two forms of right: positive (legal) and natural (divine).⁸⁴⁰ He claimed that the Franciscans were free from both forms; that they simply used since the permission of the owner enabled to use things licitly without any rights.⁸⁴¹ Ockham maintained that there was a difference between things that were just and things that were licit. The Franciscans claimed to exist outside the law. This possibility was opposed when John XXII ruled that the Franciscans had to be owners of the things that they consumed through use, and that they had to have a right for this to be licit.⁸⁴² Despite Ockham’s protestations, John XXII’s legislation opposed the notion that there could be a realm of simple use or action, between the just and the unjust.⁸⁴³ It is clear from *Liber de paupertate Christi et apostolorum* that Natalis is the scholarly driver behind John XXII’s process of the juridification of

⁸³⁵ Ibid, pp. 27-32.

⁸³⁶ Henry of Ghent, *Quodlibetal Questions on Moral Problems*, trans. Roland J Teske (Milwaukee (Wis.), 2005).

⁸³⁷ This was articulated by Paolo Grossi, and was cited by Annabel Brett, *Liberty, right and nature*, p. 5.

⁸³⁸ Annabel Brett, *Liberty, right and nature*, p. 5.

⁸³⁹ Ibid.

⁸⁴⁰ William of Ockham, *A Translation of William of Ockham’s Work of Ninety Days*, 2 volumes., trans. John Kilcullen and John Scott (Lewiston, 2000), p. 445. *OND* hereafter.

⁸⁴¹ *OND*, p. 433.

⁸⁴² John XXII, *Ad conditorem canonum*.

⁸⁴³ This was Ockham’s argument, *OND*, p. 450.

the concept of right. It occurs through subtle linguistic manipulation such as the conflation of the just and unjust with the licit and illicit.⁸⁴⁴ Ockham had fought to defend the possibility of a 'pure exterior act, neither just nor unjust', which could be attributed to irrationals such as animals, the mad, and children, and he claimed that this legitimate realm of action was accessible to Franciscans.⁸⁴⁵ However, Hervaeus Natalis denied the possibility of extra-juridicality to those capable of reason and argued that it would be immoral for a rational creature to make himself irrational.⁸⁴⁶

Ockham explained how the Franciscans were free from rights as well as property. In Chapter six of *OND* Ockham used Nicholas III to demonstrate the important distinction between right and permission; the Franciscans had the use of fact by permission of the granter (the papacy).⁸⁴⁷ Ockham stated that 'a permission, which by the law of the forum can be revoked by the granter at will, should not be regarded as being among the rights of the forum'.⁸⁴⁸ While permission could be a right, the Franciscans' was not as it granted no power to act in court.⁸⁴⁹ The power to litigate in court was fundamental to the Franciscan understanding of right.⁸⁵⁰ The Franciscans had 'just use' which did not 'imply the power to alienate' or litigate.⁸⁵¹ Ockham argued that 'permission unties natural right'.⁸⁵² Most significantly he stated:

But when someone is prevented from using some determinate temporal thing only by the fact that it is another's (for except in case of extreme necessity one ought not to use another's thing in which one has no right, apart from natural right, against the owner's will), the mere permission of the owner, expressed through a licence is enough for him to use that thing by right of heaven. The permission, and consequently the licence, merely removes the impediment preventing one who has a natural right of

⁸⁴⁴ Hervaeus Natalis, p. 43.

⁸⁴⁵ Annabel Brett, *Liberty, right and nature*, p. 59, she cited *OND*, Chapter 58, p. 551, 114-20.

⁸⁴⁶ Annabel Brett, *Liberty, right and nature*, p. 56, she cited Natalis *De paupertate Christi*, p. 244.

⁸⁴⁷ *OND*, p. 141.

⁸⁴⁸ *OND*, p. 437.

⁸⁴⁹ *OND*, p. 142.

⁸⁵⁰ *OND*, 142-4, and especially p. 146

⁸⁵¹ *OND*, p. 537.

⁸⁵² *OND*, p. 442.

using from going on to an act of using, and does not give him any new right. Therefore, one who has such a permission or licence can by right of heaven use the thing which is another's. That no new right is conferred on someone given a licence is proved by the following argument. Every right is either divine or human, and, if human, is a right either natural and of heaven or positive and of the forum. But it is certain that such a permission or licence does not confer any divine right or a right of heaven or natural right.⁸⁵³

By identifying natural law as a form of right, Ockham actually helped John XXII ensnare the Franciscans in a system of rights. Ockham's attempt at clarification actually complicated a medieval mode of existence that had been explained by Isidore of Seville and cited by Gratian: 'All laws are either human or divine. Divine laws stand by nature, human by usage. *Fas* is divine law, *ius* is human law. To pass through another's field is *fas*, it is not *ius*.'⁸⁵⁴ Assisted by Ockham's own definitions, and the logic of Hervaeus Natalis, John XXII removed this realm of *fas*. Hervaeus Natalis was responsible for re-defining right as a licit power; as the Franciscans could not deny they had a licit power, they could not be free from the legal system of rights. All action had to have a right and to be licit to be just. This manipulation of the terms of right contributed to the codification of the boundaries of property which Franciscan poverty challenged. John XXII's legislation refuted the grey zone of the grey friars; this had implications for the colonial context since there could be no legitimate ambiguity with regards to property and use. John XXII had decreed that it was not possible for use to occur without ownership in things that were consumed through the act of using them.⁸⁵⁵ However this case was extended beyond the case of consumables to all acts of using. John XXII concluded that one must have a right to use something justly.

The result of John XXII's ruling against the simple use of fact as a space of licit action outside law was that there could be no outside the law, since in the eyes

⁸⁵³ *OND*, pp. 443-4

⁸⁵⁴ Dist. 1 c.1, "*Omnes leges aut divinae sunt, aut humanae. Divinae natura, humanae moribus constant.... Fas lex divina est, ius lex humana. Transire per agrum alienum fas est, ius non est*" cited in Brian Tierney, p. 59.

⁸⁵⁵ John XXII, *Ad conditorem canonum*. For example the act of eating caused the destruction of the item, and this act could only be conducted licitly by an owner.

of the papacy all use was either licit and corresponded with a property right, or was illicit. The papacy was arguing that the Franciscans must have collective ownership of their community of goods, but it also forced the conceptual debate into legal territory. The concept of right was irrevocably juridified. Ockham argued that the Order does not have right because according to Clement V they cannot litigate in court.⁸⁵⁶ His attempts to oppose John XXII by claiming that acts were the consequence of will only succeeded in making will the subject of the law. The juridification of right and will are amongst the silent but significant outcomes of the Franciscan Poverty Dispute. The Franciscans had claimed to have factual use of things, an arrangement originally codified by *simplex usus facti*, or simple use of fact. This situation had existed outside of the realm of *ius*; it was essentially a space of freedom because it existed outside the law. The denial of this extra-legal space could be seen as having implications for the colonial context. Tierney and Brett agree that the Franciscan poverty dispute has been important to the history of rights, but there could be an alternative interpretation of this link. Given the defeat of the Franciscan position, the alternative which they suggested is difficult to conceptualise, yet this defeat is still significant. No one was outside the law, as, following the papal ruling everyone must have a property right to the things that they used, or, logically, they would fall into the opposite category of the illicit. If one applies this outcome to the colonial context, one could see a way in which the outcome of the Franciscan poverty dispute created a conceptual precondition of colonial justification. If the indigenous people encountered were not holding their property justly [by right reason] by exercising their right to property, then this responsibility of legal and just ownership must fall to someone else. The indigenous must then be guided to right reason, if possible, before they could acquire property.

Undoubtedly something important occurred in the process of the Franciscan Poverty Dispute, but the mechanics of the debate, and the ultimate authority of John XXII who was able to manipulate the terms of understanding of property and right were ultimately more influential than Ockham. John XXII, a trained civil and canon lawyer, asserted his authority through the authority of the legal apparatus of papal bulls.

⁸⁵⁶ *OND*, p. 428.

With regard to property, right, and use, Natalis stated:

In the case of things consumed by their very use, the use cannot be separated from a right to the things. Moreover, for things whose use can be separated from a right to use them, it has been shown that the lack of a right to something does not bring about greater perfection. For, [sic] the needs of a republic at times require that it be able to transfer such things.⁸⁵⁷

It was Natalis' position which became codified in law,⁸⁵⁸ yet the significance of this is often overlooked by historians.

The discourse of the Franciscan Poverty Dispute illustrates the linguistic processes at work in political battles to control meaning. The process of the Franciscan Poverty Dispute indicates that the manipulation of language contributed to the shift in meaning of the possible conceptualisation of right. Let us take the example of John XXII's ruling which claimed that it was heretical that Christ and the Apostles had owned nothing.⁸⁵⁹ This argument was supported by Question 3, Article 1 of Natalis' *Liber de paupertate Christi et apostolorum*. He claimed that the major premise [of the Franciscan position] was erroneous because it was based on a simile.⁸⁶⁰ This mode of argumentation suggests that the parameters of linguistic possibility were exploited for the purpose of manipulating the meaning of right. John XXII also used linguistic analysis to argue that Adam had *dominium* in the state of innocence; he used language to manipulate collective religious memory and change the history of the state of innocence and First Acquisition. John XXII used language to assert a monopoly of meaning.

⁸⁵⁷ Hervaeus Natalis, p. 83.

⁸⁵⁸ John XXII, *Ad conditorem canonum*, in *Corpus iuris canonici*, ed. E. Friedberg, Vol. 2 (Leipzig, 1879), (2nd edn, 1959, Graz), constitutiones XX. Ioannis Papae XXII, col. 1226.

⁸⁵⁹ John XXII, *Quum inter nonnullos*, in *Corpus iuris canonici*, ed. E. Friedberg, Vol. 2 (Leipzig, 1879), (2nd edn, 1959, Graz), constitutiones XX. Ioannis Papae XXII, col. 1229-1230; translation available at <http://www.franciscan-archive.org/index2.html> (15.04.2011).

⁸⁶⁰ That 'a proposition is true in an unqualified way when the predicate belongs to the subject to which it belongs in the most eminent way. However, to have nothing personally or in common belongs to Christ and the Apostles in the most eminent way.' Hervaeus Natalis, p. 91.

The whole discourse is a search to define linguistic categories. Ockham responded to the linguistic approach of John XXII, and agreed that there was a need for linguistic discussion in religious matters.⁸⁶¹ With regards to the meaning of 'use', Ockham explored the difficulties of nouns having several proper meanings, and his arguments are guided by his understanding of modes of equivocation contained in his *Summa logicae*.⁸⁶² Here we see both how important understanding use was, and how much Ockham's exposition was guided by his philosophy. Ockham observed that John XXII deemed the first mode of equivocation proper and the second improper.⁸⁶³ From this it is clear that John XXII had tried to terminate the ambiguous situation that arose from the polysemic nature of use. John XXII wanted to manipulate the terms of the debate by only allowing one meaning and not several. In this strategy, which Ockham described, John XXII was trying to construct a hegemonic position by owning the terms of the debate. According to Ockham, John XXII argued that the Franciscans 'by means of the ambiguity of terms and names... labours to bring in errors, overthrow the truth, drag the sacred Scriptures into a false meaning' and so on.⁸⁶⁴ From this we can see how important language was, and that the battle for truth was at the centre of this discourse. Ockham's analysis showed the relationship between language and truth.

Ockham responded to John XXII's challenge that the use of possessive pronouns indicates that the Apostles had property.⁸⁶⁵ Ockham argued that this simply indicated common use of language, and that the things were not owned, merely accustomed to being used.⁸⁶⁶ Ockham explored the tense of the verb to possess.⁸⁶⁷ Another of Ockham's strategies considered how the noun justice could be taken in three ways.⁸⁶⁸ The content and mechanics of the discourse demonstrate the conspiracy between power and language.

John XXII challenged the linguistic ambiguity of the Franciscans. Ockham responded to John XXII's claim that the Franciscans 'bring in errors and destroy

⁸⁶¹ *OND*, p. 148.

⁸⁶² *OND*, p. 147.

⁸⁶³ *OND*, p. 147.

⁸⁶⁴ *OND* p. 148.

⁸⁶⁵ *OND*, pp. 192-3, pp. 198-204, and p. 216.

⁸⁶⁶ *OND*, pp. 218-221.

⁸⁶⁷ *OND* p. 248.

⁸⁶⁸ *OND*, pp. 412-3. (just and licit use)

truth under the ambiguity of terms'.⁸⁶⁹ The problematic terms according to Ockham were “use”, “use of fact”, “use of right”, “right of using”, “simple users”, “things consumable by use”, “lordship”, “ownership”, and the words “mine”, “thine”, “his”, and the like'.⁸⁷⁰ Ockham's arguments responded to *Quia vir reprobus* which was based upon the presence of possessive pronouns in the biblical account of Christ and the Apostles.⁸⁷¹ Ockham also explored the meaning of terms, including the four senses of use, and argued that these terms could mean use of fact.⁸⁷² Ockham explored the difference between 'use' as a noun and as a verb to understand the limits of what was conceptually possible.⁸⁷³ His argument also explored the different meanings of the cases of 'use', considering the implications of its appearance in the ablative or the accusative.⁸⁷⁴ Ockham also opposed John's argument that *ab* always intensified *usus*, and claimed that *abusus* was 'taken in good sense in Scripture'.⁸⁷⁵ This strategy indicates the discourse really focused on linguistic meaning. It was a struggle to dominate the terms of the debate. While he employed his own linguistic strategies, Ockham opposed those of John XXII. In particular he claimed John XXII's attempt to challenge the Franciscans' lack of ownership using the difference between 'use' and 'to use' was erroneous and weak.⁸⁷⁶ However, in Hervaeus Natalis' work a right to use is collapsed into meaning a right to the thing itself.⁸⁷⁷ The legacy of this shift in meaning eclipses all the philosophical nuances of Ockham. All use must be a right, but this is not necessarily something positive. Natalis' silent impact on the history of rights is profound. Ockham has been praised for his contribution to the history of rights, yet few realise the irony of this.⁸⁷⁸ The association of Ockham with the history of rights denotes the success of Natalis and John XXII and the failure of Ockham, since Ockham was not trying to expand the legal framework of the discourse of

⁸⁶⁹ *OND*, p. 57.

⁸⁷⁰ *OND*, p. 57,

⁸⁷¹ John XXII, *Quia vir reprobus*, in C. Eubel, ed., *Bullarium Franciscanum* Vol. 5 (1898)., Ockham opposed this *OND*, p. 57.

⁸⁷² *OND*, p. 741.

⁸⁷³ *OND*, p. 94.

⁸⁷⁴ *OND*, p. 354.

⁸⁷⁵ *OND*, p. 387, and p. 389.

⁸⁷⁶ *OND*, p. 353, in *Ad conditorem canonum*, *OND*, p. 370.

⁸⁷⁷ Hervaeus Natalis, p. 98.

⁸⁷⁸ Villey went so far as to call Ockham the 'father' of subjective rights. M. Villey, *La formation de la pensée juridique moderne* (4th edn, Paris, 1975), p. 226, Tierney, p. 97. Tierney's criticism of this position is that the impact of Ockham's nominalism and voluntarism on his theory of rights has been overemphasised

rights but to explain a way that the Franciscans were free of this system of rights. The Franciscans were of course not free of this system of rights by the end of the Franciscan Poverty Dispute. Villey claimed that Ockham's response to John XXII's argument that the Franciscans must have a right of use was "the decisive moment in the history of subjective right".⁸⁷⁹ However, the really important factor behind this discourse was that the discourse of rights had become universal and hegemonic; there could be nothing outside of this system and Ockham, the great opponent of this notion, has been added to the history of the construction of the system.

Villey claimed that Ockham inaugurated a 'semantic revolution', a notion which Tierney opposed.⁸⁸⁰ Something important occurred in the process of the Franciscan Poverty Dispute, but it was not a semantic revolution by Ockham, but an authoritarian manipulation by John XXII and his advisor Hervaeus Natalis. While Ockham's arguments are intellectually interesting, and may have influenced the Western intellectual tradition of the discourse of rights,⁸⁸¹ John XXII's legislation impacted directly upon the legal conditions of Western Europe. John XXII quashed the zone of legal ambiguity with the system of property and rights which the Franciscans had represented. The Franciscans now existed within the system of property and rights, and slavery and other forms of dependency had been codified within this since the Franciscan argument had used the example of slavery. Rights had become a hegemonic discourse.

How the system of rights became hegemonic, universal and bound to property

Through this debate John XXII manipulated, and came to 'own', the dominant understanding of right. *Cum inter nonnullos* declared that for the act of using a thing to be just and licit there must be a 'right of using', which effectively would occur as 'having', or property.

Remember Natalis' statement:

⁸⁷⁹ *La genèse*, 113, in Brian Tierney p. 29.

⁸⁸⁰ Villey, *La formation*, 261, Brian Tierney, p. 14.

⁸⁸¹ Whether we can or should trace this 'influence' is debateable.

Anyone who uses something either uses it as his own or as someone else's. If he uses it as his own, he has a right to it, since in this case we can say that "This is mine" [or] "This is yours" in so far as you and I have some right to the thing. If he uses it as someone else's, then he acts unjustly. Consequently, the licit or just use of something is inseparable from dominion over it.⁸⁸²

And also: 'it is impossible for licit use to be separated from the right to the very use of a thing'.⁸⁸³

This kind of logic re-emerged within colonial discourse. As we have seen from previous chapters medieval Atlantic colonialism was justified in part by the papal dispensation of a license to these territories. This colonial annexation did occur later in the absence of papal legitimation, but in the late medieval Atlantic world the papacy played an important role. Within colonial legislation, the Atlantic Islands were effectively treated as a *tabula rasa*, the presence of people in these islands did not present an immediate problem.⁸⁸⁴ The ideas that were developed during the Franciscan Poverty dispute may have contributed to the conceptual preconditions of colonial thought. The process of conquest was a continuation and development of practices which were engineered within medieval Europe.⁸⁸⁵ When a [colonial] economic system was established in the island economies, it was not vastly different to the types of vassalage exerted over other island economies and subjugated communities.⁸⁸⁶ However, history cannot simply be characterised by continuity or teleological development but is driven by shifting contexts and the redefinition of intra and extra community relationships. In the late Middle Ages, as boundaries and power relationships

⁸⁸² Hervaeus Natalis' *Liber de paupertate Christi et apostolorum*, trans. John D. Jones, *The Poverty of Christ and the Apostles*, (Toronto, 1999), pp. 25-115, p. 39.

⁸⁸³ Hervaeus Natalis, p. 45.

⁸⁸⁴ Again, while one cannot posit linear connections, but only identify tropes of discourse, the notion that the New World was uninhabited was more emphatic by the late sixteenth century. Writing about the later, post-Reformation English process of the colonisation of the Americas, Patricia Seed observed that Elizabeth I did not mention the existence of Indians in any legislation of the New World, and 'thus the Indians first vanish in the formal history of English colonization'; Patricia Seed, *America Pentimento, the invention of Indians and the pursuit of riches* (London, 2001), p. 29. Seed adds that the mythology that these lands were uninhabited was intensified by Walter Raleigh and Richard Hakluyt who labelled the land 'virgin' (Ibid).

⁸⁸⁵ The crusades could be used to argue this point

⁸⁸⁶ See Luis Weckmann, *The Medieval Heritage of Mexico*, trans. by F. M. Lopez-Morillas (New York, 1992), Chapter 2.

shifted, many codes of justification also had to be re-defined. Traces of these processes of negotiation are transferred to us through intellectual tracts and written exchanges, and changes to the legal system.⁸⁸⁷ This process continues in other practical documents that sought to create, justify, and codify certain conditions that came to be characteristic of colonialism, such as forced migration and labour.⁸⁸⁸

The Franciscan Poverty Dispute was relevant to the immediate 'European' political context, not least because *dominium* implied both property and government. The Franciscan Poverty Dispute also contributed to the discussion of whether there could be legitimate *dominium* without grace. Richard Fitzralph raised this issue at the papal court in the mid fourteenth century when he sought to examine the Franciscan position in *De pauperie salvatoris* (1356) and opposed the merit of voluntary poverty.⁸⁸⁹ Fitzralph argued for 'a new theory of *dominium* whereby lordship, ownership and jurisdiction was founded in God's grace to the individual soul'.⁸⁹⁰ Wycliffe took Fitzralph's argument that sinners were deprived of *dominium* further and argued that this deprivation should be enforced.⁸⁹¹ The link between *dominium* and grace, which was so problematic amongst morally ambivalent powers, was discussed at the Council of Constance (1414-1418) which opposed the ideas of John Wycliffe and condemned Jan Hus, and arose during the Papal Schism. This topic was also significant to the discourse of Atlantic colonialism.⁸⁹² Could the non-Christian natives have grace or legitimate *dominium* over their territory? The discussion of the link between *dominium* and grace, which Franciscan poverty influenced, had implications for the justification of European property claims in the Atlantic world despite indigenous inhabitants. It was significant that the people of the Atlantic world were labelled barbarians as this had political and legal implications. Authors of the New World, such as Amerigo Vespucci, stressed

⁸⁸⁷ As demonstrated by our capacity to trace the influence of the Franciscan Poverty Dispute.

⁸⁸⁸ For example, the Laws of Burgos.

⁸⁸⁹ The Franciscans responded to this by accusing Fitzralph of heresy.

⁸⁹⁰ Janet Coleman, 'Property and poverty', p. 644.

⁸⁹¹ *Ibid*, p. 645. Wycliffe's thesis on *dominium*, *De officio regis*, *De postestate papae*, *De dominio divio*, *De civili dominio*, appeared in 1378 and was promptly condemned by the papacy.

⁸⁹² Wycliffe had suggested that irrationals could have *dominium*, and this challenged one of the mechanisms of legitimacy of colonialism. For more on Wycliffe see Annabel Brett, *Liberty, right and nature*, pp. 68-76.

the Amerindians' lack of religion;⁸⁹³ the medieval debate regarding the link between *dominium* and grace invested this observation with colonial implications as the claim that the indigenous people had no religion could affect their legitimate claims to property rights (from a European perspective). Vespucci's statement that the encountered peoples had no religion, and could not be called Moors or Jews, is a declaration of the ambiguity of their legal status.⁸⁹⁴ Later in this account Vespucci reported that they captured 222 slaves and took them to Spain.⁸⁹⁵ The preceding description of the nature of these slaves, including their lack of religion, creates a context in which this enslavement could be interpreted as legitimate, given the aforesaid discussions within European legal discourse.

The equivalence of property and right also had significant implications in the colonial context: if the encountered indigenous had no property, they must have no rights. The relevance of the observations that the indigenous did not possess private property can be seen in this context, although there was always an ambiguity regarding whether the indigenous had communal property.

The encountered indigenous therefore had no rights. Firstly they did not have property, so their use was illicit. Secondly, taking the case of the Americas, the papacy had dispensed *dominium* of the encountered lands to Ferdinand and Isabella who gave conquest rights to the expeditionary forces, and so the indigenous were using someone else's property and were unjust. *Inter caetera* had decreed that these lands were the *dominium* of the Catholic monarchs. However, this translated as a governmental arrangement. When Columbus returned with enslaved Amerindians in chains, Isabella ordered that her subjects be freed. The debate regarding what rights these subjects had turned to their status as human beings and Aristotle's thesis of natural slaves.

On the question of the rights of the indigenous, the issue of capacity of reason often appeared. Capacity for reason was a criterion of rights as Natalis had

⁸⁹³ Amerigo Vespucci, 'Letter to Piero Soderini', Luciano Formisano ed. *Letters from a New World, Amerigo Vespucci's Discovery of America*, trans. David Jacobson (New York, 1992), pp. 57-97, p. 64.

⁸⁹⁴ Ibid.

⁸⁹⁵ Ibid, p. 76.

conceded that for 'people who lack the use of reason [sic] it is possible to separate the use of things from the right to them'.⁸⁹⁶

Natalis' definition, however, had other implications and manipulated the legal context hanging in the background of the scholarly discourse of the rights of the Amerindians. Rights had been intrinsically tied to the obligations of property, with all its legal ramifications. A new universality of rights came at the loss of a dimension of freedom.

How free was this intellectual debate regarding the rights of indigenous people in newly 'conquered' lands? The debate did not consist of abstract musings in a sheltered and free environment; the traces of these debates are themselves symptoms of a hegemonic process. The search was on in sixteenth century Spain for a legal justification of colonialism, grounded on sound moral philosophy, for economically advantageous exploitation in the vassalage of the *encomiendas* and other forms of slavery. The debate was utilitarian and instrumentalised and must be understood in this context.

Were 'rights' any more protected with a 'rights discourse'?⁸⁹⁷ The Franciscan Poverty Dispute was also relevant to questions of the boundaries of freedom. Brett argues that 'the debate on Franciscan poverty thus became a debate over human agency'.⁸⁹⁸ The discourse of rights and the exploration of liberty emerged in the context of this expansion of slavery. The fourteenth-century discourse of rights did little to challenge the existence of slavery. In fact it placed it on firmer ground. Through the process of the Franciscan Poverty Dispute, it was ensured that no one could act justly or licitly outside the legally codified system of property rights. Slaves were classified within this system as dependents, like sons and monks, to whom true owners were obligated to provide the necessities of life. The discourse of rights did not challenge slavery; it used the hegemonic system of rights and was re-codified within the more

⁸⁹⁶ Hervaeus Natalis, p. 50.

⁸⁹⁷ This question has been discussed to a certain extent by historians who have explored rights as duties rather than liberties. See John Finnis, *Natural Law and Natural Rights*. (Oxford, 1979), pp. 205-210.

⁸⁹⁸ Annabel Brett, *Liberty, right and nature*, p. 54.

stable legal parameters.⁸⁹⁹ The discourse of rights that emerged through the Franciscan Poverty Dispute protected slavery,⁹⁰⁰ since the Franciscans repeatedly used the example of slavery to explain and legitimate their position. This ensured its continuation, since it was not challenged but endorsed through the discourse of rights staged during the Franciscan Poverty Dispute

As Chapter Three hinted, many different theses were written by many people throughout the course of the Franciscan Poverty Dispute than this focus on the canonic sources represents; but what matters is the outcomes and successes. Which ideas had impact and influence? One way to explore this question is to consider its legacies, and by looking at the traces of thought possibilities in the written record.

Finally, the Franciscan Poverty Dispute put Franciscan identity on trial. Reason became the ultimate identity in the discourse of rights. The identity of extreme poverty that represented the Franciscan position was associated with irrationality.⁹⁰¹ Similarly, the Indian capacity for reason played a central role in the sixteenth-century discourse of rights. Reason has played a long role in the history of rights (and the connected topic of freedom), it was not simply a 'Renaissance' product precipitated by the context of renewed interest in Aristotelianism. Reason had been important to the categorisations made by Bonaventure, regarding liberty and *dominium*.⁹⁰² The role of reason in the discourse of rights was a development of the Franciscan Poverty Dispute.

Ockham had emphasised a non-juridical interpretation of reason. He claimed that 'some rights are natural rights, independent of human ordinance'.⁹⁰³ He described natural rights, 'the right of heaven', as something in harmony with either 'natural right reason or with right reason taken from things revealed to us

⁸⁹⁹ For example, the Laws of Burgos guaranteed certain rights of the Amerindians (including property rights), yet the entire thrust of this tract was to regularise the system of *encomienda* which legitimated the forced relocation and labour of the Amerindians, and the burning of the village which they were extracted from so that they had nothing to return to.

⁹⁰⁰ For example see Hervaeus Natalis, p. 48.

⁹⁰¹ Hervaeus Natalis' position regarding this is summarised by Annabel Brett, *Liberty, right and nature*, p. 55.

⁹⁰² See Annabel Brett, *Liberty, right and nature*, p. 15.

⁹⁰³ *OND*, p. 438

by God'.⁹⁰⁴ By emphasising reason, Ockham was trying to explain how something could occur without a human, positive, right and be morally permissible. Ockham made these points to argue that it was possible for people to act justly and use things licitly without property, or a legal right. Such arguments had a positive potential for the case for protecting indigenous people using things even if they did not have property or rights, but John XXII opposed Ockham's writings. It is also important to remember that the Franciscans were not trying to defend rights, but to be outside rights. The implications of this are hard to determine following the colonisation of our terms of reference. The absolute nature of rights (and its link to property) dominates Western understanding, and histories of this topic reproduce this understanding.

We must remember that the Franciscans were not writing about indigenous rights in the course of the Franciscan Poverty Dispute. While the implications for the discourse of rights in the later colonial context were significant, they remain hypothetical. Nonetheless these implications have been explored by historians such as Tierney and Brett, both of whom explore the connection between the Franciscan Poverty Dispute and the discourse of the rights of the Amerindians. Particular attention has been given to the links between property, right, and reason. Interestingly, in the sixteenth century, Vitoria (a defender of rights?) concluded that irrational creatures could not have property, or *ius*, and could not experience injustice.⁹⁰⁵ These links take on a new significance in the colonial context of the Atlantic world, where justification was being sought for the extended abuses that were taking place. The key issue here was not the abstract category of right, but identity, and this realisation represents an alternative approach to intellectual history. Was Amerindian identity consistent with 'reason'? If not, all abuses would be legitimate since there were no existing properties or rights that could be violated, and no injustice could be done. The capacity for reason was something that could be investigated and measured.⁹⁰⁶ This reveals another purpose to the contents of descriptions of inhabitants in the Atlantic world. Hanke claimed that the 1517 Jeronymite inquest was the first official inquiry on the nature of the Indians, but this phenomenon was

⁹⁰⁴ *OND*, p. 438.

⁹⁰⁵ Francisco de Vitoria, *De Indis*, referred to by Brian Tierney, p. 268.

⁹⁰⁶ It could be argued that this was also part of the assessment to determine if the indigenous had a capacity for conversion.

continuous with the colonial practices in the Atlantic world of the late Middle Ages.⁹⁰⁷ For example, in Columbus' first description of the Amerindians he compared their hair to a horse's tail,⁹⁰⁸ and described their nakedness and ignorance of iron and weaponry.⁹⁰⁹ Yet, this phenomenon did not begin in America; it is behind Boccaccio's fourteenth-century text describing the Canary Islanders. Boccaccio wrote a literary description of the Guanches of the Canary Islands which demonstrated his struggle to understand and classify them.⁹¹⁰ Boccaccio described the natives as 'naked men and women, who were more like savages in their appearance and demeanour'.⁹¹¹ These descriptions of the natives as similar to animals represent a narrative trope which has been significant to the discourse of rights; for example, Natalis, throughout his contribution to the discourse of rights, compared men without property to animals.⁹¹²

Ockham emphasised the importance of reason to the boundaries of property and right, and this affected the discourse of colonialism. He argued that an act could be either good or bad depending on the will, but argued that the will was governed by reason.⁹¹³ According to Tierney this idea was expressed by other scholastic philosophers and for the earlier canonists 'who had defined *ius naturale* as a "force of reason" in man', an idea which remained relevant for Hobbes.⁹¹⁴ Yet, it was Ockham's arguments that introduced reason into the criteria for assessing licit or just property or right. The logical consequence of this argument was that if you were without reason, you were without licit right or

⁹⁰⁷ Lewis Hanke, *All Mankind Is One: a Study of the Disputation Between Bartolomé De Las Casas and Juan Ginés De Sepúlveda in 1550 on the Intellectual and Religious Capacity of the American Indians* (DeKalb III, 1994).

⁹⁰⁸ Interestingly, the Franciscan Bonagratia of Bergamo compared themselves to horses eating oats to explain their de facto use without ownership, *Tractatus de paupertate Christi et apostolorum*, cited by Annabel Brett, *Liberty, right and nature*, p. 19.

⁹⁰⁹ Columbus, 'Digest of Columbus' Log-book', *The Four Voyages of Christopher Columbus, being his own log book, letters and dispatches with connecting narratives drawn from the Life of the Admiral by his son Hernando Colon and other contemporary historians*, ed. and trans., J. M. Cohen (London, 1969) pp. 37-76, p. 55. However, the historical record of Columbus' writing also served the purpose of creating a positive collective memory of him. The first sentence of this cited description demonstrated the just nature of Columbus; he wrote '...since I knew they were a people to be converted and won to our holy faith by love and friendship rather than by force...', p. 55.

⁹¹⁰ Giovanni Boccaccio, 'Narrative of the 1341 Voyage', in *The Canarian*, trans. Richard Henry Major (London, 1872), pp. xiii-xix.

⁹¹¹ *Ibid.*, p. xiv. Boccaccio's narrative conjures the image of the noble savage; he also commented that 'they were much more civilised than many Spaniards', p. xviii.

⁹¹² Hervaeus Natalis.

⁹¹³ Brian Tierney, p. 99.

⁹¹⁴ *Ibid.*, p. 99.

property. This justified the colonisation, the confiscation of property and subjugation of people, of the indigenous, who were seen to be without reason. Understanding this, Las Casas began his defence of the Indians with a statement on their 'natural intelligence and capacity for understanding'.⁹¹⁵ The colonial apologist, Juan Ginés de Sepúlveda, stated that 'the slow and clumsy of understanding, although capable of performing the necessary duties, are natural servants'.⁹¹⁶ While justifying war and the subjugation of the Amerindians, Sepúlveda repeatedly referred to them as barbarians, a term associated with lack of reason. Reason, and notions of intelligence and knowledge, played an important role in the colonial discourse.

Ockham had been seen as the source of the doctrine of subjective natural rights due to his translation of *ius* as a power of the individual.⁹¹⁷ However, the true significance of Ockham is not as a figure of success but as a figure of failure.⁹¹⁸ Ockham defined right as a force of will and according to reason. In the course of the Franciscan Poverty Dispute, John XXII established law as the only territory for legitimate and just action.⁹¹⁹ This debate was designed to deny the Franciscan claim to absolute poverty, but it had significance for the process of colonialism. The Franciscan position that there was a space of legitimate action outside law was suppressed. The by-product of this was that the Franciscan definition of right as a force of will made human will a subject of the law. This juridification of human will is a way in which one can argue that the colonial process began in Europe. The papacy had first expanded its control over individuals before control was expanded in other dimensions. Further, it is important to realise that the discourse of rights was still part of the broader colonial process. The mechanics of the colonial discourse began within Europe;

⁹¹⁵ 'naturales ingenios y capacismos enendimientos'; Bartolomé de las Casas, *Apologética Historia Sumaria*, ed. M. Serrano y Sanz (Madrid, 1909), p. 1.

⁹¹⁶ 'los tardos y torpes de entendimiento, aunque vigorosos físicamente para cumplir los deberes necesarios, son siervos por naturaleza'; Juan Ginés de Sepúlveda, *Demócrates Segunda, de las justas causas de la guerra contra los Indios* (Madrid, 1951), p. 22.

⁹¹⁷ Annabel Brett, *Liberty, right and nature*, p. 50, she cites Georges de Lagarde, *La naissance de l'esprit laïque au déclin du moyen âge*, Vol. VI, Ockham: La morale et la droit, (Paris, 1946), p. 164, and Villey, 'La genèse du droit subjectif'. Brett explained that it has since been challenged and now Ockham 'occupies no particular position in the history of subjective right', but Brett defends the originality of Ockham, p. 51.

⁹¹⁸ There are many different ways to interpret Ockham, for a brief summary see Tierney p. 97-103.

⁹¹⁹ John XXII equated good and bad with just and unjust, a system which Ockham tried to oppose in *OND*.

it was not simply something which occurred 'outside' Europe, but within the European individual.

Contorted legacies within the history of rights

There is a conceptual problem with simply tracing continuity from medieval discourse to the discourse of rights in the sixteenth century.⁹²⁰ This is partly due to the anxieties of influence around the transmission of text and partly due to the political implications of a historicised teleology of rights. Tierney has searched for the strands of influence that connect the medieval rights discourse to the sixteenth-century Spanish scholastics and the discourse in the seventeenth and even eighteenth centuries.⁹²¹ In Tierney's analysis, these influences included, but were not limited to, the Franciscan Poverty Dispute. He argues that Vitoria and other Spanish scholastics of the school of Salamanca 'continued the medieval discussions about the rights of the needy and the duties of the wealthy', which continued the ideas of Jean Gerson in particular.⁹²² We should not be tracing influences or legacies in an abstract teleological sense but thinking about how the process of the construction of hegemony can occur through the manipulation of rights and language and by doing this come to understand the darker side of rights.

Tierney endorses the notion that the significance of Ockham is more due to his failure than success, since he observes: 'when, centuries later, Suarez and Grotius wanted to discuss the origin of private property, they did not choose to quote Ockham; but they both cited the decretals of John XXII'.⁹²³ If there is a link, it is between Herveus Natalis (whose ideas were used by John XXII) and Vitoria, not Ockham and Vitoria. The opposition to the Franciscans shaped the notions of property and rights that became hegemonic. While opposing the Franciscan position, Natalis continually associated *ius* and *dominium*. The influence of Thomism on Natalis is clear; Natalis specifically referred to Thomas'

⁹²⁰ This would subscribe to a teleological structure.

⁹²¹ For more on the medieval discourse of rights see James Muldoon, *Popes, Lawyers, and Infidels: the Church and the non-Christian World, 1250-1550* (Philadelphia, 1979). This other dimension will be explored in another chapter.

⁹²² Brian Tierney, p. 75. Tierney cited K. Deuringer, *Probleme der Caritas in der Schule von Salamanca* (Freiburg im Breisgau, 1959).

⁹²³ Brian Tierney, p. 103.

explanation of perfection in his argument.⁹²⁴ This is significant since Thomism dominated the later rights' discourse. Tierney links his approach which combined Thomism and the rights' language derived from medieval jurisprudence with the work of the Spanish 'second scholasticism', which, Tierney argues, provided 'the principle link between medieval and modern rights theories'.⁹²⁵ Despite the influence of Hervaeus Natalis on the rights tradition, his role has been understated in much historiography. Understanding the role of medieval discourse in the negotiation of the concepts of property and rights, and this alternative pathway of medieval influence on the modern discourse is not about inventing a new teleology of rights. It helps us to realise that the hegemonic interpretation of rights emerged from the defeat of an alternative [Franciscan] position, which had represented a realm of freedom from property and the law and which is not permitted in the Eurocentred modernity which was constructed in the Middle Ages. Further, this realisation also challenges the identity of Eurocentred modernity since it challenges the notion that the sixteenth century rights discourse was the 'origin' of the 'modern', western tradition of rights. The process of defeat, and the ideas that become hidden, are important. These lost ideas, and sense of dislocation from a possibility of freedom, were carried by the Franciscan identity which was increasingly characterised by their anxiety over poverty. Whist defeated at a legislative level, Franciscan poverty remained a question mark, a challenge, and a paradox. It represented a form of ideological exile. The papacy's attempt to create a collective amnesia about the possibility of freedom from property which had been represented by the state of innocence could never be entirely successful. A sense of left-over ambiguity became embedded within Franciscan identity. Additionally, the new meaning of Franciscan poverty was not entirely re-invented, and the question of what Franciscan poverty represented after the Franciscan Poverty Dispute remained unanswered, if not unasked.⁹²⁶ This will be explored in the next chapter, which considers the different interpretations and uses of Franciscan poverty, including a reference to the use of St Francis in the Theology of Liberation movement in the 1960s.

⁹²⁴ Hervaeus Natalis, p. 81. Further, as Natalis wrote the *De paupertate* he was also promoting the canonisation of Thomas; see Brian Tierney, p. 108.

⁹²⁵ Brian Tierney, p. 108.

⁹²⁶ This will be touched upon in the next chapter, which comments on the use of St Francis in the Theology of Liberation movement in the 1960s.

The chapter suggests that the discourse of the Franciscan Poverty Dispute had a paradoxical impact on the concept of rights and may have inadvertently contributed to the colonial agenda of the late medieval Atlantic world. Due to the equivalence of *dominium* and *ius* in Franciscan poverty tracts, which became the subject of the attack by Hervaeus Natalis, property became the paradigmatic right and this served the colonial agenda in the Atlantic world. The link between property and rights created the conditions whereby the absence of property could lead to the absence of rights. Further, the Franciscan Poverty Dispute had denied the possibility of a *de facto* realm of licit action. Consequently, if it was true that the indigenous had no property or rights, their use must be illicit. These legalistic and philosophical conclusions may have helped to pave the way for legitimating the colonial endeavour. More importantly, the chapter has explored the context and power agendas that influenced the discourse of property and rights during the struggle to define the terms of Franciscan poverty, and in doing so it aimed to suggest that the history of ideas is never neutral, but that ideas can also be 'colonised', that 'successful' ideas may be the result of power asymmetries, and that ideas like property and rights have been developed to serve purposes and fulfil the needs of certain contexts.

Despite the connection made by intellectual historians between Ockham and the origin of subjective rights, intellectually the Franciscans did not contribute to the defence of indigenous rights. Instead the Franciscans wanted to be free from rights. Franciscan voluntarist philosophy is said to be foundational to a modern theory of subjective right, yet the Franciscans themselves renounced the freedom of their will so that they could claim to be free from possessing objects. It is also paradoxical that Ockham's nominalistic critique of universal realities is seen as foundational to subjective right, as rights have become a universalising notion. Intellectual history's neglect to explore these paradoxes and their implications indicates the way in which it has (perhaps unwittingly) served a modernist agenda rather than critiquing colonial manipulations of historical narratives.

In conclusion, I argue that the historical denial of the darker side of rights and their role in colonialism has hidden alternative approaches to the history of rights. Tierney was onto something when he wrote that ‘natural rights theories seem to be a distinctively Western invention’.⁹²⁷ I argue that one reason for this is that the meaning of rights was colonised in the discourse of the Franciscan Poverty Dispute. The discourse of rights was then used to justify colonialism and assert the hegemony of the West. This process was active in the late Middle Ages, but narratives of the discourse of rights tend to focus on Las Casas, Vitoria, and the ‘School of Salamanca’ because this contributes to the notion of a rupture from the Middle Ages and the creation of Modernity.

The rights discourse was both colonised and colonising, and this complication is something that can be seen through Franciscan history. The colonising and colonised nature of the rights discourse parallels the fundamental tension of Franciscan identity, in particular their anxiety regarding poverty. The Franciscans appear within a normative intellectual history of rights, but they can also be used to transcend this. Exploring the translocal network of the Franciscans in their daily negotiations in the Atlantic world may be one way to challenge the dominance of a perspective on the intellectual history of rights from a European ‘centre’. The Franciscans also represent both the colonised and colonising perspective (as the ideas fundamental to their identity were colonised in the course of the Franciscan Poverty Dispute), and so they can be used to further fragment the teleological structure of the rights narrative. Most importantly, we must remember the darker side of rights and their use in the colonial discourse. *El Requerimiento* perhaps represents this best as it is a rhetorical performance of the discourse of rights that is used to legitimate the colonial process.⁹²⁸

The political significance of the importance in the sixteenth century is well represented in the historiography, and one reason for this is the literary flourishing of the sixteenth-century Renaissance. The Christian humanism of

⁹²⁷ Brian Tierney, p. 45.

⁹²⁸ Juan López Palacios Rubios, *El requerimiento*, in Bartolomé de Las Casas, *Historia de Las Indias, Libro III* (Mexico D.F., 1951), pp. 26-27. We also see this phenomena in the broader justificatory discourse, including papal bulls, which explained the premise for the dispensations of rights.

the 'new grammarians' as Vitoria called them was important to the political and intellectual landscape of sixteenth-century Europe. In this context the politics of the link between property and language appeared in Lorenzo Valla's critique of the Donation of Constantine. Valla used linguistic analysis to conclude that the Donation of Constantine was a forgery and therefore the notion that the papacy had any role in temporal government, or had inherited the Roman Empire, was false. Although these arguments were not capitalised upon in the political sphere, Valla influenced the likes of Nebrija who expanded upon the political role of language. Yet, as this chapter has shown, the relationship between language and property and its political implications did not begin or end in the sixteenth century. There was an ongoing process, in which the Franciscan Poverty Dispute had been particularly important.

We need to look beyond the mainland European perspective on the discourse of rights and consider its practicalities in the transatlantic context. Research in this field has been hampered by the linear teleological structure of intellectual history's approach to the rights, and by the prevalence of the objective/subjective and centre/periphery binaries which characterises analysis of the history of rights.

The history of rights is its own subject. The myths and legends it has created have now become objects of historical analysis. The discourse of rights became another utopia engineered for a political agenda. The legend of Las Casas continues; he has 'been portrayed as the saintly conscience of Spanish imperialism and adopted as the father of Latin American liberation theology'.⁹²⁹ The implications of the history of rights discussed in this chapter still impacts upon Latin American identities today.

⁹²⁹ Daniel Castro, *Another Face of Empire, Bartolomé de Las Casas, Indigenous Rights, and Ecclesiastical Imperialism* (London, 2007), p. ix. Gutierrez, the founder of Liberation Theology made use of Las Casas.

Chapter Five. Ambiguous worlds

Reflections on the colonial ambiguity of the Franciscans in the Atlantic world and ambiguity within the New World

Having explored the medieval invention of the New World, medieval coloniality, and the world of the Franciscans, this chapter will explore the ambiguity of the Franciscans within the colonial Atlantic world of the late Middle Ages and the invented 'New World'. It will continue the emphasis on the importance of Franciscan poverty and consider the ambiguous role of the Franciscans in the colonial world of the Atlantic. It will focus on semiological colonisation in particular. Walter Mignolo has explained that colonial situations 'are largely shaped by semiotic interactions and by their cultural productions';⁹³⁰ he termed this approach 'colonial semiosis', a way to 'suggest processes instead of places in which people interact'.⁹³¹ It goes beyond an economic interpretation of colonialism, and includes the role of identity, ritual and language. It is within this 'colonial semiosis' that the Franciscans played an important role. In my analysis of the Franciscan Poverty Dispute I observed that the ideas and identity became 'colonised', and suggested that the colonisation of memory, language, and identity, processes suggested by the Franciscan experience, were hidden dimensions of coloniality and were important to the medieval construction of colonialism. In this chapter, I explore the complex ways in which the Franciscans interacted with visible colonial practices in the Atlantic world. This is possible since the Franciscans became colonial agents and interacted with colonial processes in many ways. Given earlier reflections on the Franciscan experiences of coloniality, and on their ambiguity, the Franciscan example is useful as it enables us to understand more dimensions of coloniality, including how it relates to, and is complicated by, identity. This may contribute to deepening our understanding of the paradigm of coloniality and its many (often hidden) processes.

⁹³⁰ Walter Mignolo, 'On the Colonization of Amerindian Languages and Memories: Renaissance Theories of Writing and the Discontinuity of the Classical Tradition', *Comparative Studies in Society and History*, Vol. 34, no. 2 (1992), pp. 301-330, p. 329.

⁹³¹ Walter Mignolo, *The Darker Side of the Renaissance* (Michigan, 2003), p. xvi.

As we have seen, the New World was invented in the late Middle Ages as a colonised space, and the legal and economic colonial apparatus by which colonialism occurred in the Americas was also invented in the Middle Ages. However, colonialism/coloniality is itself ambiguous, and this ambiguity is hidden by the more dominant narrative tropes of conquest and colonisation. Yet the way the colonial construct of the [colonised] New World interacted with actual Atlantic communities was not as straight forward as colonisation narratives often depict.⁹³² The discourse of colonialism is sustained by the colonised/coloniser binary. This binary invents the colonised as victims, and postcolonial discourse tries to use history to address historical crimes. Yet this colonised/coloniser binary is itself oppressive, it sustains the identity of 'victims'.⁹³³ In this way identities (particularly non-European) identities continue to be subjugated and colonised and in this way alterity is maintained as much as the discourse of the New World is sustained. After all, the New World is 'forever in the making, always a new world'.⁹³⁴ This chapter explores both the colonial ambiguity of the Franciscans and the ambiguity within colonialism in the context of the Atlantic world, the world which generated the New World. It focuses on the pre-established case studies of La Rábida in the town of Palos (Andalucía), the Canaries, and the early Americas. The history of the Canary Islands and the Americas has often been interpreted in terms of their relations with Spain, as many Atlantic world narratives import the colonial grammar of the core/periphery binary. The colonised/coloniser binary is sustained by core/periphery thinking. These case-studies are designed to fragment this, and include a mainland space (Palos) with the studies of the Canary Islands and the Caribbean; these case-studies are possible thanks to the translocalism of Franciscan networks. The ambiguity of the Franciscans creates a way to research the ambiguity of colonialism.

⁹³² For example, *The Penguin History of Latin America* begins with a series of narratives depicting the 'conquest' of America by conquistadores such as Hernan Cortes and Francisco Pizarro, without much reflection on the complexity and power dynamics of these interactions.

⁹³³ For more on the perpetuation of victimhood see Benjamin Zachariah, 'On Not Understanding the Stranger: Histories, Collective Victimhood and the Futility of Postcolonialism', in Barbara Weber, Karlfriedrich Herb, Eva Marsal, Takara Dobashi and Petra Schweitzer eds, *Cultural Politics and Identity: the Public Space of Recognition* (Berlin, 2011), pp. 101-116.

⁹³⁴ Edmund O'Gorman, *The invention of America an inquiry into the historical nature of the New World and the meaning of its history* (Westport Connecticut, 1972), p. 69.

Colonialism can be a normative category; as Ania Loomba referring to the *OED* observed, the word ‘comes from the Roman ‘colonia’ which meant ‘farm’ or ‘settlement’.⁹³⁵ Loomba laments that ‘this [*OED*] definition, quite remarkably, avoids any reference to people other than the colonisers, people who might already have been living in those places where colonies were established’.⁹³⁶ In this simplistic configuration colonialism represents a unidirectional model of power and is supported by the colonised/coloniser binary which produces an identity of victimhood.⁹³⁷ Ian K. Steel argues that this trope has been pronounced in the history of the Americas since ‘demographic disasters made victims’ history inescapable’.⁹³⁸ The colonised/coloniser binary and reproduction of victimhood is an unresolved problem often discussed in postcolonial theory.⁹³⁹ Histories that rely upon this binary maintain the discourse of colonialism and the identities it produces. The way in which coloniality is experienced has been more complex than many narratives of colonialism represent. There are many areas of ambiguity, which is not simply a source of confusion but a productive perspective. The history of the Franciscan Order reflects this ambiguity as the Franciscans transcended the colonised/coloniser binary at the core of the normative category of colonialism.⁹⁴⁰ In this way one could argue that the Franciscans possessed the hybridity represented by postcolonial identities,⁹⁴¹ but postcolonialism can still import a normative sense of the colonial. Anne McClintock observes that the term postcolonial still has a ‘commitment to linear time and the idea of ‘development’.⁹⁴² Yet there are many critical advantages of postcolonial theory including rethinking historical

⁹³⁵ Ania Loomba, *Colonialism/postcolonialism* (London, 1998), p. 1.

⁹³⁶ *Ibid*

⁹³⁷ For more on the perpetuation of victimhood see B. Zachariah, ‘On Not Understanding the Stranger: Histories, Collective Victimhood and the Futility of Postcolonialism’, in Barbara Weber, Karlfriedrich Herb, Eva Marsal, Takara Dobashi and Petra Schweitzer eds, *Cultural Politics and Identity: the Public Space of Recognition* (Berlin, 2011), pp. 101-116.

⁹³⁸ Ian K. Steel, ‘Exploding Colonial American History: Amerindian, Atlantic, and Global Perspectives’, *Reviews in American History*, 26.1 (1998), pp. 70-95, p. 73. Emerging in 1954, Ethnohistory represents another way to redress historical imbalance.

⁹³⁹ For example Jeannine Purdy, ‘Postcolonialism: The Emperor’s New Clothes’, in Eve Darian-Smith and Peter Fitzpatrick eds, *Laws of the Postcolonial* (Michigan, 2002), pp. 203-229, p. 210.

⁹⁴⁰ One could say that this gives the Franciscans the hybridity associated with postcolonial identities, but I want to demonstrate that ambiguity does not just belong to postcoloniality but also coloniality.

⁹⁴¹ The term ‘hybridity’ was coined by Homi Bhabha, *The Location of Culture* (London, 1994).

⁹⁴² Anne McClintock, ‘The Angel of Progress: Pitfalls of the Term ‘Post-Colonialism’, *Social Text* 31-32 [1992], pp. 84-98, p. 85, cited in Jeffrey Jerome Cohen, ‘Introduction Midcolonial’, in Jeffrey Jerome Cohen ed. *The Postcolonial Middle Ages* (New York, 2000), pp. 1-18, p. 3.

narratives and destabilizing hegemonic identities (including religious).⁹⁴³ The editors of *Colonization or Globalization?* argue that the cultural paradigm of the post-colony is best represented by transculturation 'brought about by the (mostly violent) encounter of cultures'.⁹⁴⁴ Herbert Bolton, who has worked on mission in the eighteenth-century 'Spanish Borderlands' (between California and Florida), argues that mission brought about not transculturation but the 'systematic deculturation of Indians'.⁹⁴⁵ However 'deculturation' would also reproduce the identity of victimhood and does not take into account continuities, resistances, and the acculturation of the missionaries. While transculturation may be a useful model for understanding the interactions of identities, especially in the 1300-1550 period, the term is too neutral and we still need to transcend the normative model of colonialism and to understand its ambiguity while keeping sight of power dynamics.

The first chapter argued that discovery and conquest narratives colonised the history of the late medieval Atlantic world, it could also be suggested that colonisation narratives colonise the identity of the Americas. The discourse of colonialism as first described by Aimé Césaire is Eurocentred, since Césaire begins her explication of the discourse of colonialism with the statement that Europe gave rise to the colonial problem.⁹⁴⁶ Even when adopting a postcolonial approach, histories of colonialism are in danger of reproducing the discourse of colonialism, which is monopolised by a Eurocentred-hegemonic epistemology. Histories that counteract this must not simply be from the perspective of the 'victims'⁹⁴⁷ but need to disrupt the assumptions and fabric of 'colonial' narratives. Inga Clendinnen has referred to 'Ambivalent Conquests' and she involves the Franciscans in her work, but in focusing on Diego de Landa and the Franciscan 'terror' of 1562, her narrative does not capture the full ambivalence (or rather ambiguity) of the Franciscans, or use the Franciscan

⁹⁴³ Jeffrey Jerome Cohen, 'Introduction Midcolonial', pp. 6-7.

⁹⁴⁴ Silvia Nagy-Zekmi and Chantal Zabus, 'Preface: The Language of Imperial Expansion', in *Colonisation or Globalization? Postcolonial Explorations of Imperial Expansion*, eds Silvia Nagy-Zekmi and Chantal Zabus (Lanham, 2010), pp. vii-xvi, p. ix.

⁹⁴⁵ David Sweet, 'The Ibero-American Frontier in Native American History', in Erick Langer and Robert H. Jackson eds, *The New Latin American Mission History* (London, 1995), pp. 1-48, p. 23.

⁹⁴⁶ Aimé Césaire, *Discourse on Colonialism* (New York, 2000).

⁹⁴⁷ Histories such as Miguel León Portilla ed., *The broken spears: the Aztec account of the conquest of Mexico*, Trans. Lysander Kemp (Boston, 1992), and Nathan Wachtel, *Vision of the Vanquished: The Spanish Conquest of Peru Through Indian Eyes*, Trans. S. Reynolds (Hassocks, 1977).

perspective to demonstrate ambivalences, or ambiguities, within the context of conquest, or colonisation.⁹⁴⁸ These ambiguities are perhaps more visible from the perspective of the late Middle Ages, which traces the history of the transformations and manipulations of Franciscan identity, rather than one which begins in the sixteenth century.

The ambiguity of the legacies of the Franciscan role in colonialism has strengthened another dimension of Franciscan identity, anxiety. In 1992, the Central Vermont Ecumenical Forum focused on the 'the implications of 1492' and asked 'How was it that the Franciscan Order, founded by a man known for peace, compassion and humility, became, in America, a missionary Order willing to use the state tools of coercion and power to bring people into the kingdom of God?'⁹⁴⁹ This question demonstrates the anxiety produced by the disruptive effect of the colonial experience on the collective religious memory of Franciscan identity. These anxieties have generated a genre of apologist missionary history which is still being revised. This is unsurprising since missions 'represent an area of intense interaction between European ideals and indigenous culture' and have generated many epistemological and historical questions.⁹⁵⁰ As we have seen, Franciscans play an active role in the construction of their history and tensions such as this impact upon Franciscan historiography more broadly. The presence of the Franciscans in the Atlantic/colonial world is also used in nationalistic narratives of empire as a tool of justification. The Franciscans have played a role within this process as well. One Franciscan wrote 'the conquest of America was based on the religious orders; and so our domination was the most benign of all colonizations'.⁹⁵¹ In this way, Franciscan history is used to counter the Black Legend mentioned in Chapter Four by stressing the spirituality of the Spanish enterprise.

⁹⁴⁸ *Ambivalent Conquests, Maya and the Spaniards in Yucatan, 1517-1570* (2edn, Cambridge, 2003).

⁹⁴⁹ W. Cork, 'The Evangelisation of the Americas, St Francis as Conquistador', <http://wquercus.com/faith/conquis.htm>, (October, 1992), (09.07.2010).

⁹⁵⁰ Erick Langer, 'Conclusion', in Erick Langer and Robert H. Jackson eds, *The New Latin American Mission History* (London, 1995) pp. 189-194, p. 189.

⁹⁵¹ 'la conquista de la América española fue la base de las Ordenes religiosas; por eso nuestra dominación fue la más benigna de todas las colonizaciones'; *A las Cortes Constituyentes, Los Franciscanos y La Mision de La Raza Hispanica, Lugares en que ejerce España actualmente su influencia por medio de los Franciscanos españoles: Marrueco, Egipto, Turquía, Palestina, Siria, China, Filipinas, la Argentina, Paraguay, Bolivia, Perú, Ecuador, America Central, Cuba, Mejico, Estados Unidos, etc.* (Madrid, 1931), p. 12.

The Franciscans have had an active role in constructing the narrative of Franciscan involvement in geographically extensive missions and also the discovery of the New World. Much of the evidence regarding the Franciscan mission in the Americas comes from the *Archivo Ibero-Americano*.⁹⁵² This was established in 1914 by Franciscans and contains documents and articles relating to the overseas enterprise of the Franciscans. The Franciscans have created many narratives indicating their involvement in the Atlantic world. One Franciscan publication asserted that the Franciscans were the first in America to plant the cross, administer baptism, provide a bishop, and evangelize in Mexico, Peru, Paraguay, Brazil and Canada.⁹⁵³ Despite these claims, the history of Franciscans in the Atlantic world remains in the shadows of Atlantic world meta-narratives.

The role of the Franciscans in the colonialism of the Atlantic world can be interpreted in different ways. They have been valorised for their missionary efforts to expand Christianity and its salvation and denigrated for their contribution to the 'cultural genocide' of indigenous Atlantic peoples.⁹⁵⁴ Anthony Pagden writes that 'the Franciscans sought to dismantle Indian society in order to get at its idolatrous practices'.⁹⁵⁵ There is a tension between the religious motivation of Franciscan action and its consequences. John Phelan has linked the Franciscans more explicitly to the colonial process in the New World, stating that 'the friars' conquest of the souls of the Indians was the necessary complement to his conquest of their bodies'. Inga Clendinnen has illustrated the complexity of negotiating the legacies of Franciscan coloniality, delineating the brutalities of the Franciscans towards the Mexican Indians, whilst also commenting on the courage and self-forgetfulness of the early missionaries.⁹⁵⁶ This tension in the interpretation of idealised Franciscan identity

⁹⁵² *AIA* hereafter.

⁹⁵³ *A las Cortes Constituyentes, Los Franciscanos y La Misión de La Raza Hispánica, Lugares en que ejerce España actualmente su influencia por medio de los Franciscanos españoles: Marrueco, Egipto, Turquía, Palestina, Siria, China, Filipinas, la Argentina, Paraguay, Bolivia, Perú, Ecuador, América Central, Cuba, Mejico, Estados Unidos, etc.* (Madrid, 1931), p. 92.

⁹⁵⁴ Many examples celebrating the missionary efforts of the Franciscans are contained within the volumes of the *AIA*, the reference to 'cultural genocide' comes from James Muldoon, *The Americas in the Spanish World Order* (Philadelphia, 1994), p. 2.

⁹⁵⁵ Anthony Pagden, *The Fall of Natural Man* (Cambridge, 1982), p. 78.

⁹⁵⁶ Inga Clendinnen, 'Disciplining the Indians: Franciscan Ideology and Missionary Violence in Sixteenth-Century Yucatán', *Past & Present*, no. 94 (February 1982), pp. 27-48, p. 31. Clendinnen's work focused on the Yucatán idolatry trials of the 1560s carried out by Fray Diego de Landa O.F.M.

and spiritual motivations and their actions contributed to the colonial ambiguity of the Franciscans.

The interactions between the Franciscans and indigenous peoples in the Canary Islands and the Americas cannot be generalised as studies vary according to time and region.⁹⁵⁷ While there are narratives of Franciscan brutality in New Spain, it is important to remember that formal Inquisition Tribunals which would formerly establish channels of violence did not reach the Canaries until the 1510-1574 period and were not established in New Spain until 1569-70.⁹⁵⁸ However, Richard Greenleaf reports that before this date 'bishops re-assumed the inquisitorial process in their dioceses under the portfolio of Ecclesiastical Judge Ordinary'.⁹⁵⁹ This structure of bishop inquisitors was in place in the Americas from 1517.⁹⁶⁰ Greenleaf notes that the Franciscan Martín de Valencia was particularly violent towards Native Americans (c.1520s) and that Bishop Zumárraga O.F.M. initiated the 'Indian Inquisition' between 1536 and 1543. From the perspective of the institutional Church the boundaries of power and legitimacy in the colonial context of the spiritually unmapped territory of the Americas may have been confused.⁹⁶¹ Yet nowhere was confusion more pronounced than in the context of Franciscan identity. Cardinal Cisneros, arguably the most powerful and influential Franciscan of late medieval history, was Inquisitor General from 1507 and entangled the Franciscans in many processes which compromised Franciscan poverty, including the Inquisition.⁹⁶² The ambiguity of the Franciscan position and its manipulation by

⁹⁵⁷ For more examples, see Erick Langer and Robert H. Jackson eds, *The new Latin American mission history* (London, 1995), pp. vii-xviii, p. viii.

⁹⁵⁸ Pope Sixtus IV issued the bull *Exigit sinceræ devotionis affectus* in 1478, founding a new Inquisition in Spain. See Francisco Béthencourt, *The Inquisition, A Global History, 1478-1834* (Cambridge, 2009), p. 70. Spain had been tightening its grip on religious identity throughout the late Middle Ages and the Instructions of Torquemada in 1498 and Deza in 1500 had made visitations obligatory (*The Inquisition, A Global History*, p. 73.).

⁹⁵⁹ Richard E. Greenleaf, 'The inquisition and the Indians of New Spain: A study in Jurisdictional Confusion', *The Americas*, Vol. 22, No. 2 (1965), pp. 138-166, p. 138.

⁹⁶⁰ See Francisco Béthencourt, *The Inquisition, A Global History, 1478-1834* (Cambridge, 2009), p. 70.

⁹⁶¹ Enrique Dussel argued that the 1524 establishment of the Council of the Indies initiated the consolidation of royal patronage over the church which lasted until the nineteenth century, *The Church in Latin America 1492-1992* (Tunbridge Wells, 1992), p. 4. Ferdinand had been granted patronage over the church in the Indies in 1508 with the Bull *Universalis Ecclesiae*.

⁹⁶² Francisco Jiménez de Cisneros O.F.M., also known as Ximénes de Cisneros (1436-1517), had many high profile roles in Spain. He was the confessor of Isabella from 1492, the Archbishop of Toledo from 1494, Grand Inquisitor from 1507, and eventually became the regent of Spain in 1516. He is also famed for establishing the Complutense University and publishing the Complutense Polygot Bible.

history is captured by Pardo Bazán's description of Cardinal Cisneros as 'a mixture between penitent and conquistador' and an 'ardent athlete of progress'.⁹⁶³ The ambiguity of the Franciscan role in the context of colonialism generated tension in the historical memory and legacies of the Franciscans in the Americas. This ambiguity had its origins in the historic ambivalence of poverty as both a position of humility and power.

Antolín Pérez points out that the Alexandrine bulls obliged the monarchs to provide missionaries.⁹⁶⁴ This indicates that the Franciscans were necessary components of conquest, used by the papacy and the monarchs, and downplays the significance of the Franciscans' own commitment to mission. Pedro Borges Moran argues that the Catholic monarchs only sent missionaries because they were mandated by the pope and thus it was essential to the validity of their possession.⁹⁶⁵ There is evidence which suggests that the Franciscans were involved in providing education for indigenous Americans and this further shows that the Franciscans acted as tools of the state, furnishing the colonial enterprise.⁹⁶⁶ The Franciscans were ideal for this enterprise as their image was based on the rejection of wealth. Therefore, they were convenient agents for conquest in the Atlantic world, where the monarchs and the papacy used conversion to justify conquest, and needed to disguise overt attempts to gain wealth. While there are many examples of corrupted Franciscans, the myth of their poverty identity survived. The use of the Franciscans in the context of the Americas seems particularly loaded with meaning. The friars preached evangelical poverty while the conquistadors searched for gold and fantasised

⁹⁶³ 'mezcla de penitente y conquistador', 'un ardiente atleta del progreso'; Emilia Pardo Bazán, *Los Franciscanos y Cólón* (Madrid 1892), p. 14. Pardo Bazán continued to write about the importance of Cardinal Cisneros in the early twentieth century. Ronald Hilton notes that Pardo Bazán was part of a group who emphasised the importance of Cisneros in the wake of the 1898 crisis; Ronald Hilton 'Emilia Pardo-Bazán and the Americas', *Academy of American Franciscan History*, Vol. 9, No. 2 (1952), pp. 135-148, p. 144.

⁹⁶⁴ Antolín Pérez, *Los Franciscanos en América* (Madrid, 1992), p. 23

⁹⁶⁵ 'está claro que Alejandro VI les impuso en ellas a los Reyes Católicos el precepto de enviar misioneros a América, que Fernando y Isabel consideraron válido el mandato de la misma manera que consideraron válida la donación, y que, en consecuencia, se creyeron obligados a obedecer al precepto pontificio'; Pedro Borges Moran, *El Envío de misioneros a América durante la época española* (Salamanca, 1977), pp. 61-62.

⁹⁶⁶ Hermenegildo Zamora 'Educación Franciscana del indígena Americano' in *Actas del I congreso internacional sobre los franciscanos en el nuevo mundo* (La Rábida, 1986), pp. 253-292.

about El Dorado.⁹⁶⁷ The image of Franciscan poverty in the context of wealth acquisition and the early rush to find gold seem particularly significant. It is another dimension of the political usefulness of the ambiguity of the Franciscans.

William of Ockham quoted Christ's command: "Go into the whole world, preach the gospel to every creature; those who believe and are baptised will be saved, and those who do not believe will be condemned", and this demonstrates the link between the global travel of the Franciscans and their missionary agenda.⁹⁶⁸ Their role as missionaries complicates the historical legacies of the Franciscans.⁹⁶⁹ Walsh and Moons write that 'St Francis is considered one of the great missionary pioneers in the history of evangelization'.⁹⁷⁰ While Franciscans cannot be reduced to their roles as missionaries, missionary commitments nonetheless complicated Franciscan identity.

Missionaries became entangled in complex ways in colonial processes. Robert H. Jackson described missions as a cost-effective form of colonisation and suggested that missionaries 'contributed to the economic development of frontier regions'.⁹⁷¹ Pedro Borges Moran illustrated the colonial role of the Franciscans when he said 'from the missionary point of view, America always needed Spain'.⁹⁷² Mission was both a form of cultural colonisation, and contributed to other dimensions of colonialism.⁹⁷³ Religion justified Spanish colonialism, as the notion of the Pope as '*señor del orbe*' justified the papacy's

⁹⁶⁷ While there is not an exact record of the sermons preached by the early Franciscans in the Americas, it is known that the *Floreto* became an important text in the New World, and evangelical poverty is important in this text. The *Floreto de Sant Francisco, [Sevilla, 1492], Fuentes Franciscani y Literatura en la península Ibérica y en el Nuevo Mundo, Estudio crítico, texto, glosario y notas*, ed. Juana María Arcelus-Ulibarrena (Madrid, 1998) will be discussed in chapter six.

⁹⁶⁸ William of Ockham, *A Translation of William of Ockham's Work of Ninety Days*, 2 volumes., trans. John Kilcullen and John Scott (Lewiston, 2000) (*OND*), p. 117, Mark 16:15-16. In this command it is interesting that Mark records Christ said 'every creature' and not every man.

⁹⁶⁹ Mission is linked to conversion, but is not limited to this.

⁹⁷⁰ F. Walsh, O.F.M., and A. Moons, O.F.M., 'Preface', *Mission in the Franciscan tradition, spirit and life* Vol. 6, (New York, 1993), pp. v-vii.

⁹⁷¹ Robert H. Jackson, 'Introduction', in Erick Langer and Robert H. Jackson eds, *The new Latin American mission history* (London, 1995), pp. vii-xviii, p. viii. Jackson also commented upon the difference between the role of the frontier missionary and sixteenth century missionaries in the Americas, not least due to the different peoples encountered at different times.

⁹⁷² 'desde el punto de vista misionero, América necesito siempre de España'; Pedro Borges Moran, *El Envío de misioneros a america durante la época española* (Salamanca, 1977), p. 35.

⁹⁷³ The artificial secular/religious binary often obscures this.

position. Adeline Rucquoi has linked the Franciscans to the Spanish imperial enterprise explicitly, writing that the Franciscans were 'dominant in the peninsula where their message reached kings and the poor, the Spanish Franciscans participated fully in the expansion of the XVIth and XVIIth centuries'.⁹⁷⁴ Santiago Olmedo Bernal has argued that the Franciscans contributed to the concretion of Portuguese expansion, both through the intellectual reflection that they generated and in their participation as agents of the expansion.⁹⁷⁵ Susan Deeds has commented that 'missionaries were not infrequently the advance agents of the crown in these areas, and their presence not only provided moral justification but also lent itself to forcing indigenous peoples into alien or different systems of capital exchange in trade, production, and labor'.⁹⁷⁶ However, it is too simplistic to interpret all the experiences of mission as a colonial relationship. Deeds also reports that 'since the early 1990s, scholars have purported to create a 'new mission history' different from the triumphal, institutional, and Spanish-biased history that characterized much of earlier mission and borderlands historiography'.⁹⁷⁷ This new mission history aims to 'illuminate aspects of Latin American society and history more generally'.⁹⁷⁸ New mission history uses interdisciplinary techniques and tries to consider Indian perspectives of missions.⁹⁷⁹ Deeds provides the example of James S. Saeger's case-study of the Guaycuruans,⁹⁸⁰ which concludes that the Guaycuruans exercised choice in their use of missions, 'taking issue with those historians who see missions as fundamental instruments of conquest'.⁹⁸¹

⁹⁷⁴ 'dominantes en la península donde su mensaje alcanzaba reyes y pobres, los franciscanos Españoles participaron plenamente de la expansión de los siglos XVI y XVII'; Adeline Rucquoi, 'Los Franciscanos en el Reino de Castilla', in *VI Semana de Estudio Medievales* (Nájera, 1995), pp.65-86, p. 86.

⁹⁷⁵ 'los franciscanos contribuyen poderosamente en la concreción del expansionismo portugués, tanto por la preparación y modelado de un ambiente general particularmente incentivador en los espacios peninsulares, por la producción y reflexión intelectual que originaron y por su participación activa como agentes del expansionismo'; Santiago Olmedo Bernal, *El dominio del Atlántico en la baja Edad Media* (1995, Valladolid), p. 38.

⁹⁷⁶ Susan Deeds, 'Review: Pushing the Borders of Latin American Mission History', *Latin American Research Review* 39, no. 2 (2004), pp. 211-220, p. 217.

⁹⁷⁷ Ibid p. 211; footnote directs readers to Susan Deeds, 'New Spain's Far North: A Changing Historiographical Frontier?' *Latin American Research Review* 25, no. 2 (1990), pp. 225-35.

⁹⁷⁸ Erick Langer, 'Conclusion', in Erick Langer and Robery H. Jackson eds, *The New Latin American Mission History*, pp. 189-194, p. 194.

⁹⁷⁹ For examples see Erick Langer and Robert H. Jackson eds, *The new Latin American mission history*. Although these examples are all for the later period, they are still useful.

⁹⁸⁰ Guaycurans are the native peoples of Baja California Sur.

⁹⁸¹ Susan Deeds, 'Review: Pushing the Borders of Latin American Mission History', p. 212; footnote explains that James S. Saeger's article, 'The Chaco Mission Frontier: The Guaycuruan Experience', engages with the arguments in David Sweet, 'The Ibero-American Frontier

Reducing mission to a category of the colonial process would simply extend the discourse of colonialism rather than deepening our understanding of the dimensions of coloniality. Religious mission intensified and extended colonialism, yet missionaries also interacted with local communities in ways that were more complex than the coloniser/colonised binary envisages. Deeds' article reviews studies regarding the Jesuits in the later period, describing these missions as 'transitory spaces' that allowed adaptation, and explaining that caciques could enhance their economic and political power through their affiliation with missions, and that aspects of European culture actually strengthened their indigenous culture.⁹⁸² Experiences within colonial contexts were not always black and white, and the colonial power relationship does not always take a normative form. In addition to variations across peoples, regions, and time, relationships can also take different forms. Our understanding of this complexity is obscured by the quality of experiential data available;⁹⁸³ the history of Franciscan philosophy and identity, and the ideas of contemporary Latin American scholars can help bridge this gap.

The Franciscan commitment to mission and global knowledge contributed to the extension of the translocal Franciscan network. This network provides a way to visualise the late medieval Atlantic world, and, as we have already said, the Franciscans have played an important role in its narrative. The nineteenth-century author and historian Emilia Pardo Bazán wrote, 'from the very beginning of the age of the expeditions to far-off lands, of the new revelations coming from these voyages, of the invention of new worlds, and in the Canary islands, or the Fortunate Isles, there can be seen traces of the presence of the Franciscans, those companions of the discoverers, those narrators of these events'.⁹⁸⁴ One

Mission in Native American History', in, Erick Langer and Robert H. Jackson, eds, *The New Latin American Mission History*, pp. 1-48.

⁹⁸² Susan Deeds, 'Review: Pushing the Borders of Latin American Mission History', p. 212. Deeds argues that horses enhanced their migratory strategies. Although Deeds is investigating a later context, the example of horses is an interesting example since St Francis had originally forbidden the Franciscans to use horses (see the introduction).

⁹⁸³ This has led to majority of histories of *misión* in the Americas to focus on the sixteenth-century conquest of Mexico or later period (seventeenth century and beyond). For a description of Franciscan missionary experiences in the Chocó in the seventeenth century see Caroline A. Williams, *Between Resistance and Adaptation, Indigenous Peoples and the Colonisation of the Chocó 1510-1753* (Liverpool, 2005).

⁹⁸⁴ 'Ábrese la era de las lejanas expediciones, de las revelaciones náuticas, de las invenciones de tierras, y en las Islas Canarias ó Afortunadas encontramos la huella de los Franciscanos, compañeros del descubridor, narradores del suceso'; Emilia Pardo Bazán, *Los Franciscanos y Cólón* (Madrid 1892), p. 13.

can find traces of the Franciscans across the medieval Atlantic world, from their thirteenth-century contact with the Canaries to their proliferation in the Americas, and their historical perspective represents an alternative to state-centred meta-narratives of Atlantic history. The geographically diverse and diasporic nature of the Franciscans was evident from their genesis: the 1291 Vivaldi mission to the Canaries reportedly involved two Franciscans,⁹⁸⁵ and Pardo Bazán reported that the Franciscans were on the ships that discovered Madeira.⁹⁸⁶ Yet the Franciscans have not loomed large on the landscape of the medieval Atlantic world, their history is fragmentary and even contradictory. The fragmentary nature of this evidence reflects both the ambiguity of the Franciscans and the ambiguity of the experiences of coloniality.

Antoinine Tibesar has claimed that 'of all the orders, none was closer to the popular classes than the Franciscans'.⁹⁸⁷ Tibesar has argued that the Franciscans' philosophy of poverty made them better able to relate to and interact with the indigenous populations in the Americas. Their performance of poverty and the scarcity of their attire enabled them to transcend the distance between the European colonists (elaborately dressed conquistadors) and the indigenous people. On the one hand the Franciscans were vehicles for the intensification of the colonial experience in the Americas; they transmitted coloniality more deeply as they engaged in cultural colonisation. On the other hand, they complicated coloniality by relating to the indigenous people. Converting people complicated the process of enslavement (and other power asymmetries). This is not simply the difference between violent and non-violent coloniality. The Franciscans did engage in violence, especially in the sixteenth century when Inquisition spread to the New World.⁹⁸⁸ Yet the Franciscan commitment to poverty, which generated the exilic and translocal dimensions of their identity, also meant that they took an ambiguous position within the colonial process that invented the New World. This ambiguity challenges the colonised/coloniser binary of normative narratives of colonisation.

⁹⁸⁵ See Santiago Olmedo Bernal, *El dominio del Atlántico en la baja Edad Media*, p. 26.

⁹⁸⁶ Emilia Pardo Bazán, *Los Franciscanos y Cólón*, p. 13.

⁹⁸⁷ A. Tibesar, *Franciscan Beginnings in Colonial Peru* (Washington D.C., 1953), p. ix.

⁹⁸⁸ Inga Clendinnen, 'Disciplining the Indians: Franciscan Ideology and Missionary Violence in Sixteenth-Century Yucatán'; and Patricia Lopes Don, 'Franciscans, Indian Sorcerers, and the Inquisition in New Spain, 1536-1543', *Journal of World History*, 17, no. 1 (2006), pp. 27-48.

This challenge can be seen in the ambiguous legacies of the Franciscans in contemporary Latin America.⁹⁸⁹ In Medellín in 1968, a group of bishops met to discuss a 'radical aspiration for integral liberation', in response to what they saw as a 'new phase' in Latin American history.⁹⁹⁰ This inspired Gustavo Gutierrez to write *Teología de la liberación*, a call for a new movement based on solidarity with the poor.⁹⁹¹ This tract became the start of a movement and intellectual discourse in Latin America known as Liberation Theology; it demonstrated the continuation of the entanglement between politics, the Catholic Church, and the question of freedom in Latin America.⁹⁹² It was part of a broader response to what was seen as the failures of Vatican II (1962-65) to address the needs of the Church and the poor in Latin America. This movement represents the ambiguous legacies of the Franciscans in the Americas. The prominent Liberation Theology protagonist Leonardo Boff harnessed this ambiguity. Boff argued that St Francis contributed to the liberation of the poor through his physical solidarity with the poor, which humanized their poverty.⁹⁹³ Boff drew upon the influence of St Francis,⁹⁹⁴ to articulate liberation theology, which the poor of Latin America see 'as the articulated voice of their poverty'.⁹⁹⁵ The appearance of the Franciscans in this way, and the political significance of the solidarity with poverty which they have historically represented, is a legacy of the ambiguity of the role of the Franciscans in the New World. The Theology of Liberation movement had a problematic relationship with the Church in Rome, which it criticised, and Boff's publications were censored.⁹⁹⁶ This is a reminder of the ambiguous relationships which Franciscans have historically had with not just secular authorities and the colonial process, but also the hierarchy of the Church and papal government in Rome. The ambiguity of the Franciscans' identity has added to the complexity of their legacies in the Americas.

⁹⁸⁹ For a broader history of the church in Latin America see Enrique Dussel ed., *The Church in Latin America 1492-1992* (Tunbridge Wells, 1992).

⁹⁹⁰ Gustavo Gutiérrez, *A theology of liberation history, politics, and salvation* (London, 2010), p. 5.

⁹⁹¹ Gustavo Gutiérrez, *A theology of liberation history, politics, and salvation*, first published in 1971.

⁹⁹² Liberation Theology was not the only movement arising at this time in Latin America, see I. Linden, *Global Catholicism: diversity and change since Vatican II* (London, 2009).

⁹⁹³ Leonardo Boff, *Saint Francis: a model for human liberation* (New York, 1986), p. 89 and p. 95.

⁹⁹⁴ Leonardo Boff was himself a Franciscan until 1992.

⁹⁹⁵ Leonardo Boff, *Saint Francis: a model for human liberation*, p. 83.

⁹⁹⁶ After an investigation by Cardinal Ratzinger, Boff was prevented from publishing anything for a year after his publication of *Church, charism and power: liberation theology and the institutional church* (New York, 1985).

The Franciscans acted as missionaries in the Atlantic world. They wanted to convert non-Christians to the faith; concern for this also had an apocalyptic element which will be explored in the last chapter. Mission was not the only dimension of Franciscan translocality. Their journeying, or wandering, was driven not only by their commitment to mission, but also their commitment to poverty. Their translocality was also conditioned by their radical poverty, which prevented them from settling in one place. St Francis had demanded that the brothers should go 'as pilgrims and strangers in this world'.⁹⁹⁷ Thomas of Celano recorded how St Francis and the brothers left the Spoleto valley where they had been staying 'so the continuity of a longer stay would not tie them even by appearance to some kind of ownership'.⁹⁹⁸ In choosing a life of voluntary poverty, the Franciscans voluntarily exiled themselves from the property-based society that surrounded them. As Inga Clendinnen has explained, to be a Franciscan, was 'to choose exile in one's own land'.⁹⁹⁹ Paradoxically, St Francis had adopted his position because 'he was against the principle of exclusion implied by private property rights'.¹⁰⁰⁰ This exile and translocality were dimensions of Franciscan identity; they implied ambiguity and challenged social norms. The Franciscans transmitted this complex identity across their translocal network which encompassed Italy, Spain, the Canary Islands, the Americas, and elsewhere. Franciscan networks transcended the island/mainland binary which played a role in the colonial relationship.¹⁰⁰¹ The Franciscans in the Atlantic were the continuation of a flowing network; the Franciscans themselves were exilic and translocal, and this was not dependent upon their locations. There were Franciscans on board the ships travelling in the Atlantic, and Franciscans also established houses in the islands and mainlands that were also strategically important to other vessels navigating the Atlantic.

⁹⁹⁷ *Regula bullata*, in Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 1, The Saint* (New York, 1999), pp. 99-106, p. 103.

⁹⁹⁸ Thomas of Celano, *Life of St Francis*, in Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 1, The Saint* (New York, 1999), pp. 180-308, pp. p. 214.

⁹⁹⁹ Inga Clendinnen, 'Disciplining the Indians: Franciscan Ideology and Missionary Violence in Sixteenth-Century Yucatán', p. 37.

¹⁰⁰⁰ Janet Coleman, 'Property and poverty', in J. H. Burns ed., *The Cambridge History of Medieval Political Thought, c. 350-1450* (Cambridge, 1995), pp. 607-648, p. 632.

¹⁰⁰¹ See Chapter Two; this binary was at the core of Weckmann's analysis.

The Franciscans were well-established along the Spanish Atlantic coast.¹⁰⁰² This region was important due to its role in Atlantic trade, its links with Northern Africa, and the historic interactions between Muslims and Christians in this region. The constant presence of Franciscans in locations that became strategically important in histories of empire could lead to the interpretation of the Franciscans as agents of empire, but an imperial (or state-centric) reading of history is not the only option. Santiago Olmedo Bernal writes that the reconquest of Al-Andalus contributed to the penetration into North Africa; he has placed the Franciscans within this context and observed that the Portuguese had a Franciscan convent in Africa which rescued Christians captured by Muslims in this region.¹⁰⁰³ The Franciscans were often present in locations of imperial/colonial significance, but their motivations seem ambiguous. The Franciscans existed both inside and outside colonial enterprises in the Atlantic. They had relationship to the 'states' (by state I mean any power-model that centralizes, or monopolises, authority in a region, such as the Kingdom of Castile), but are not characterized by it. In this way they challenge the identity of the 'state'. They constitute a 'decolonial option', a way to see beyond the colonised/coloniser binary, a way to fragment our historic memory of Empire and colonialism.

Franciscan networks could be of strategic importance to political agents with colonial interests. Mission led them to have not only knowledge of the world, but also knowledge of languages and an image of neutrality (at least within Europe), things which could be used by other agents. When missionaries were needed to create the justified face of colonialism, it was the Franciscan network which was ready and available. They were equipped for the tasks of the colonial experience. Pedro Borges Moran observed that the Franciscans had a structure that made them prepared for mission,¹⁰⁰⁴ yet this capacity for the political entanglement of mission forced the Franciscans into a difficult space and further compromised their poverty, they became agents of ambiguity.

¹⁰⁰² Modern day Andalucía.

¹⁰⁰³ Santiago Olmedo Bernal, *El dominio del Atlántico en la baja Edad Media* (1995, Valladolid), unknown and p. 21.

¹⁰⁰⁴ Pedro Borges Moran, *El Envío de misioneros a america durante la época española* (Salamanca, 1977), p. 77.

Franciscan networks were not without agency as a result of their ambiguity. Franciscan networks contributed to the structures of the late medieval Atlantic world.¹⁰⁰⁵ We have already mentioned the role of the Franciscans at La Rábida in the narrative of the discovery of the New World. La Rábida is situated in Palos, a place of logistical as well as mystical significance. Las Casas reported that Columbus, once he had gained support for his venture, returned to the town of Palos ‘where he could find experienced sailors, and where, too, he had friends and acquaintances, among whom was his good friend Juan Pérez, guardian of the monastery of La Rábida’.¹⁰⁰⁶ Columbus’ journal of this event recorded that ‘[Columbus] came to the town of Palos, which is a port of the sea, where I made ready three ships, very suited for such an undertaking, and I set out from that port, well furnished with very many supplies and with many seamen’, stressing the logistical importance of Palos rather than the importance of the Franciscans.¹⁰⁰⁷ We can’t know which the more important reason was, but Las Casas added: ‘Palos was also a town obliged to the King, for what reason I do not know, to supply him with two caravels for a period of three months’.¹⁰⁰⁸ Francis Borgia Steck stresses the importance of the Franciscans and reports that Juan Pérez ‘used his influence with the people of the town, enlisting the cooperation of wealthy merchants and experienced mariners and dispelling what fears such mariners might have as, in payment for a debt they owed the government, were commanded by the sovereigns to man Columbus’ vessels and steer into the dreadful Sea of Darkness’.¹⁰⁰⁹ This description firmly entangles the Franciscans with the logistics of Columbus’ venture. Steck adds that Pérez received the letter from the sovereign to commence the voyage and said mass for Columbus and his crew before they departed.¹⁰¹⁰ A depiction of Pérez blessing the crew was painted by Antonio Gisbert in the nineteenth

¹⁰⁰⁵ European structures in particular, but the Franciscans also interacted with Atlantic peoples, such as the Guanches and the Tainos. There is not time here to comment on the variety of Atlantic world structures, and the evidence base makes it difficult to sustain studies on these structures.

¹⁰⁰⁶ Las Casas, *History of the Indies* (New York, 1971), p. 33.

¹⁰⁰⁷ *The Journal of Christopher Columbus*, trans. Cecil Jane, revised and annotated by L. A. Vigneras (London, 1960). As explained previously, this original of this journal disappeared and this copy is based on Las Casas’ abstract.

¹⁰⁰⁸ Las Casas, *History of the Indies* (New York, 1971), p. 33. It was in Palos that the controversial Martín Alonso joined the expedition.

¹⁰⁰⁹ Francis Borgia Steck, ‘Christopher Columbus and the Franciscans’, *The Americas* 3, no. 3 (January 1, 1947), 319-341, p. 329.

¹⁰¹⁰ *Ibid*, pp. 329-330. This event is also described in José Coll, *Colón y la Rábida*, p. 54.

century and appeared in the 1893 collection of La Rábida.¹⁰¹¹ In Steck's narrative, the Franciscans channelled the authority and logistic capacity for the mission, and this is captured by Gisbert's painting. Steck was a Franciscan and was contributing to the historic memory of the Order, but his perspective on the role of the Franciscans within society is still useful.

Columbus is known to have reached Las Palmas, on the northeast coast of Gran Canary, but records of Columbus' stay in the Canaries are fragmentary. Steck has lamented this 'because the Franciscan Custody in Seville, to which La Rábida belonged, had a friary at Las Palmas ever since 1477 and one would like to know whether Columbus met any of the friars during that week on the island'.¹⁰¹² This is just more silent space to be filled with mythology.

The Canary Islands

The importance of the Canary Islands was first emphasised by Felipe Fernández-Armesto in the 1970s, but Fernández-Armesto did not focus on the politics of knowledge of this space or the politics of their history. Rather than approaching the history of the Canaries in terms of 'discovery' and 'conquest' this thesis aims to construct an alternative narrative of the Atlantic world, that of the 'poor Atlantic', using the history of the Franciscans. This approach is designed to increase our understanding of the complexity coloniality, by exploring how coloniality includes language, knowledge, ideas, and representation. Normative histories of colonialism are themselves facets of colonialism if they do not represent complexities and plural histories. The history of the Franciscans in the Canary Islands is an example of an alternative historical narrative of this space; it is hard to constructed since the source record for the Franciscans in the Canary Islands is fragmented and complex.¹⁰¹³ This demonstrates the distorted nature of late medieval Atlantic world history, since sources that survive often have had a power agenda and have been

¹⁰¹¹ William Eleroy Curtis, *The relics of Columbus: an illustrated description of the historical collection in the monastery of La Rabida (1893)* (Washington, 1893), p. 48.

¹⁰¹² Francis Borgia Steck, 'Christopher Columbus and the Franciscans', p. 330.

¹⁰¹³ For a detailed account of the early history of the canaries see Olmedo Bernal's *El dominio del Atlántico en la baja Edad Media*, which includes a description of Malocello's voyage, and provides context to the possession by Luis de Cerda; and the chronicle: Juan de Abreu de Galindo, *The History. Of the Discovery and Conquest of the Canary Islands: Translated from a Spanish Manuscript, Lately Found in the Island of Palma. With an Enquiry into the Origin of the Ancient Inhabitants. To Which Is Added, a Description of the Canary Islands, Including the Modern History of the Inhabitants*, ed. G. Glas (London, 1764).

preserved as a consequence of their political function.¹⁰¹⁴ The ambiguity of the history of the Atlantic world and the ambiguity of the Franciscans are reflections of each other. The Canary Islands are a natural focal point to the Atlantic world and played a vital role in the invention of the 'New World'.¹⁰¹⁵ They were important to the psychology of discovery and to the development of the mode of coloniality that came to dominate the identity of the New World'. José Antonio and Pérez Carrión write that many important people, such as Alonso Ojeda (who played an important role in the conquest of the Americas), Juan de la Cosa (who made maps during the second Columbus voyage) and Amerigo Vespucci (who gave his name to America), all passed through the Canary Islands and that all ships on their way to America passed through the Canaries.¹⁰¹⁶ But the Canary Islands should not be reduced to this transitory status. The Canaries were more than a passing point. The history of the Church in the Canary Islands provides a way for us to look beyond the Canary Islands as a transitory space and to think about the model of life and interactions occupying this space. Antonio Rumeu de Armas wrote that 'the church could not live far from the reality of a new world that was forged in the Atlantic'.¹⁰¹⁷ The Church had a theological commitment to inventing the identity of the 'New World' as a Christian world.¹⁰¹⁸ The experience in the Canary Islands was an important stage in the process of this invention. Missions to the Americas were a logical extension of the Canarian enterprise.

One way to trace the history of the Franciscans in the Atlantic world is through their role as a religious institution in 'missionary' locations. In these locations they often assumed roles which overlapped the secular clergy's and interacted with papal politics. The history of the Church in the Canaries mirrors the obscured history of the Islands. For a long time it was believed, as the first volume of *AIA* reported, that on 7 July 1404, the antipope Benedict XIII (Pedro de Luna) issued the bull *Apostolatus officium* and created the first papal see in

¹⁰¹⁴ For example *The Canarian* was preserved since it demonstrated the legitimacy of Bethencourt's conquest and was important to the collective memory of the Bethencourt family.

¹⁰¹⁵ Chapter One discussed the continuities between the Canaries and the Caribbean.

¹⁰¹⁶ José Antonio, Pérez Carrión, *Los canarios en América, Tomo 1: Su influencia en el descubrimiento del nuevo mundo* (Santa Cruz de Tenerife, 2004), p. 113.

¹⁰¹⁷ 'la iglesia no podía vivir ajena a la realidad de un mundo nuevo que se estaba forjando en el Atlántico'; Rumeu de Armas, Antonio, *El Obispado de Telde, Misioneros mallorquines y catalanes en el Atlántico* (Madrid, 1960), p. 39.

¹⁰¹⁸ This was a consequence of the philosophy of Universal Christianity mentioned in chapter one.

the Canaries in Rubicón on the island of Lanzarote, with the election of the Franciscan, Alfonso de Sanlúcar de Barrameda, as the first bishop of the Canaries.¹⁰¹⁹ A note in Benedict XIII's bull *Sincerae devotionis*, indicated that by 1416 Benedict XIII had suspended Alfonso Sanlúcar de Barrameda.¹⁰²⁰ The reasons for this are not known. The see of Rubicón was then occupied by the Franciscan, Mendo de Viedma. In 1430 Don Fray Fernando Calvetos was elected bishop of Rubicón by Eugenius IV.¹⁰²¹

However, it is now known that the bishop elected in 1404 was not the first. Julio Sánchez Rodríguez has explored the history in the Canary Islands from the involvement of Clement VI in 1344 to the present.¹⁰²² He reports that the first Canarian bishopric, La Fortuna, was created by Clement VI with the bull *Caelestis rex regum*, and that the first bishop was the Carmelite friar Bernardo Font.¹⁰²³ This first bishopric later became known as the known as the bishopric of Telde; reference to it was discovered in Clement VI's bulls by Antonio Rumeu de Armas.¹⁰²⁴ Rumeu de Armas' evidence challenges the history of the Canary Islands presented by Franciscans in the *AIA* (1914), and shows that the Church was in the Canary Islands before the election of a Franciscan to the bishopric of Rubicón in 1404. Beyond the first bishop in the Canary Islands, the Carmelite fray Bernardo, there is still confusion regarding the chronology of the early bishops. According to Sánchez Rodríguez the first Franciscan bishop of the Canary Islands (Fray Bonnanato Tarí, 1369-90) was the third bishop of Telde,¹⁰²⁵ but according to Rumeu de Armas the second bishop of Telde was a

¹⁰¹⁹ Fr. Atanasio López, 'Fr Alfonso de Sanlúcar de Barrameda, primer Obispo de Canarias', *Miscelánea*, in *AIA*, 1914, Vol. 1, pp. 564-566, p. 654. the following reference is provided: Bull. Franc., t. VII, n. 966., note (1). A Spanish translation is available in Julio Sánchez Rodríguez, *La iglesia en Las Islas Canarias*, <http://www.diocesisdecanarias.es/downloads/iglcanarias.pdf> (23.08.11), p. 18. As we shall see shortly, this was not actually the first election of a bishop in the Canaries.

¹⁰²⁰ This bull was published in fragments and included a testimony by Alonso II of Exea, who had executed the bull. This testimony was found in the monastery of Guadalupe (a town in the province of Cáceres) and was published in the first *AIA* volume, Fr. Atanasio López, 'Miscelánea', *AIA*, Madrid, 1914, Vol. 1, p. 564. It is also known that Alfonso Sanlúcar de Barrameda moved to Libariense following his suspension from Rubicón.

¹⁰²¹ Eugenius IV, *Ex regesto bullarum de curia Eugenii Papae IV*, tomo XII, fol. 214, in José Viera y Clavijo, *Descripción de la Gomera*, Vol. 2 (Santa Cruz de Tenerife, 2007), pp. 405-407.

¹⁰²² Julio Sánchez Rodríguez, *La iglesia en Las Islas Canarias*.

¹⁰²³ *Ibid*, p. 4.

¹⁰²⁴ Antonio Rumeu de Armas, *El Obispado de Telde. Misioneros mallorquines y catalanes en el Atlántico* (2nd edn, Madrid-Telde, 1986). Rumeu de Armas first published this revelation in 1960.

¹⁰²⁵ Julio Sánchez Rodríguez, *La iglesia en Las Islas Canarias*, p. 6.

Franciscan. Rumeu de Armas has emphasised the significance of the Franciscans to the mission to the Canaries.¹⁰²⁶

It is difficult to construct a complete picture of the Church in the Canary Islands in the fourteenth century. Rumeu de Armas observes that the see of Telde must have been vacant between 1354 and 1360 and between 1362 and 1369.¹⁰²⁷ In 1386 there was a further expedition to the Canary Islands organised by the Aragonese, for which Urban VI granted a papal indulgence.¹⁰²⁸ In 1392 Clement VII decreed that the diocese of Telde could not remain vacant for long periods of time, and the Dominican friar (who was to be the final bishop of Telde) was dispatched.¹⁰²⁹ An expedition of 1393 was mentioned in the *Crónica del rey don Enrique III*.¹⁰³⁰ The history of Telde fades away as the area was attacked by pirates in 1393 and the mission was ruined as the indigenous people turned against the missionaries. The testimony of the thirteen friars martyred on this occasion was discovered in the region of Telde in 1403 and is reported in the Béthencourt narrative.¹⁰³¹ This event challenges the unidirectional colonised/coloniser narrative. Rumeu de Armas described the end of the bishopric of Telde as 'closing one of the most curious chapters of the history of Christianity'.¹⁰³² The better known Canarian bishopric of Rubicon was established in 1404 and lasted until 1959, and its first three bishops were Franciscan.

Rumeu de Armas' work provides a significant contribution to our understanding of the history Christian involvement in the Canaries in the late Middle Ages, yet although appearing in the footnotes of contemporary works on the Atlantic world it remains in the shadows while the mythology of the Canaries dominates our imagination.¹⁰³³ More attention should be paid to Rumeu de Armas' work as he

¹⁰²⁶ Rumeu de Armas, Antonio, *El Obispado de Telde*, p. 49 and p. 61, and p. 74. This is supported by E. Serra, 'Nota acerca de los Sermones Canarios del Papa Clemente VI', *Revista de historia canaria* 29 (1963-64), pp. 107-111, p. 109.

¹⁰²⁷ Rumeu de Armas, Antonio, *El Obispado de Telde*, p. 61.

¹⁰²⁸ *Ibid*, p. 93.

¹⁰²⁹ *Ibid*, p. 95.

¹⁰³⁰ *Crónica del rey don Enrique III*, Chapter XX, p. 214, cited by Rumeu de Armas, Antonio, *El Obispado de Telde*, p. 95.

¹⁰³¹ *The Canarian*, Chapter XXXVI, p. 192-3, cited by Antonio Rumeu de Armas, *El Obispado de Telde*, p. 104.

¹⁰³² 'cierra uno de los más curiosos capítulos de la historia de la cristiandad'; Rumeu de Armas, Antonio, *El Obispado de Telde*, p. 106.

¹⁰³³ David Abulafia referenced Rumeu de Armas in his recent *Discovery of Mankind*.

argues that 'the bishop of Telde and his attached missions were the first serious intent at peaceful penetration in infidel countries, tested by the church and undertaken by the Hispanic people at the same dawn of great discoveries'.¹⁰³⁴ This statement emphasises the role peace in the history of Spanish engagement in the Canaries; the connection between conquest history and nationalism lurks in the shadows. Rumeu de Armas contributed to the mythology of Atlantic history when he described the mainly peaceful missionary engagement through the fourteenth century as an ideal, which he called 'the spirit of Telde', in contrast to the militancy of the later conquests.¹⁰³⁵ Of course, there are no indigenous accounts to verify this.

Rumeu de Armas' opening proclaimed the 'mystery and surprise' of the diocese of Telde.¹⁰³⁶ He explained that although the diocese was mentioned by Lucas Wadding, and later the Quaracchi fathers, its location was not realised.¹⁰³⁷ His work traces references to Telde and provides an insight into the fourteenth-century religious administration of the Canaries. Rumeu de Armas has illustrated the important role of Majorca in the Canary Islands at this time and stressed the influence of Ramon Lull (1232-1315), who, even if a *merrecio* and not a Franciscan, was nonetheless influenced by the Franciscans.¹⁰³⁸ The historic connection between Majorca (which was in close contact with the Catalan region) and the Canaries is one flow of influence in the Atlantic world and it makes the influence of Ramon Lull on missions to the Canaries likely. The Franciscans can be found within this flow of influence and are thought to have been among the thirteen Catalan missionaries that arrived in the Canaries in 1386 and remained there until they were killed in 1393.¹⁰³⁹ These flows of Atlantic world influence were shaped by the tides of continental politics and

¹⁰³⁴ 'el obispado de Telde y sus misiones anexas fueron el primer serio intento de penetración pacífica en países de infieles, ensayado por la Iglesia y acometido por pueblos hispánicos en los albores mismos de los grandes descubrimientos geográficos'; Rumeu de Armas, Antonio, *El Obispado de Telde*, p. 107.

¹⁰³⁵ 'el espíritu de Telde'; *Ibid*, p. 107.

¹⁰³⁶ 'misterio y sorpresa de la diócesis teldense'; *Ibid*, p. 5.

¹⁰³⁷ *Ibid*, p. 5

¹⁰³⁸ *Ibid*, p. 44. The religious identity of Ramon Lull is contested.

¹⁰³⁹ For more on this see Juan de Abreu de Galindo, *The History. Of the Discovery and Conquest of the Canary Islands: Translated from a Spanish Manuscript, Lately Found in the Island of Palma. With an Enquiry into the Origin of the Ancient Inhabitants. To Which Is Added, a Description of the Canary Islands, Including the Modern History of the Inhabitants*, ed. G. Glas (London, 1764).

particularly affected Majorca.¹⁰⁴⁰ The papacy also played an important role in Canarian history as they legislated mission and constructed the structures of the Church in the Canaries. The Franciscans at once transcended and were entangled by the influence of all these agents. The dominance of the Franciscans in the Atlantic may have been facilitated by European politics; Rumeu de Armas has suggested that it was due to Pedro of Aragon that Franciscans were favoured for mission to the Canaries in 1370.¹⁰⁴¹ Further, the flows of influence in the Canarian Atlantic world may not have been limited to engagement with Europe. The Canarians are thought to have arrived from 'diverse areas of the African continent, with different grades of cultural evolution and in different historical moments', between the fifth century B.C. and 'the historic stage'.¹⁰⁴² It is not known if Canarians had contact with Africa or the Americas independent of European shipping. Flows of influence in the Atlantic were multidimensional, and the impact of the Canaries on the imagination of Europe is evident.¹⁰⁴³ Rumeu de Armas writes about the possibility that twelve Canarians returned (as captives) with the Majorcans from the 1342 expedition, and then participated in the 1352 Majorcan expedition to the Canary Islands.¹⁰⁴⁴ José Antonio Pérez Carrión also maps another flow of influence in the Atlantic world as he writes about the Canarians and the discovery of America, and their migration to America.¹⁰⁴⁵

The involvement of the Roman Church meant that continental politics affected the religious composition of the Canary Islands. As the Franciscans took on Church roles in the Canaries they were tied to the political situation of the Church. For example, it is not surprising that Benedict XIII selected a Spanish Franciscan to be bishop in the Canary Islands in 1404 since he had been Clement VII's legate in the Iberian Peninsula (1378-1389), and had support in

¹⁰⁴⁰ 1342 Jaime III was dethroned by Pedro IV of Aragon, and thus the Aragonese became dominant in the Mediterranean, an influence that soon extended to the Atlantic, later the Castilians became dominant. Power and influence shifted between Catalonia, Aragon, and Castile, and had an effect on the Mediterranean and Atlantic Island.

¹⁰⁴¹ Rumeu de Armas, Antonio, *El Obispado de Telde*, p. 77.

¹⁰⁴² José Manuel Castellano Gil, Francisco J. Macías Martín, *History of the Canary Island*, trans. Ma. del Pino Minguez Espino (Tenerife, 1993), p. 21.

¹⁰⁴³ For example the Catalan romance *Tirant lo Blanc* published in 1490 depicted a Moorish invasion of England led by the king of Canary. See Joanot Martorell, *Tirant lo Blanc* (Barcelona, 1970).

¹⁰⁴⁴ Rumeu de Armas, Antonio, *El Obispado de Telde*, p. 34.

¹⁰⁴⁵ José Antonio, Pérez Carrión, *Los canarios en América, Tomo 1: Su influencia en el descubrimiento del nuevo mundo*, (Santa Cruz de Tenerife, 2004)

that region.¹⁰⁴⁶ As an antipope, Benedict XIII was embroiled in a world of politics and strategy. When he issued the bull *Sincerae devotionis*, in 1416, regarding the Canary Islands, his political position had weakened and he was residing in the fortified castle of Peñíscola. It is interesting that the management of the Franciscans in the Canary Islands featured in his politics at this time. Further, although the papal schism technically ended in 1417 with the election of Martin V, the antipope Benedict XIII retained influence in Spain and continued to influence the ecclesiastic makeup of the Canaries. For example, despite the election of Martin V, the second bishop of Rubicon, Mendo de Viedma (mentioned above), remained faithful to his benefactor, Benedict XIII, and so the bishopric of Rubicon remained subject to antipope Benedict XIII. Martin V, perhaps in an attempt to delink the Canaries from its schismatic past, issued the bull *Ilius caelestis agricolae* in 1423 and created the bishopric of Fuerteventura.¹⁰⁴⁷ The jurisdiction of the new bishopric in Fuerteventura covered all the islands, and it was subject to the Franciscan bishop, Fray Martín de las Casas (1424-1431). With the death of Benedict XIII in 1424, the Franciscan bishop of Rubicon, Fray Mendo, went to Rome to defend his jurisdictional rights as archbishop over the archipelago before Martin V. Father Mendo considered the creation of the bishop of Fuerteventura to be a conspiracy.¹⁰⁴⁸ Mendo eventually reconciled with the pope in Rome, and in 1431 the pope annulled the bishop of Fuerteventura.¹⁰⁴⁹ From this history we can see that the Canary Islands and the Franciscans were affected by continental politics and in particular the occidental schism.

In addition to their involvement in the Church structures in the Canary Islands, the Franciscans developed their own structures. The first Franciscan convent was established in the Canaries 1413 or 1417 as part of the province of Castile.¹⁰⁵⁰ Rumeu de Armas describes the Franciscan Alfonso Bolaños as the 'soul of the [missionary] enterprise'.¹⁰⁵¹ Juan de Baeza was at the front of the

¹⁰⁴⁶ Benedict XIII had also spent time reforming the University of Salamanca.

¹⁰⁴⁷ Julio Sánchez Rodríguez, *La iglesia en Las Islas Canarias*, p. 22.

¹⁰⁴⁸ *Ibid*, p. 23.

¹⁰⁴⁹ The bishop of Fuerteventura, fray Martín de las Casas, became bishop of Malaga.

¹⁰⁵⁰ The convent of San Buenaventura was established in 1413 according to Rumeu de Armas, *El Obispado de Telde*, p. 129, or 1471 according to Julio Sánchez Rodríguez, *La iglesia en Las Islas Canarias*, p. 20.

¹⁰⁵¹ 'Alma de esta empresa'; Antonio Rumeu de Armas, *El Obispado de Telde*, p. 128.

mission between 1423 and 1434.¹⁰⁵² The *Vicaría General de Misiones* was established to organise the missionaries, and the first person to assume this role was a Franciscan.¹⁰⁵³ Franciscans were not just establishing the structures of the Roman Church in the Canary Islands, but practising their own missions, and putting pressure on the papacy to support these practices.¹⁰⁵⁴

It is harder to construct a history of experiences in the Atlantic world,¹⁰⁵⁵ but the fragmentary character of the history of the Canary Islands could be a statement in itself, since, as suggested earlier, the source record can be representative of a power agenda. The experience of colonialism creates a broken history, since colonial systems often assert the hegemony of text and the subaltern are seldom represented in this record. We know that Christians had been in contact with the Canarians for at least fifty years before Pope Eugene IV issued a crusade bull against the infidels, with a concession in the Canaries in 1436.¹⁰⁵⁶ Sánchez Rodríguez observes that at the time of the creation of the See of Fuerteventura in 1424, twenty years after the creation of Rubicon, the islands of Lanzarote, Fuerteventura, and El Hierro were described as Christian, Gran Canaria and La Gomera as having some converts, and La Palma and Tenerife as being totally infidel.¹⁰⁵⁷ This is really the only information we have regarding conversion and religious identity at this time.

We know that there was a discourse of rights and slavery in the Canary Islands.¹⁰⁵⁸ Both the Franciscans Fernando Calvetos and Juan de Baeza

¹⁰⁵² Antonio Rumeu de Armas, 'Misiones y Transculturación en las Islas Canarias Durante los Siglos XIV y XV', *Anuario de Estudios Atlánticos*, 44 (1998), pp. 583-610, p. 588.

¹⁰⁵³ Some sources say the first Vicar was Juan de Baeza, others say it was the Franciscan Francisco de Moya.

¹⁰⁵⁴ Antonio Rumeu de Armas, 'Misiones y Transculturación en las Islas Canarias Durante los Siglos XIV y XV'.

¹⁰⁵⁵ Most of the surviving representations of indigenous peoples of the Atlantic world are from chronicles written by Europeans.

¹⁰⁵⁶ This bull is held in the *Biblioteca Apostolica Vaticana*, cod. Chigi, e. VII. 208, fl. 451 y 453, and is published in *monument henricina*, Vol. v, nos. 131 and 132, pp. 261-269; this was quoted by Santiago Olmedo Bernal, *El dominio del Atlántico en la baja Edad Media*, p. 41.

¹⁰⁵⁷ Julio Sánchez Rodríguez, *La iglesia en Las Islas Canarias*, p. 24, part of the bull is reproduced here.

¹⁰⁵⁸ E. Serra mentions the presence of Canarian slaves in Majorca at the time of first bishop of the Canary Islands in the fourteenth Century; 'Nota acerca de los Sermones Canarios del Papa Clemente VI', *Revista de historia canaria* 29 (1963-64), pp. 107-111, p. 109. Serra writes that these slaves had learnt the Catalan language and the Christian religion.

worked to oppose the sale of Canarians into slavery.¹⁰⁵⁹ They argued that Canarians should not be enslaved either before or after baptism. They petitioned Pope Eugenius IV who issued a bull in 1434 prohibiting the capture and maltreatment of Canarians.¹⁰⁶⁰ Sánchez Rodríguez argues that this papal intervention was due to the Franciscan Juan de Baeza, 'a man of great prestige who dominated the indigenous language'.¹⁰⁶¹ Juan de Baeza visited the pope and helped to establish a mission in the Canaries that would use his language skills to ensure efficient communication between the missionaries and the Canarians. This mission was led by the Franciscan Alonso de Idubaren. The Franciscans here represent the discourse of rights that becomes characteristic of coloniality. Sanchez Rodriguez's reference to the Franciscans opposition to slavery in the Canaries is one of the few experiential claims we have, yet it can be used to suggest that the Franciscans were opposed to the excesses of the colonial context of which they were part.¹⁰⁶² Franciscans engaged with the rights of the natives at the same time as they were engaged in other aspects of the colonial enterprise, which suggests an ambiguity of Franciscan experience.

The case of the Franciscans in the Canaries can be used to demonstrate a number of things relating to the role of the Franciscans in the invention of coloniality and the New World. The Franciscans were not just passive agents in a broader imperial or ecclesiastical colonial programme. The colonial engagement of the Franciscans in the Canary Islands is demonstrated by the case of the Franciscans trying to gain possession of a ship. Sánchez Rodríguez reports that the proposal to buy a ship to evangelise the western islands emerged in 1425, at the same time as the creation of the bishopric of Fuerteventura.¹⁰⁶³ The idea was supported by Juan de Baeza, the Vicar of the Franciscans in the Canaries and approved by Martin V.¹⁰⁶⁴ The project of the ship was restated by Bishop Calvetos in 1434, gaining the support of Pope Eugenius IV. Sánchez Rodríguez has described the ship project and stated that

¹⁰⁵⁹ José Viera y Clavijo, *Noticias de la historia general de las islas Canarias* (Madrid, 1978), p.342

¹⁰⁶⁰ Julio Sánchez Rodríguez, *La iglesia en Las Islas Canarias*, p. 27.

¹⁰⁶¹ 'hombre de gran prestigio que dominaba la lengua indígena'; *Ibid.*

¹⁰⁶² *Ibid.*

¹⁰⁶³ *Ibid.*, p. 31.

¹⁰⁶⁴ Julio Sánchez Rodríguez quotes this document and provides the reference: Arxiu Capitular de la catedral de Barcelona: pergamino 594. - Baucells i Reig, Josep: *El fons "Cisma d'occident" de l'arxiu capitular de la catedral de Barcelona*, Barcelona 1985, nº 594, p. 592, *La iglesia en Las Islas Canarias*, p. 32.

it is certain that the 'missionaries were prepared in the "art of navigation"'.¹⁰⁶⁵ This example illustrates that the Franciscans were active agents, capable of arranging their own expeditions, and not just passive tools of European politics. When considered as actors outside the normative conquest expeditions,¹⁰⁶⁶ the coloniality of their role is even more ambiguous. Evangelising may be a form of cultural colonialism, but the actual experiences of these Franciscan interactions are not documented. The Franciscans were also affected by missions. Many aspects of Sanchez Rodriguez narrative the Church in the Canary Islands indicated that the Franciscans were compromised by the context of mission, the provision of livestock and the arrangements for a convent were discussed in one of the documents, along with the discussion that the Franciscans may need to acquire their own ship and organise further expeditions.¹⁰⁶⁷ Sanchez Rodriguez also hints at Franciscan solidarity with the indigenous people alongside their colonial role in the Canaries.¹⁰⁶⁸ These details indicate the complex and most likely daily negotiations that the Franciscans had to make to maintain their poverty in the context of mission and in the context of Atlantic colonialism.

La Rábida

Franciscan engagement with the colonial dimension of power did not occur solely outside mainland Europe. La Rábida had had an ambiguous relationship with its poverty and with colonialism in processes entirely separate from the narrative of Columbus and the discovery of the New World. The ambiguous colonial role of the Franciscans of Andalucía stretches further back than Columbus and occurs in unexpected ways. The *AIA* contains evidence that the Franciscans of La Rábida received the island of Saltes as a donation from the Duke of Medina Sidonia in 1449.¹⁰⁶⁹ Owning an island not only compromised the poverty of the Franciscans, but it demonstrates their involvement in colonial mentality of the medieval Atlantic world. A further document *Escritura de*

¹⁰⁶⁵ Julio Sánchez Rodríguez, *La iglesia en Las Islas Canarias*, p. 32.

¹⁰⁶⁶ Those organised by monarchs or private individuals but with the colonial agenda of creating an asymmetry of power.

¹⁰⁶⁷ Julio Sánchez Rodríguez, *La iglesia en Las Islas Canarias*, p. 31.

¹⁰⁶⁸ *Ibid*, p. 27.

¹⁰⁶⁹ 'Carta del Duque de Medina Sidonia confirmando la donación de la isla de Saltes al convento de la Rábida', ed. P. Ángel Ortega, O.F.M., in 'El Convento de la Rábida. Su origen y primeros progresos, desde la fundación hasta el año 1455', in *AIA*, Vol. 1 (Madrid, 1914), pp. 79-99, pp 90-92 The Duke of Medina Sidonia was the most powerful noble in the región, and the littoral Island of Saltes is in the proximity of La Rabida.

arrendamiento de la isla de Saltes demonstrates that the Franciscans of La Rábida were involved in the administration of this island, which included renting it, with all its tributes and rights, to a third party.¹⁰⁷⁰ 1454's *Escritura de traspaso en subarriendo de la isla de Saltes* shows the Franciscans engaged in further subletting agreements.¹⁰⁷¹ This incidence demonstrates how far the Franciscans could be from the ideals of their counterparts who had fought in the Franciscan Poverty Dispute in the fourteenth century. During the reform of Cardinal Cisneros the island of Saltes was returned to its former owners so that La Rábida could return to poverty.¹⁰⁷² The Franciscan editor who provided these documents for this *AIA* volume concluded that La Rábida was reformed and indicated that its age of excellence was the time of Juan Pérez and its involvement in the discovery of the New World.¹⁰⁷³ Eugenius IV's bull called La Rábida observant in 1437 (before Cisneros' reforms) and added that the friars lived solely on alms, but La Rábida's relationship with poverty was strained.¹⁰⁷⁴ Maintaining the identity of poverty was a constant struggle and some donations which the convent received conflicted with its observant status. Yet struggling was important to Franciscan identity, Thomas of Celano had written 'as someone says, "Disgrace makes a noble mind stronger"'.¹⁰⁷⁵ There has been a conscious effort within the Franciscan tradition to subvert the normative value-system. The troublesome case of the Franciscans as owners of an island is another dimension of the connection between the Order and coloniality. It is also reminds us that colonialism is not necessarily exterior to Europe. Franciscan history challenges assumed boundaries.

¹⁰⁷⁰ By: Fr Alfonso Quixada guardian del monasterio de Sancta Maria dela Raudia, Fr. Fernando Uicario del dico monasterio, Fr. Rodrigo de Ortega, Fr. Gonzalo de Santander, Fr. Johna de Sancta Maria, Fr Bonifacio, Fr Rodrigo, Fr Fernando Palomeque, Fr Johan de Cordoba, witnessed by: Johan Fernández de Bolaños Crispo de Sevilla and Sebastian Garcia Galdin Seruidor, and Cristobel Gutierrez, '*Escritura de arrendamiento de la isla de Saltes*' ed. Fr. Angel Ortega, O.F.M, *AIA*, Vol. 1 (Madrid, 1914), pp. 92-96.

¹⁰⁷¹ '*Escritura de traspaso en subarriendo de la isla de Saltes*', ed. Fr. Angel Ortega, O.F.M, *AIA*, Vol. 1 (Madrid, 1914), pp. 96-99.

¹⁰⁷² 'en la reforma de Cisneros, Saltes volvió a sus antiguos dueños y la Rábida continuó viviendo de exiguas limosnas de los fieles'; Fr. Angel Ortega, footnote 1, in "El Convento de la Rábida, su origen y primeros progresos, desde la fundación hasta el año 1455", in *Archivo Ibero-Americano* (Madrid, 1914), Vol. 1, pp. 79-99, p. 92. To a certain extent the motivation for showing these documents at all is puzzling, although the matter does go some way to emphasise the power and scope of Cisneros' reform.

¹⁰⁷³ *AIA* makes this just another chapter in the mythology of La Rábida, its virtue is intensified by the struggle.

¹⁰⁷⁴ P. Angel Ortega. 'El Convento de la Rábida, su origen y primeros progresos, desde la fundación hasta el año 1455', cited on p. 86.

¹⁰⁷⁵ Thomas of Celano, *The Life of St Francis*, p. 191, the editors indicate that this may refer to Seneca's *Epistola Morales* 4, n.10:2.

The Americas

Finally, the Franciscans played an important role in the late medieval history of the Americas as their translocal network, which already encompassed so much of the Atlantic world, spread into the archipelago of the Antilles. No Franciscans went with Columbus on the first voyage. This absence is striking as friars had been common place on other Atlantic voyages. Again, we can only speculate about this absence. One suggestion is that Ferdinand and Isabella wanted to limit the potential influence of the papacy in any newly discovered regions. Their absence is notable given the papacy had dispensed conquest rights to Ferdinand and Isabella, for the purpose of evangelisation.¹⁰⁷⁶ In 1494 Alexander issued a further bull conceding the western lands to Ferdinand and Isabella for the propagation of the faith, restating the religious motivation behind the enterprise.¹⁰⁷⁷ Columbus first arrived at Hispaniola, and the history of this space is important to the identity of the New World.¹⁰⁷⁸

The history of the early years of the Americas is as contested as the history of the Canary Islands; again, the political paradigm of First Acquisition drives this ambiguity. The controversy and confusion regarding the presence of the Franciscans in the Atlantic continues from the Canaries and into the Americas. Franciscan history reveals that ambiguity is an important narrative trope of the Atlantic. Even basic coordinates of the narrative of Franciscan involvement in the Americas are contested. On the second Columbus voyage (1493), some narratives account that Father Bernardo Boil, thought to have been a Franciscan, went to the Americas.¹⁰⁷⁹ Borges Moran has observed that from this moment, the Franciscans were unique in uninterruptedly sending personal to the Americas from this time until Independence.¹⁰⁸⁰ The *Catholic Encyclopaedia* observes that there has been confusion surrounding Bernardo Boil, who was thought to be one person with different spellings of his name and

¹⁰⁷⁶ Alexander VI, *Inter caetera*, Papal Bull of May 4, 1493.

¹⁰⁷⁷ Alexander VI, 'se conceden a Fernando é Ysabel las regiones de occidente para propagar la fé', in Francisco Javier Hernández ed., *Colección de Bulas, Breves y otros documentos relativos a la iglesia de América y Filipinas* (Brussels, 1879), pp. 17-18.

¹⁰⁷⁸ Hispaniola was known as Española in Spanish, it is the site of modern day Haiti and the Dominican Republic.

¹⁰⁷⁹ For example see Antolín Pérez, *Los Franciscanos en América* (Madrid, 1992), p. 19.

¹⁰⁸⁰ 'A partir de este momento, la Orden de San Francisco sera la unica que mantendra ininterrumpidamente el envoi de personal a America desde sus mismos comienzos hasta la independencia'; Pedro Borges Moran, *El Envio de misioneros a america durante la época española* (Salamanca, 1977), p. 73.

who converted from a Franciscan into a Benedictine.¹⁰⁸¹ However it claims that Bernardo Boil the Franciscan, and Bernardo Boyl the Benedictine, were actually two different people.¹⁰⁸² It explains that the Franciscan Bernardo Boil was appointed Vicar Apostolic of the New World in 1493, but that Ferdinand exploited the similarity of the names to elect the Benedictine Bernardo Boyl.¹⁰⁸³ This ambiguity does not undermine the story of Franciscan involvement in America, but is an important part of its mystique. The majority of histories that cover this topic do not comment on this intriguing ambiguity.¹⁰⁸⁴ Two letters sent by Bernardo Boil to Cardinal Cisneros could indicate his links to the Franciscan Order, although at this time Cisneros' influence was not confined to the Franciscan Order.¹⁰⁸⁵ Cisneros, the powerful Franciscan responsible for religious reform in Spain, became known as the reformer of the Indies, *reformador de Indias*.¹⁰⁸⁶ Cisneros' secretary, Francisco Ruiz, spent four months in Hispaniola in 1500 and provided Cisneros with information regarding New World affairs.

Suggestions regarding the religious makeup of the second voyage vary,¹⁰⁸⁷ and the orthography is often confused. Mariano Errasti has underlined that the Observants were the first to emphasise the importance of mission to the Indies.¹⁰⁸⁸ Antolín Pérez lists the following religious as receiving instructions from the monarchs to attend the voyage: the Franciscans Juan Pérez (of La Rábida),¹⁰⁸⁹ Boss, and Rodrigo Pérez, Juan dela Duele, Franciscano Borgoñón, Juan Tisin, the Mercedarios Juan Solórzano, Juan de Sevilla, Juan

¹⁰⁸¹ <http://www.newadvent.org/cathen/03040c.htm> (27.09.2011). Few histories agree about this. 'Los Dos Boiles' is also a chapter in José Coll's work, pp. 265-286.

¹⁰⁸² <http://www.newadvent.org/cathen/03040c.htm> (27.09.2011). This issue also raises the question about how common it was to move between religious orders.

¹⁰⁸³ Ibid.

¹⁰⁸⁴ For example it is not mentioned in Antolín Pérez, *Los Franciscanos en América* (Madrid, 1992).

¹⁰⁸⁵ Two letters from Fr. Bernardo Boil to Cisneros, held in the AHN, Madrid, and published in *AIA* (Madrid, 1916), Vol. 2, no. XVIII, pp. 436-443, ed. P. Lucio M. Núñez.

¹⁰⁸⁶ Antonio García y García O.F.M., 'Orígenes franciscanos de praxis e instituciones indianas', in *Actas del I congreso internacional sobre los franciscanos en el nuevo mundo* (La Rabida, 1986), pp. 297-330, p. 296.

¹⁰⁸⁷ Columbus' second voyage left Cadiz September 25, 1493.

¹⁰⁸⁸ Mariano Errasti O.F.M., *El Primer Convento de América*, p. 21.

¹⁰⁸⁹ Jose Torrubia argued that Pérez went with Columbus on the first voyage but no other sources indicate this, see Padre Jose Torrubia, O.F.M., *Cronica de la provincia franciscana de santa cruz de la Española y Caracas, libro de la novena parte de la Novena Parte de la Crónica General de la Orden Franciscana*, ed. and notes Odilo Gomez Parente, O.F.M. (Caracas, 1972).

Infante, and Ramón Pané, a hermit of San Jerónimo.¹⁰⁹⁰ Cross-referencing this list with other sources can help limit the confusion,¹⁰⁹¹ but this confusion is part of the story of the early Americas, and arose immediately after the voyage. The first Franciscan chronicle account of the Franciscans in the Americas was written by Nicholas Glassberger, 'a moderate Observantine',¹⁰⁹² between 1506 and 1509. It was based on a letter sent by missionaries in Hispaniola in 1500, and bizarrely it has been neglected by most Franciscan scholars.¹⁰⁹³ Glassberger reported that two Franciscans of the Province of France, John de la Duele and John Cosin,¹⁰⁹⁴ obtained permission to go to the Americas from their Vicar-General Oliver Maillard, who petitioned Ferdinand and Isabella on their behalf for their place on the second voyage.¹⁰⁹⁵ Glassberger indicated that the mission to Americas was in a way a continuation of the process of mission in Islamic Spain, as the French brothers had been heading to that region. Only the two lay brothers Duele and Cosin are mentioned in the Glassberger chronicle, yet we know that Bernard Boil must also have been on this voyage from the letters he wrote to Cardinal Cisneros. This indicates how different information was received in different parts of Europe. It reminds us that even through Franciscan networks the image of America arriving in Europe was dispersed as a fragmented reflection of the experiences of that space. Many of the sources from this period involve letters which arrived on ships passing from the Americas to Europe. These voyages demonstrate that influence occurred in an East-West direction, yet most histories have emphasised the influence of Europe on the Americas. Histories of knowledge exchange should acknowledge that influence is multidirectional and that ambiguity has an important role.

The bull *Piis fidelium* of 25 June 1493, Alexander VI authorised Fray Bernardo Boil to choose the missionaries that would accompany him from the religious

¹⁰⁹⁰ Antolín Pérez, *Los Franciscanos en América* (Madrid, 1992), p. 21.

¹⁰⁹¹ For example the information in Las Casas' *History of the Indies*.

¹⁰⁹² Malcolm Lambert, 'The Franciscan Crisis under John XXII', *Franciscan Studies*, Vol. 32 (1972), pp. 123-143, p. 125.

¹⁰⁹³ A Latin version was published here: Rev. Livarius Oliger, O.F.M., 'The Earliest Record on the Franciscans in America', *Catholic Historical Review*, 6 (1920/1921), pp.59-65, pp. 62-65, a version of the original letter is included in this chronicle excerpt pp. 64-65. Translating this source provided essential information for this thesis.

¹⁰⁹⁴ John Cosin is probably the friar that appears elsewhere as Tisin.

¹⁰⁹⁵ Nicholas Glassberger, O.F.M., *Chronica, ad. a. 1500, MS. In the Archives of the Franciscan Province of Bavaria, Munich, folio 270v-270r*, in Rev. Livarius Oliger, O.F.M., 'The Earliest Record on the Franciscans in America', *Catholic Historical Review*, 6 (1920/1921), pp.59-65, pp. 62-65.

that the royals designated, without the need for a licence from the respective superiors.¹⁰⁹⁶ This authority in the context of colonial logistics signifies how colonialism complicated the Franciscan relationship with poverty, which was meant to be a rejection of authority. The Glassberger chronicle described that the Franciscans were commissioning licences from their superiors despite this papal dispensation, and this indicates that even the papal bulls were received at different rates in different ways and that a uniform papal policy regarding the New World did not necessarily signify universal practice.

The religious makeup of the second voyage to the Americas raises questions. Duele and Cosin were lay brothers and were therefore not able to baptise the indigenous people; they had to send for priests from Spain to administer the sacrament which would confirm conversion. Given the conversion agenda was the prime justification for the papal dispensation of conquest rights in the region, it may seem odd that no one authorised to baptise the indigenous attended the voyage. However, there is also something typically Franciscan in this. Conversion was understood to have many stages.¹⁰⁹⁷ Franciscans accepted that the secular clergy administered sacraments,¹⁰⁹⁸ and the Franciscan role involved journeying, preaching, disseminating religious knowledge and collecting knowledge to facilitate conversion through the construction of the neophyte. In the final stages neophytes would receive baptism, but this had to be properly managed since baptism signified a social birth.¹⁰⁹⁹ Baptism, therefore, complicated the colonial relationship as it was harder to justify the subjugation of baptised Christians. In 1237, Gregory IX had issued *Quoniam abundavit iniquitas* stating that the Order of the Friars Minor was founded in

¹⁰⁹⁶ Pedro Borges Moran, *El Envío de misioneros a america durante la época española* (Salamanca, 1977), p. 63; he cited the 'texto y comentario de la bula' in M. Giménez Fernández, *Nuevas Consideraciones Sobre la Historia y Sentido de las Letras Alejandrinas de 1493 Referentes a las Indias* (Seville, 1944).

¹⁰⁹⁷ Forced baptism was generally disapproved and considered illegitimate, and the issue of judging genuine conversion had long been on the agenda of the inquisition and was a particularly hot topic regarding *conversos* in the Iberian Peninsula.

¹⁰⁹⁸ There had been tension between the secular clergy and the mendicant orders regarding the boundaries of spiritual authority as the secular clergy feared the mendicants threatened their income. Papal legislation had sought to make the boundaries clearer, but there were many changes in legislation. In 1254 Innocent IV had issued *Etsi animarum* which had severely curtailed the mendicant rights to perform clerical tasks, but this was then revoked by Gregory X. Boniface VIII further defended the rights of the friars in *Super cathedram* (1300) but this was annulled by Benedict XI in *Inter cunctas* (1304).

¹⁰⁹⁹ Brother Giles described baptism as a second birth, in Arnald of Sarrant, *The Chronicle of the Twenty Four Generals*, trans. Noel Muscat (Malta, 2010), p. 132.

order to spread the Gospel of Christ through preaching and hearing confessions.¹¹⁰⁰ The focus here is on communication and knowledge. Glassberger reported that these first Franciscans in America focused on language acquisition, which followed the conversion model of the Catalan tertiary Ramon Lull. While Franciscans attended colonial enterprises as their presence complied with the religious justifications of the conquest, their conversionary role was ambiguous. However, in 1521, Pope Leo X granted the Franciscans the right to perform the duties of regular clergy in regions where there were no priests or bishops. This concession, which had been so controversial in European history,¹¹⁰¹ further complicated the identity of the Franciscans in the colonial context.

Franciscans occupied an ambiguous position within the colonial enterprise. Glassberger wrote that, as the Franciscans arranged with the sailors for priests to be brought from Spain, they also arranged that 'two young men of that island who were not baptised' were taken to Spain. One, quickly receiving baptism on arrival in Spain, died and was buried in a Franciscan convent. It is not known whether these Amerindians were taken willingly to Spain or if here we have evidence of Franciscan involvement in a coercive measure. The burial of this early victim of Spanish colonialism in Franciscan space concretely links the experience of the Amerindians and the Franciscans, but the character of Franciscan engagement in the colonial enterprise here is also ambiguous. The chronicle makes clear that sailors, and not Franciscans, enacted the movement of these Amerindians; it is at pains to stress a dimension of separation between the role of the Franciscans and that of the sailors, although both were part of the same voyage.

The Franciscans had an ambiguous relationship with slavery, which they had used as an example to justify their poverty throughout the Poverty Dispute.¹¹⁰² Errasti observes that the Franciscans were responsible for returning the first Amerindians enslaved by Columbus to Hispaniola, and he notes that this

¹¹⁰⁰ Dominic Monti, *St Bonaventure's Writings Concerning the Franciscan Order* (New York, 1994), p. 17.

¹¹⁰¹ Especially during the secular-mendicant controversy in the thirteenth century.

¹¹⁰² For example, Ockham, *OND*, p. 247.

voyage had a political character.¹¹⁰³ It is interesting that Franciscans were selected for this role since Franciscan poverty complicated understandings of slavery by blurring boundaries. During the Franciscan Poverty Dispute, Franciscans sought to justify their poverty by comparing it to slavery. While Ockham did not write about slave rights, he did write about the legitimate slave actions outside the realms of property and right.¹¹⁰⁴ These included the slave's power to lend,¹¹⁰⁵ and the slave's ability to wear the lord's clothing.¹¹⁰⁶ The territory of permissible action outside property law, which Franciscan poverty had represented, facilitated the ambiguity of the boundaries of slavery, despite the legal limitations placed on the Order.

Franciscan poverty shortened the space between indigenous and Franciscan identity. The Franciscan philosophy of poverty proclaimed the sanctity of nakedness. St Francis had cast off his clothes to become free from property (and the authority of his father) and start the Franciscan movement.¹¹⁰⁷ In the Franciscan Poverty Dispute, Ockham had defended many dimensions of poverty including nakedness: 'nakedness was not a defect in the state of nature as first established'.¹¹⁰⁸ Clothing was significant and featured many times in *OND*.¹¹⁰⁹ For the Franciscans nakedness signified freedom from property and proximity to God. John XXII had challenged this by arguing that there was property in the state of innocence and that a rational man could not be without property, as, we have seen, the topic was highly politicised. Ockham argued that there was no property in the state of nature and stated that Adam's and Eve's first possessions were coats.¹¹¹⁰ The issue of clothing related to a philosophy of biblical time and an ideology of property. From the perspective of Franciscan poverty clothes represented the ambiguous boundaries of ownership and licit use in the case of necessity.¹¹¹¹ Franciscan poverty meant that the Franciscans could easily become like the natives. Glassberger described the Amerindians as living naked like animals. It is intriguing that this

¹¹⁰³ 'El carácter de su viaje fue, más bien, político'; Mariano Errasti OFM, *El Primer Convento de América*, p. 20.

¹¹⁰⁴ This was used to emphasise the reality of 'simple use of fact.'

¹¹⁰⁵ *OND*, p. 325.

¹¹⁰⁶ *OND*, p. 338.

¹¹⁰⁷ See Thomas of Celano, *The Life of Saint Francis by Thomas of Celano*, p. 192-194.

¹¹⁰⁸ *OND*, p. 663.

¹¹⁰⁹ For example see *OND*, p. 162, or p. 192, p. 194.

¹¹¹⁰ *OND*, pp. 545-555, Ockham also cited Genesis.

¹¹¹¹ It was the example for consumables in the 'use of fact' argument.

Franciscan narrative associated nakedness with animals rather than the state of innocence. This is perhaps a legacy of John XXII's ruling in the Franciscan Poverty Dispute, which has been discussed in Chapters Three and Four. Glassberger narrated that one of the first things the Franciscans did in the Americas was spin wool to make tunics so that they would not become naked as their tunics had rotted.¹¹¹² This may simply be a practical description of the climate and an observation that cotton grows in the region. Or the inclusion of this detail may also signify something about the Franciscan proximity to the naked state of the natives.

The context of mission and its demands challenged the poverty of the Franciscans. Glassberger reported that the king and queen of Spain equipped the ship with a full range of conversion apparatus 'putting on board very many treasures for divine worship, namely crosses, golden and silver reliquaries, chalices, cloaks and ornaments placed on board with various tablets and pictures of the stories and deeds of the saviour by which a race so wild might be led to piety'.¹¹¹³ Clearly these objects are not in keeping with Franciscan poverty. This is another example of mission compromising Franciscan identity. Interestingly, Glassberger seems to report that it is the sailors who handle these goods as they leave the ship rather than the Franciscans.¹¹¹⁴ The Franciscan narrative creates a sense of separation. It is perhaps also not incidental that this brief account of the Americas included reference to the disgrace of Columbus.¹¹¹⁵ This comparative strengthens the sense of the distinctness of the Franciscans as missionaries who can also comment on the ill deeds of the non-religious dimension of the voyage.¹¹¹⁶ These details also relate to the Franciscan struggle to control their own collective religious memory. This issue was part of the larger context of a propaganda war to control memory in the colonial context of 'discovery' and 'conquest' or 'conversion' in the Atlantic world.

¹¹¹² Nicholas Glassberger, O.F.M., *Chronica*, p. 62.

¹¹¹³ *Ibid*, p. 63.

¹¹¹⁴ *Ibid*, p. 64.

¹¹¹⁵ *Ibid*.

¹¹¹⁶ For the later period Tibesar wrote that the Espinar's colleague, Fray Antonio de los Mártires, also tried to reform the colonists, especially those living in sin with Indian women, and that the Franciscans helped build first hospital, see Antonine Tibesar, 'The Franciscan Province of the Holy Cross of Española, 1505-1559', *The Americas* 13, no. 4 (April 1, 1957), pp. 377-389, p. 382.

Antonine Tibesar has argued that Las Casas manipulated the history to show Franciscans badly and the Dominicans well, especially regarding matters of poverty and defence of the rights of Indians.¹¹¹⁷ Yet the Dominican engagement with coloniality and the Atlantic world differed from that of the Franciscans. The Dominicans had not experienced the turmoil of the Poverty Dispute as they had adopted a more moderate stance on poverty from the beginning. The colonial experience was not conditioned by engagement in the Canary Islands, and they did not arrive in the Americas until in 1508.¹¹¹⁸ Despite the longer Franciscan presence in the Americas, the Dominicans have often dominated the historiography. Glassberger's chronicle of the first Franciscans is seldom cited and these early yet crucial experiences remain in historical obscurity.

In 1500, the Franciscan' enterprise in the New World expanded,¹¹¹⁹ and so too did the complications of Franciscan identity. Franciscans journeying to the Americas had to intersect a number of political networks. The question of who could travel to the Americas was causing disputes within the Order; Errasti observes that Cisneros was using his influential powers at this time to strengthen his right and attributes in America, while at the same time the Chapter General of the Franciscans was trying to curtail his overarching power.¹¹²⁰ The Franciscans were working hard to control the identity of the New World. The third expedition left in July 1500 with the Franciscans Francisco Ruiz, *major domo* of Cardinal Cisneros, and the priests Juan de Trasierra and Juan de Robles.¹¹²¹ These Franciscans were accompanying Governor Bobadilla. The twelve friars arriving on the 1502 expedition were accompanying Governor Nicholas Ovando. Travel to the Americas necessitated engagement with religious and secular authorities. Errasti reports that, between 1502 and 1508, no new missionaries were sent due to tensions between Ferdinand and the Pope, suggesting that it was the Spanish crown that controlled the

¹¹¹⁷ Antonine Tibesar, 'The Franciscan Province of the Holy Cross of Española, 1505-1559', p. 385. Of course, Tibesar is another Franciscan writing Franciscan history.

¹¹¹⁸ The Augustinians arrived in 1532.

¹¹¹⁹ The Archive of the Indies in Seville contains the names of the Franciscans sent to America in 1500 by Cisneros. It also seems that after returning to Spain at an unknown time, John de la Duele returned to the mission, and died in the West Indies between the 1508 and 1511 Chapters.

¹¹²⁰ Mariano Errasti O.F.M., *El Primer Convento de América*, p. 21.

¹¹²¹ Antonine Tibesar, 'The Franciscan Province of the Holy Cross of Española, 1505-1559', p. 379.

missionaries going to America. In 1505, the first Franciscan province (called the Holy Cross) was established in America. It included Haiti, Cuba, Jamaica and the Antilles. Fray Juan de Trasierra became *commissarius cum plenitudine potestatis* for the Church in the Antilles, which affirmed the authority of the Observants in the region. Five convents emerged on Hispaniola: Santo Domingo, Concepción de la Vega, Vera Paz de Jaguá, Villa de Buenaventura, and Mejorada in Cotuy. In 1508, Ferdinand ordered delegates at the General Chapter at Barcelona to send as many friars as possible to convert the natives of *Tierra Firme*: Fray Antonio de Jaén left in 1509 with eight Franciscan companions. The Spanish Franciscan, Juan de Quevado, was appointed Bishop of Darién (on the Isthmus) in 1513, becoming the first bishop on the mainland.¹¹²² Franciscans proliferated throughout the Viceroyalty of New Spain as it was established following the conquest of the Aztec Empire in 1521. The bull *Omnimoda* issued in 1522 delegated the mendicants and in particular the Franciscans to evangelise the Indies.¹¹²³ In 1524 the twelve Franciscan 'Apostles' arrived and began the spiritual conquest of Mexico, and this is where many histories of missionaries in the New World begin, neglecting the complex history of the early years. *Omnimoda*, or *Exponi nobis* as it was known in Europe, 'extended to prelates of all mendicant orders in America the right to exercise almost all Episcopal powers except ordination in areas where there were no resident bishop or where he was two days distant'.¹¹²⁴ As the Franciscans developed a special role in America throughout the early sixteenth century new pressures were placed on their identity.

The practicalities of mission further challenged Franciscan poverty. The Herrera chronicle reports that the Franciscans' supplies included hoes and seeds for the garden and books for the library.¹¹²⁵ Since these provisions were not in

¹¹²² Understanding the history of Quevado is difficult, it is often characterised in terms of his clash with Las Casas in 1519.

¹¹²³ Antonio Garcia y Garcia O.F.M., 'Orígenes franciscanos de praxis e instituciones indianas', in *Actas del I congreso internacional sobre los franciscanos en el nuevo mundo* (La Rabida, 1986), pp. 297-330, p. 302. Documents relating to papal legislation of the mendicants are one document type that we do have; different popes granted or reduced the privileges of the mendicants in the New World

¹¹²⁴ Richard E. Greenleaf, 'The inquisition and the Indians of New Spain: A study in Jurisdictional Confusion', *The Americas*, Vol. 22, No. 2 (1965), pp. 138-166, p. 138.

¹¹²⁵ Antonine Tibesar, 'The Franciscan Province of the Holy Cross of Española, 1505-1559', p. 381. Tibesar refers to Antonio de Herrera y Tordesillas, *Comentarios de los hechos de los españoles, franceses, y venecianos en Italia, y de otras repúblicas desde ... 1281 hasta ... 1559*. (Madrid, 1624).

accordance with early poverty stipulations, reference to them is a commentary of the state of poverty amongst the Franciscans. In 1503, Ovando helped Espinar to found the first Franciscan friary, reportedly from reeds and branches, but from 1508 it had stone walls. Materials carried meaning as they represented how true the Franciscans were being to their doctrine of poverty.¹¹²⁶

The Franciscans soon established their network in the Americas. Tibesar states that 'the Franciscan Province of the Holy Cross was the first major administrative unit organized by the Franciscan, or by any religious, in the Americas'.¹¹²⁷ The Franciscan Province of the Holy Cross was highly important to the Atlantic world network. By looking at this province we can see the translocality of the Franciscan Order. When the Franciscans in Hispaniola wrote to the Chapter General in Laval (France) in 1505 requesting that the islands of the Indies should become a province and have one vote at the general chapter, they also requested to found residences wherever it saw fit.¹¹²⁸ Thus they prepared themselves for translocality in the Americas. Santo Domingo became 'a temporary port of call'.¹¹²⁹ Franciscans arrived in Hispaniola, but soon moved, following the conquistadors across the *Tierra Firme*. Settlements emerged and disappeared, and so too did Franciscan convents. According to Tibesar, 'the crown also helped to disperse the friars and to cause them to found new residences because it desired that they should go along with the discoverers and conquistadores'.¹¹³⁰ There were constant calls for more Franciscans to travel to the Americas, as convents struggled to maintain their numbers amidst the migratory flows. Errasti described the 'exodus' of the religious of the young province between 1508 and 1518 as a 'true dispersion'.¹¹³¹ He described the province of Santa Cruz as a 'launch ramp' for the spiritual conquest of the

¹¹²⁶ An anecdote in the Assisi Compilation described how St Francis refused to stay in a cell that had been prepared for him, even though it was built from wood, because it seemed too beautiful. The anecdote claimed that St Francis had written in his Testament that Franciscan houses should be built from only mud and wood 'to safeguard poverty and humility, although the Testament actually only refers to the poverty of buildings. *The Assisi Compilation, in Francis of Assisi, Early Documents Vol II, The Founder* (New York, 1998), pp. 118-230, p. 159.

¹¹²⁷ Antonine Tibesar, 'The Franciscan Province of the Holy Cross of Española, 1505-1559', p. 377.

¹¹²⁸ Evidence from Joseph Torrubia, *Chronica de la Seraphica Religion*, cited by Antonine Tibesar, 'The Franciscan Province of the Holy Cross of Española, 1505-1559', p. 382.

¹¹²⁹ Antonine Tibesar, 'The Franciscan Province of the Holy Cross of Española, 1505-1559', p. 387.

¹¹³⁰ *Ibid*, p. 383.

¹¹³¹ 'verdadera dispersión'; Mariano Errasti O.F.M., *El Primer Convento de América*, p. 23. He includes a list of where each of the friars went.

mainland.¹¹³² In 1516, superiors, led by Mexia, requested more friars for Hispaniola, and claimed that there were only twelve priests, four clerics, and one lay broth on the island.¹¹³³ In 1528, the crown was informed that only one or two friars were left in Concepción de la Vega, which had been the largest Franciscan friary on the island, while the population of Buenaventura had disappeared altogether. Tibesar reports that friars were leaving the islands and not being replaced as the mainlands were favoured, and so friars on Hispaniola turned to admitting local boys, which resulted in problems for the friars.¹¹³⁴ Franciscan convents in the early Americas were very transitory places, with populations sometimes surging, and sometimes disappearing altogether.

Conflicting narratives and mythologies are not the only things to obscure and complicate the history of the Franciscans in the early Americas. Writing about the first Franciscan convent in the Americas, Errasti describes how earthquakes, hurricanes, demolition and looting reduced much of the history to dust and silence.¹¹³⁵ Again, the instrumentalisation of memory has also impacted upon the source record.

Given the fragmented nature of the history of the Franciscans in the late medieval world, it is unsurprising that the record of the interactions and experiences of the Franciscans in this Atlantic world is scarce. The source record regarding Franciscan practice, behaviour and interactions in the sixteenth century in Mexico is far superior.¹¹³⁶ Using the writings of Mendieta and Motolinía, Clendinnen was able to write about the transformation of Franciscan experience in the New World. She observes that 'in the New World, their peculiar responsibility towards the Indians, and their constant and intimate interaction, brought their charges within the boundaries of the Franciscan world. Yet in that crucial and continuing relationship the friars were placed of necessity

¹¹³² 'rampa de lanzamiento'; Mariano Errasti O.F.M., *El Primer Convento de América*, p. 23.

¹¹³³ Antonine Tibesar, 'The Franciscan Province of the Holy Cross of Española, 1505-1559', p. 387. Tibesar cites: 8 Letter to Cardinal Cisneros, Santo Domingo, February 15, 1516, N.Y.P.L., R ich 2, fol. 107V.

¹¹³⁴ Antonine Tibesar, 'The Franciscan Province of the Holy Cross of Española, 1505-1559', p. 388.

¹¹³⁵ 'verdadera dispersión'; Mariano Errasti O.F.M., *El Primer Convento de América*, p. 26.

¹¹³⁶ Gerónimo Mendieta, *Historia eclesiástica Indiana*, ed. Garcia Icazbalceta (Barcelona, 2007); T. Motolinía, *History of the Indians of New Spain*, ed. Elizabeth Andros Foster (Berkeley, 1950).

in a position of permanent authority'.¹¹³⁷ Both the Franciscans and the indigenous groups had their identity and integrity compromised, challenged, and transformed by this context of interaction which was forced by the Franciscan belief in mission. Franciscan poverty was compromised by the enactment of authority in the context of mission. It may have enabled the Franciscans to transcend the space between the indigenous peoples of the Atlantic world and the European colonists, but it also challenged the identity of the Franciscans and their poverty.

The Franciscans had a traumatic relationship with authority since the earliest days of the Order. Obedience (submission to authority) was part of the Franciscan vow and penance (the disciplination of the body and will) was part of Franciscan identity. *The Chronicle of the Twenty Four Generals* described that Brother Giles, one of the companions of St Francis, 'assiduously kept his body under the yoke of penance in order to keep it in rule under the servitude of the spirit'.¹¹³⁸ The Franciscans had long struggled with authority and engaged in the subjugation of themselves, yet in the context of mission that subjugation was transferred to others.

In conclusion, the ambiguous history of the emergence of colonialism in the Atlantic world parallels the ambiguous history of the Franciscans. Their presence in the Atlantic world has mirrored the ebb and flow of the ocean. Convents were established and then disappeared without a trace. Some Franciscans left for the Americas, never to return, others journeyed back to Europe carrying many stories. The expansion of the translocal network of the Franciscans compounded the pressures on Franciscan identity as they were entangled with various forms of authority, assumed new roles, and further challenged the practicalities of their poverty.

The Franciscans and their philosophy of poverty also reveal more ambiguities in the history of colonialism itself and provide an alternative way to address this period of Atlantic history. The Franciscans had agency and a role in creating

¹¹³⁷ Inga Clendinnen, 'Disciplining the Indians: Franciscan Ideology and Missionary Violence in Sixteenth-Century Yucatán', p. 41.

¹¹³⁸ Arnald of Sarrant, *Chronicle of the Twenty-Four Generals of the Order of the Friars Minor*, trans. Noel Muscat O.F.M. (Malta, 2010), p. 115.

their own history of their role in the Atlantic world. Yet the Franciscans were also appropriated by agents (such as the Spanish monarchy) to create the legitimate face of colonialism. This chapter has revealed that there is also something deeply ambiguous about Franciscan identity itself as it represented both colonised and colonising dimensions, yet this ambiguity itself could be useful. The image, enactment, or appropriation of Franciscan poverty was also used as a way to enhance power.¹¹³⁹ Clendinnen writes about the use of Franciscan identity when she described the 'ritual display of unworthiness' to gain authority.¹¹⁴⁰ This was done by the Franciscans themselves, and other parties that employed Franciscan identity. It is thought that Columbus adopted a Franciscan identity, and he became more pious as his position was threatened after his expeditions did not generate swift economic returns. Columbus may have drawn on the authority of Franciscan identity. He would not have been unique in this; the monarchs used Franciscan identity to legitimate their colonialism, and the papacy used Franciscan identity to distance itself from the association with wealth acquisition. While Franciscans have tried to defend their identity through their histories, ultimately they occupied a position of ambiguity. The summation of this ambiguity in the colonial context demonstrated that the late medieval Atlantic world was not constituted by a linear narrative of discovery and conquest, nor did it form a colonised/coloniser binary. The Franciscans had an important role in many of the more hidden dimensions of coloniality, including semiotic, linguistic, and cultural colonisation, but their contribution to our historical understanding of the multidimensional and multidirectional nature of coloniality is more complex than this. The New World was a product of the ambiguity of the Franciscans, their Atlantic world, and its coloniality.

¹¹³⁹ Gaining power through deference / subordination is part of the broader Christian tradition, but it finds a specific enactment in the Franciscan Order.

¹¹⁴⁰ Inga Clendinnen, 'Disciplining the Indians: Franciscan Ideology and Missionary Violence in Sixteenth-Century Yucatán', p. 29.

Chapter Six. The New World or The End of the World?

The Franciscan historical future and the making of the New World

Santiago Olmedo Bernal asserts that ‘the other great force and spiritual conditioning’ that enabled Atlantic expansion was Franciscanism and its mysticism.¹¹⁴¹ This chapter seeks to penetrate the culture of prophetic Franciscan mysticism, and to explore the potential significance of the Franciscan idea that, at the end of the world, there is a New World; a theological belief which became a spatial truth. It argues that the meta-historical framework engineered by the Franciscans contributed to the construction of the New World. Mysticism and prophecy played an important role in the invention of the New World, and even Las Casas’ *History of the Indies* has been described as a prophecy.¹¹⁴² This chapter takes a closer look at the religious beliefs which shaped the identity of the New World in the minds of Europeans. While Christianity constituted one of the justificatory frameworks of conquest, religious beliefs were also essential components of the psychology of the invention of the New World, as well as a filter for the perception of the Americas. Religion cannot be partitioned from other categories such as politics, economics and science; it is an active agent behind the psychology of perception and invention which have had a significant impact on the identity of the New World in the Americas.

This chapter aims to contribute to our understanding of an alternative Franciscan-centred narrative of the New World, and facilitate a re-modelling of global history that considers the theology of time. It seeks to penetrate the surface of the normative narrative that is shaped by the planted flags of the image of Columbus discovering the New World in 1492, and vague chaos in the ‘New World’ before Cortés’ conquest of Mexico, and Las Casas’ critique of

¹¹⁴¹ ‘la otra gran fuerza y condicionante espiritual es el franciscanismo y su mística’; Santiago Olmedo Bernal, *El dominio del Atlántico en la baja Edad Media* (1995, Valladolid), p. 38.

¹¹⁴² Andrée M. Collard, ‘Introduction’ Bartolomé de Las Casas, *History of the Indies* (New York, 1971), pp. ix-xxiv, p. x.

slavery.¹¹⁴³ A Franciscan-centred narrative reveals characters and details off the beaten track of the dominant discovery of the New World narrative, and facilitates an investigation of the psychological context of the invention of the New World. Mendieta 'propounded the view that the Discovery of the new world could only be attributed to the providence of God'.¹¹⁴⁴ In fact the New World was only a New World because of the prophetic culture within late medieval Europe, particularly prevalent amongst the Franciscans.

This thesis has explored the Franciscan role in constructing their own history, and it has also explored the historiographical function of the Franciscans. David d'Avray has noted that 'Franciscan attitudes to History, whether in historical or in theological works, have rightly attracted the attention of historians'.¹¹⁴⁵ As explained in chapter one, the Franciscans had a specific sense of time which was linked to their exile from property. Franciscan time was an exilic time, and had a sense of waiting. The Franciscans refused to accept the time in which they lived and were waiting for another. This sense of time characterised by waiting can also be linked to Petrarch and his construction of the Middle Ages as the time spent waiting for modernity.¹¹⁴⁶ This chapter looks at the role that the historical future of the Franciscans played in shaping the identity of the New World.¹¹⁴⁷ Knowledge and visions of the future were very important in the Franciscan tradition. This historical future formed part of the Franciscan political theology which influenced both the preconception of the New World and its religious identity. It also explores the role of poverty in the historical future, or millenarian vision, of the Franciscans. Poverty is a highly significant subject in the context of the New World. This sounds paradoxical as the narrative of the New World usually focuses upon gold. The quest for gold, the myth of El Dorado, greed and the genesis of capitalism are just one narrative of the New World. Poverty and its apocalyptic significance also played a role in the New World. It is possible that the poverty image of the Franciscans was used as a

¹¹⁴³ For an example of this dominant popular narrative see Elizabeth Abbott, *Sugar, A Bittersweet History* (London, 2010).

¹¹⁴⁴ Edwin Edward Sylvest, Jr., *Motifs of Franciscan Mission Theory in Sixteenth Century New Spain Province of the Holy Gospel* (Washington D.C., 1975), p. 20.

¹¹⁴⁵ David d'Avray, 'A Franciscan and History', *Archivum Franciscanum Historicum*, 74 (1981), pp. 456-482, p. 456.

¹¹⁴⁶ See John Dagenais, 'The Postcolonial Laura', *Modern Language Quarterly*, 65, no. 3 (2004), pp. 365-389.

¹¹⁴⁷ A historical future is a conception of the future that ought to occur in accordance with a certain narrative of historical time.

subterfuge for the otherwise flagrant greed behind the conquest and exploitation of the New World, in a predominantly Christian society whose renaissance had not yet completely succeeded in glorifying the pursuit of wealth.¹¹⁴⁸ The significance of poverty to the perception and identity of the New World demands more investigation.

Both mysticism and the Franciscans were important to the identity of the New World. John Phelan demonstrates this in his work which focuses on Mendieta.¹¹⁴⁹ However, Mendieta was not extraordinary but the bearer of a long Franciscan tradition. Edwin Sylvest has argued that Motolinia wrote almost fifty years before Mendieta and 'deserves the basic credit for certain motifs Phelan attributes only to Mendieta'.¹¹⁵⁰ Yet using Motolinia to broaden Phelan's portrait of Mendieta does not go far enough. Mysticism and millennialism were important to the Franciscan Order from its beginning; it was ingrained in the imagery of the stigmata of St Francis.¹¹⁵¹ This thought tradition did not begin in the New World; the New World was created because of it. Both Marjorie Reeves and Bernard McGinn have emphasised the importance of Joachim of Fiore (Joachim hereafter).¹¹⁵² However, Joachim was just one source of influence for the Franciscans.¹¹⁵³ Given the translocal structure of the Order, the movement of ideas around the Order was fluid, not linear. The Franciscans' translocal structure affected their intellectual heritage as well as their identity. In this context, the legend of St Francis, the foundation of Franciscan identity, is constantly circulated and re-interpreted, taking on different significances at different times. The handling, or even recycling, of the legend tells us something about the way in which ideas were exchanged, circulated and flowed. As seen in the last chapter, this flow encompassed the Atlantic world. This chapter explores the reception and development of mysticism and millennialism amongst

¹¹⁴⁸ It is possible that Franciscan identity had been used in this way during the inquisition; who best to appropriate wealth for the church than those that can't touch money?

¹¹⁴⁹ John Phelan, *The millennial kingdom of the Franciscans in the New World* (London, 1970).

¹¹⁵⁰ Edwin Edward Sylvest, Jr., *Motifs of Franciscan Mission Theory*, p. ix.

¹¹⁵¹ The stigmata of St Francis is an example of mystical thought as it portrays a transcendence of the space between God and man; this was also significant for the narrative of the Apocalypse as we shall see.

¹¹⁵² Bernard McGinn, *Visions of the End: Apocalyptic Traditions in the Middle Ages* (New York, 1998), Marjorie Reeves, *The influence of prophecy in the later Middle Ages: a study in Joachimism* (Notre Dame, 1993).

¹¹⁵³ Further, Joachim's eschatological consciousness had been influenced by his predecessors, such as Anselm of Havelberg. See Joseph Ratzinger, *The Theology of History in St Bonaventure* (Chicago, 1971), p. 104.

the Franciscans in Spain and its role in shaping the identity of the New World in the Americas. Medieval Spain is often marginalised in histories of medieval thought in the Anglophone world, which focus instead on England, Germany and France.¹¹⁵⁴ In Spanish the role of the role of mysticism amongst the Franciscans and their role in shaping the New World has been discussed by Alain Milhou and Mario Cayota, but these studies are weighted towards the later period.¹¹⁵⁵ However, within the history of ideas it is important to trace both broader continuities and deeper contexts in order to fragment the historicist rupture of 1492. Bernard McGinn has argued that 'the issues and interests of apocalypticism centre on the relation between time and eternity'.¹¹⁵⁶ It is a genre that represents one of the anxieties of the human condition, a desire to transcend death, and so it appears in many different forms and places. The need to construct the future is an anthropological universal, where fear and hope live alongside each other. Visions of the future are not simply symptoms of a medieval 'other' but play an active part in human politics.

From the time of St Francis, the Franciscans had a very particular notion of space and time that contributed to their 'psychology' and their identity. St Francis told his followers that they were 'strangers and pilgrims',¹¹⁵⁷ and they transcended the bonds that root people to space. The Franciscans had a testamentary commitment to travel as missionaries through the world. This journey was not just spatial; it represented an attempt to progress through eschatological time. While the specifics of this narrative sometimes varied, its overarching theme was never lost. Further, Pauline Moffitt Watts has linked this journey directly to Franciscan poverty, describing the 'deliberate dependence of mendicant orders on the randomly encountered charity of others' as

¹¹⁵⁴ The closest article is by Pauline Moffitt Watts who addressed the psychology of Columbus; see Pauline Moffitt Watts, 'Prophecy and Discovery: On the Spiritual Origins of Christopher Columbus' 'Enterprise of the Indies', *The American Historical Review* 90, no. 1 (February 1985), pp. 73-102.

¹¹⁵⁵ Alain Milhou, *Colon y su mentalidad mesianica en el ambiente franciscanista espanol* (Vallodolid, 1983); Mario Cayota, *Siembra entre brumas: utopiá franciscana y humanismo renacentista*, (Montevideo, 1992).

¹¹⁵⁶ Bernard McGinn, 'Introduction', *Apocalyptic Spirituality*, p. 6.

¹¹⁵⁷ St Francis, *Regula bullata*, Regis J. Armstrong, O.F.M. Cap., J. A. Wayne Hellman, O.F.M. Con., William J. Short, O.F.M., eds, *Francis of Assisi: Early Documents, Vol. 1, The Saint* (New York, 1999), pp. 99-106.

'manifestations of the symbiotic relationship between the internal and external journeys necessarily undertaken by post-lapsarian man'.¹¹⁵⁸

Looking at the reforms, millennial beliefs, and culture of mysticism of the Franciscans of the Iberian Peninsula in the late Middle Ages illustrates more of the ways in which Franciscans influenced the New World. Since the Franciscans were a translocal community and their intellectual flows always encompassed a wide area, a study of Franciscan cultures and ideas cannot be limited entirely to the peninsula. Explorations of the impact of the Franciscans on religious identity in the early Americas must consider how ideas migrated and emerged amongst the Franciscans of the late Middle Ages in order to illustrate their significance to the preconception and forging of the identity of the New World. These considerations contribute to this thesis' emphasis that the Franciscans represent not just a religious order, but a historical tradition and a historiographical paradigm. The coming of a new kingdom, whether temporal, spatial, or spiritual is part of a prophecy that was very important to Franciscan culture. It has more than coincidental parallels with the invention of the New World. Within the mystical Franciscan cosmos the future is known, and so the New World is already invented because it must fit into eschatological schema. These ideas also influenced Columbus, who recorded in his *Book of Prophecies* 'those things which are presently in our future have already taken place in God's eternity'.¹¹⁵⁹ The apocalyptic ideas of Columbus were especially influenced by the Franciscans.¹¹⁶⁰ This focus explores the particular brand of historicism which was engineered by the Franciscans in the late Middle Ages which related to the New World. The particular Franciscan interpretation of history dictated their interpretation of the future.

The Franciscans had a specific narrative of time and vision of the future which structured their perception of space and influenced their preconception of the

¹¹⁵⁸ Pauline Moffitt Watts, 'Prophecy and Discovery', p. 79.

¹¹⁵⁹ 'St Isidore, chapter 25 of book I of *De Summo bono*', *The Book of Prophecies edited by Christopher Columbus*, historical and textual editor Roberto Rusconi, trans. Blair Sullivan, *Repertorium Columbianum*, V. III (Berkeley, 1997), p. 63. Columbus compiled the *Book of Prophecies* with the help of the Carthusian monk Gaspar Gorricio.

¹¹⁶⁰ See Alain Milhou, *Colon y su mentalidad mesianica en el ambiente franciscanista espanol* (Valladolid, 1983).

New World and eventual identity of the New World.¹¹⁶¹ Apocalyptic beliefs, millennialism, mysticism, prophecy and vision are terms which are often mixed together and confused.¹¹⁶² However, they sometimes overlap and form cultures of thought. There is evidence that often the protagonists of these ideas did not make precise distinctions, but were influenced by a range of different beliefs. This range must be considered if we are to begin to understand the complex psychological cosmos of the Franciscans.

Phelan focused on the Franciscans' millennialism, also known as millenarianism, which is a specific eschatological narrative of the Apocalypse.¹¹⁶³ This term does not signify a homogenous system; there are various types of eschatological schema and the Order did not follow one precise doctrine.¹¹⁶⁴ Beliefs in the future were revealed through a range of various visions and prophecy. Belief in foreknowledge of the future were structured by an eschatology informed by biblical exegesis known as apocalyptic or millennial,¹¹⁶⁵ and were based on the Book of Daniel and the revelation of St John who had received a vision about the end of time.¹¹⁶⁶ Further prophecies and visions led to the construction of an entire genre of apocalyptic thinking. These prophecies, visions, and revelations which revealed the future suggested a closer communication with God and consequently were tied to the general culture of mysticism since the distance between man and God is somehow

¹¹⁶¹ For example, Bonaventure's work included a theology of history; see Joseph Ratzinger, *The Theology of History in St Bonaventure*

¹¹⁶² There is not space for a complete typology here, see Bernard McGinn, *Visions of the end: apocalyptic traditions in the Middle Ages* (New York, 1998).

¹¹⁶³ John Phelan, *The millennial kingdom of the Franciscans in the New World* (London, 1970). Millennialism is also known as chiliasm in Greek.

¹¹⁶⁴ For example, in the Old Testament prophetic eschatology is distinguished from apocalyptic eschatology. Later, St Augustine elaborated on the theology of eschatology, and different interpretations increasingly emerged. See Bernard McGinn, 'Introduction', *Apocalyptic Spirituality*, p. 5.

¹¹⁶⁵ Millennialism assumes that change will occur after a millennium (not specifically 1000 years). Burr explained that Augustine saw that Revelation 20 could be read in two ways; 'either it is a synecdoche, the whole being taken for one of its parts, and 'millennium' standing for the remaining part of the sixth and final millennium of world history; or it is simply a perfect number used to signify the entire Christian era'. Joachim agreed with Augustine, millennium not a literal thousand years but applies to the whole history of the church. See David Burr, *Olivi's Peaceable Kingdom, A reading of the Apocalypse Commentary*, (Philadelphia, Pennsylvania Press, 1993), p. 168-9.

¹¹⁶⁶ There were many sources for apocalyptic thinking in the Middle Ages that this chapter cannot pursue; one important example would be Augustine's *City of God*. Augustine's exegetical contributions are significant since he developed the doctrine of the six ages and prophesied that Christ would come during the final age.

transcended.¹¹⁶⁷ Further, Joseph Ratzinger adds that ‘mysticism is not a grace given in isolation and independently of time; it is, rather, conditioned by the historical development of the divine revelation’.¹¹⁶⁸ Millennialism is important to the invention of the New World because it is a phenomenon which locates the kingdom of God within the temporal world, and this belief contributed to the expectations of what the New World could be.

In the millennial tradition, the quality of the narrative of time is more important than its quantity.¹¹⁶⁹ Although the *Oxford English Dictionary (OED)* defines millenarianism as ‘belief in a future thousand-year age of blessedness, beginning with or culminating in the Second Coming of Christ’, the number of years is not the most significant feature of millenarianism.¹¹⁷⁰ The *OED* continues, millenarianism is the ‘belief in a future golden age of peace, justice, and prosperity, typically posited on an end to the existing world’,¹¹⁷¹ yet this overly simplistic and millennial beliefs have taken many forms. McGinn defines millenarianism as ‘beliefs in a coming more perfect terrestrial form of society’, and this is a useful definition since it captures the sense of an anthropologically meaningful journey through time.¹¹⁷² Specific manifestations of millenarianism vary according to different contexts, since millenarianism must respond to the needs of people at different times. People exist within dynamic and complex intellectual and theological cosmoses, and millenarianism had to be dynamic in order to continue being relevant. Millenarianism was able to respond to different influences since it was open to interpretation and boundaries between different ideas were not rigidly defined. Trying to understand Franciscan millenarianism as a rigid schema would be artificial, but it is important to untangle the pathways of influence within different Franciscan interpretations of millenarianism. The rich entanglement of ideas coming from many different sources across their translocal network constitutes a dimension of the Franciscan cosmos.

¹¹⁶⁷ In the sixteenth century, utopianism can be added to this mix. Utopianism is linked to these apocalyptic and mystical traditions of thought but was specific to renaissance humanism.

¹¹⁶⁸ Joseph Ratzinger, *The Theology of History in St Bonaventure*, p. 92.

¹¹⁶⁹ Contrary to the suggestion of the terminology, the notion of 1000 years is not always important to millennial beliefs as there are many different schemas and different interpretations. The *OED* defines a millennium as ‘the period of one thousand years during which (according to one interpretation of Revelation 20:1-5) Christ will reign in person on earth’ (16.01.2012).

However there are many possible different interpretations

¹¹⁷⁰ *OED* (16.01.2012).

¹¹⁷¹ *Ibid.*

¹¹⁷² Bernard McGinn, ‘Introduction’, *Apocalyptic Spirituality*, p. 5.

The phenomenon of mysticism was not a superstitious or irrational system. In the late Middle Ages and Early Modern period mysticism constituted a precise religious movement linked to the *devotio moderna*, which the Franciscans and in particular William of Ockham contributed to. Before this it had been particularly prevalent amongst Franciscans since their foundation as its transcendentalism resonated with the collective Franciscan identity and psychology. Mysticism contributed to the translocality of the Franciscans, since it contributed to their understanding of the way in which they were journeying through space and time. Mysticism was not just a medieval phenomenon but remained important in the Spanish Empire of the 'golden age'.¹¹⁷³ Marcel Bataillon and John Phelan have studied the popularity of the messianic spirit in the sixteenth century.¹¹⁷⁴ While Hilaire Kallendorf describes the period 1515-1630 as the 'apogee of mystical activity', mysticism had been important in the Iberian Peninsula throughout the late Middle Ages.¹¹⁷⁵ The intellectual climate of the thirteenth century was characterised by the clash between the scholastics and mystics. Marjorie Reeves observes that 'different ways of looking at the future were formed in the sixteenth century, but alongside the old assumptions'.¹¹⁷⁶ Mysticism was part of the process of negotiating theological understanding, which, Michael Gillespie argues is the process that created the notion of modernity.¹¹⁷⁷

The Apocalypse always had a political significance as it was intrinsically linked to the belief in inevitable regime change, and usually the destruction of the Roman Church.¹¹⁷⁸ Additionally, apocalyptic belief was often loaded with a judgement on contemporary time which usually suggested that an age of sin would come to a fiery end before a peaceful age began for the perfect few. Amid the discourse of political protest in the late Middle Ages one can usually

¹¹⁷³ For more on mysticism in Spain and America in the later period see Andres Melquiades, *Historia de la Mistica de la edad de oro en espana y America*, (Madrid, 1994).

¹¹⁷⁴ Particularly important for the Franciscans of Escalona, led by Fr Francisco de Ocaña 'who prophesied victory to Charles V and a great reforming mission which would set Spaniard on the seat of St Peter'; Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 447.

¹¹⁷⁵ Hilaire Kallendorf, 'Introduction: Expanding the Mystical Canon', in Hilaire Kallendorf ed., *A New Companion to Hispanic Mysticism* (Leiden, 2010), pp. 1-12, p. 10.

¹¹⁷⁶ Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. vi.

¹¹⁷⁷ Michael Allen Gillespie, *The Theological Origins of Modernity* (Chicago, 2008).

¹¹⁷⁸ In late medieval Spain the Inquisition pursued irregular purveyors of apocalyptic thought, and feared prophecies amongst the Jewish *conversos*.

find reference to the Apocalypse. for example one can find Joachimite ideas in Piers Plowman and Wycliffe, both of whom were important figures in the 1381 English political revolt,¹¹⁷⁹ which Coleman described as ‘only one of many instances where the scholarly debates over property and poverty reached beyond the literate educated groups, inspiring lay movements to reassess their social conditions and their piety’.¹¹⁸⁰ McGinn argues that ‘because of its concerns with the structures and meaning of history, apocalyptic literature has broad political implications in the root sense of politics as that which pertains to the government of state’.¹¹⁸¹

Assertions of the future carry political power; they also have the power to shape the future. As Reeves observes, ‘a prophet foretells the future: he can also create it’.¹¹⁸² Franciscan beliefs in the identity of the future, which were shaped by the millenarian tradition, provided the structure for the medieval invention of the New World. The New World had to be new because it had to fit the New Age, the third age of the spirit which would be dominated by the spiritual men, the Franciscans. Franciscan poverty, reform, and passion for conversion acquire eschatological significance in this context.

Context is essential for understanding the implications of apocalyptic thinking in the late Middle Ages. Given the broad temporal framework of this thesis there are many different contiguous contexts, all of which could contribute different perspectives if there was time for broader analysis. Papal schism (1378-1417) had had a profound effect on the psychological makeup of late medieval Europe. In this context, conciliarist scholars such as Nicholas of Cusa constructed forecasts about the feared future; their ideas were coloured by the traditions of the eschatological framework.¹¹⁸³ While there is not space here to comment on the broader concerns of the late fifteenth and sixteenth century, including Reformation, confessionalisation, and the Council of Trent (1545-1563), these have dominated narratives of the end of the Middle Ages and,

¹¹⁷⁹ Joachim is also said to have influenced the Beghards and Lollards.

¹¹⁸⁰ Janet Coleman, ‘Property and poverty’, in J. H. Burns ed., *The Cambridge History of Medieval Political Thought, c. 350-1450* (Cambridge, 1995), pp. 607-648, p. 647.

¹¹⁸¹ Bernard McGinn, ‘Introduction’, *Apocalyptic Spirituality*, p. 9.

¹¹⁸² Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 135.

¹¹⁸³ Cusa expected a positive resurrection of the church after Antichrist, Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 427.

along with the late Renaissance mythology of a 'golden age', have tended to obscure the subtleties of influence and continuities.

Joachim of Fiore and the apocalyptic New World of the Franciscans

A discourse of reform was prevalent in the late Middle Ages, particularly amongst the Franciscan Order which underwent many waves of reform. This reform was linked to a broader cultural trend in the late Middle Ages of *Renovatio mundi*, which is often associated with the Free Spirit movement as well as the spirit of the Franciscans.¹¹⁸⁴ The cultural trend of *Renovatio mundi* may have influenced the nature of the *novus mundus*.¹¹⁸⁵ The Franciscans and the spirit of reform were intrinsically linked. Francisco Morales describes St Francis as 'one of the greatest innovators of medieval spirituality'.¹¹⁸⁶ Joachim (c.1135-1202) was associated with the Free Spirit movement because he 'characterized his third age as one of liberty of the spirit'.¹¹⁸⁷ A commentator glossed Joachim by saying "liberty of the spirit is the apostolic life which has been renewed through Saint Francis".¹¹⁸⁸ Joachim, and his contextual cultural trends, had a significant impact on the Franciscan Order. Gordon Leff argues that 'the convergence of Joachim of Fiore's idea of a new third age of spiritual renewal on earth with the Franciscan belief in St Francis as the agent of Christ's renewal on earth' helps explain 'why the Franciscans were so receptive to Joachist prophecy, a receptivity intensified by persecution'.¹¹⁸⁹ This spirit of reform, which was linked to the Franciscan quest for perfection through apostolic poverty, also had an apocalyptic significance. While Joachim is known to have influenced the Franciscan Order, the reception and utilisation of Joachim across time also varied according to place, and there have been many other influences on the apocalyptic traditions of the Franciscans. Yet Joachim's

¹¹⁸⁴ The Brethren of the Free Spirit were condemned as heretics by Pope Clement V at the Council of Vienne, 1311-12.

¹¹⁸⁵ For more on the Free Spirit see Robert Lerner, *The Heresy of the Free Spirit in the Later Middle Ages* (Notre Dame, 1993).

¹¹⁸⁶ Francisco Morales, 'New World Colonial Franciscan Mystical Practice', in Hilare Kallendorf ed., *A New Companion to Hispanic Mysticism* (Leiden, 2010) pp. 71-101, p. 72.

¹¹⁸⁷ Robert Lerner, *The Heresy of the Free Spirit in the Later Middle Ages* (Notre Dame, 1993), p. 234. Joachim's main works were the *Liber Concordie*, *Expositio apocalypsim*, *Concordia novi et veteris testamenti*, *psalterium decem chordarum*.

¹¹⁸⁸ "Nota quod libertas Spiritus est vita apostolica que in beato Francisco renovata est", cited by Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 177, cited by Robert Lerner, *The Heresy of the Free Spirit in the Later Middle Ages* (Notre Dame, 1993), p. 234.

¹¹⁸⁹ Gordon Leff, 'The Franciscan Concept of Man', in Ann Williams ed., *Prophecy and Millenarianism, Essays in Honour of Marjorie Reeves* (Harlow, 1980), pp. 217-237, p. 219.

influence was pronounced, and he gave the Franciscans an important role in the engineering of the new world of the apocalyptic third age.

Joachim practiced biblical exegesis to construct a model of global history based on seven seals and openings. For Joachim the Apocalypse was “the key of things past, the knowledge of things to come; the opening of what is sealed, the uncoverer of what is hidden”.¹¹⁹⁰ Joachim thought that history was moving through a number of purifying stages.¹¹⁹¹ He linked the seven stages of world history to seven persecutions of the Church. Numbers acquired mystical significance; there were seven ages of both the New and Old Testament, and seven heads of the dragon. In this schema the Old Testament and the New Testament had equal importance. Additionally, Joachim divided the history of the world into three ages.¹¹⁹² Joachim is most famed for his belief in the coming of the third age, or the age of the spirit. This was usually thought to be the seventh age of history, although in some interpretations it included the sixth.¹¹⁹³ Generally it was thought that the Antichrist would reign in the sixth period and the seventh would be an age of peace. Significantly, for Joachim, the third age was within world history and meant to endure until the end of the world. Reeves has explained that ‘this scheme, with its development through stages (status) of Law and Grace to a future Age of Illumination in the Spirit, was in essence non-Augustinian, since it gave a purpose to the time process itself in a progressive movement towards a further spiritual climax in history’.¹¹⁹⁴

Joachim wrote in particular about the imminent arrival of the third age, and the events that heralded it. The third age would begin with the death of the Antichrist, after a pagan army destroyed Rome, all people would convert to Christianity, the Church would move from Rome to Jerusalem (the *translatio*),

¹¹⁹⁰ *Expositio in Apocalypsim* (Venice, 1527, reprint Frankfurt on the Main 164) fol 3r; cited in Bernard McGinn, ‘Introduction: John’s Apocalypse and the Apocalyptic Mentality’, in Richard K. Emmerson Robert Lerner and Bernard McGinn eds, *The Apocalypse in the Middle Ages* (New York, 1992) pp. 3-19, p. 19.

¹¹⁹¹ E. Randolph Daniel ‘Joachim of Fiore: patterns of history in the Apocalypse’ in Richard K. Emmerson Robert Lerner and Bernard McGinn eds, *The Apocalypse in the Middle Ages* (New York, 1992) pp. 72.-88, p. 78.

¹¹⁹² An age could also be a status, and really refers to a state of being.

¹¹⁹³ In Olivi’s work the third age is occasionally the seventh period alone but sometimes includes sixth.

¹¹⁹⁴ Marjorie Reeves, ‘Pattern and Purpose in History in the Later Medieval and Renaissance Periods, in Marjorie Reeves, *The Prophetic Sense of History in Medieval and Renaissance Europe* (Aldershot, 1999), pp. 90-111, p. 90.

and there would be a new order of spiritual men. These spiritual men paralleled the Apostles of the time of Christ and would be poor.

Joachim, another complex figure, had problems with orthodoxy and his Trinitarian beliefs were deemed heretical in 1215. Joachim himself was probably influenced by the context of the crusades. The crusades were an important dimension to the intellectual context of apocalyptic thinking, but this will not be explored as crusade history is often over-emphasised. Joachim influenced many thinkers in the late Middle Ages, including Dante and Petrarch, but his impact on the Franciscan Order was particularly pronounced. There were a number of interpreters of Joachim including those who became known as the pseudo Joachimists. Some of these interpreted the mendicant orders as the fulfilment of Joachim's prophecy. The special role of the mendicants in the apocalyptic narrative was stressed by the *Postilla vidit Jacob in somniis* and the *Super Hieremiam*; the authors of these are unknown but thought to be Franciscan.¹¹⁹⁵ The Franciscans saw themselves as these prophesized spiritual men, ushering in the future.¹¹⁹⁶ Joachim emphasised the importance of poverty in his descriptions of the spiritual men. This made it easy for later interpreters of Joachim to claim that the Franciscans represented Joachim's spiritual men. Reeves has argued that 'the Franciscans possessed a mystical quality which made them apt for Joachim's description of spiritual men midway between the contemplative and active life'.¹¹⁹⁷ Joachimism did not solely resonate with the Franciscans, but with other mendicants including the Austin Hermits, and later the Jesuits, as well as heretical groups including the Beguines and Fraticelli.¹¹⁹⁸

Franciscan culture was receptive to apocalyptic ideas, especially those of Joachim. Reeves states that 'in some instinctive way Wadding [the prolific Franciscan chronicler] felt that the Abbot Joachim was necessary to the true spirituality of the Franciscans'.¹¹⁹⁹ As well as the system of three ages, Joachim

¹¹⁹⁵ Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 88.

¹¹⁹⁶ Although Joseph Ratzinger has observed a difference between the 'empirical Order of the Franciscans' and the 'eschatological *ordo futures*', at least in the works of Bonaventure, this distinction was blurred by the Spirituals. See Joseph Ratzinger, *The Theology of History in St Bonaventure*, pp. 46-51.

¹¹⁹⁷ Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 146.

¹¹⁹⁸ However, Reeves also notes 'it is hard to envisage a favorable reception for Joachim's ideas among Dominicans'; *Ibid*, p. 161.

¹¹⁹⁹ *Ibid*, p. 241.

broke from Augustine's schema and subscribed to the 'double sevens' pattern in universal history, which was adopted by Bonaventure.¹²⁰⁰ The reception of Joachim created tension amongst the Franciscans. Although Bonaventure compiled an eschatology which suggested he was influenced by some of Joachim's interpretations,¹²⁰¹ he had only become General of the Order after the departure of John of Parma, whose resignation was coerced by his decisive support for the prophecies of Joachim.¹²⁰² Yet Bonaventure was not immune to the tides of apocalyptic ideas. Reeves explained that Bonaventure 'hints that the Franciscans hold the treasure of the future' (through his use of the birds) and 'interprets the vision of the new Jerusalem coming down out of heaven in terms of the two new orders'¹²⁰³ While Bonaventure's *Legend* implied apocalyptic eschatology, it was explicit in his *Collationes in hexaemeron*, delivered at the University of Paris, 1273.¹²⁰⁴ In this he addressed the questions of Joachimism and Spiritualism and marked a special role for the Franciscans, comparing them to the ancient Israelites.¹²⁰⁵ Joseph Ratzinger's interpretation of Bonaventure is in support of this, he writes that 'as a Franciscan, Bonaventure - like the entire Order of Franciscans – saw Francis not simply as another Saint, but as a sign of the final age, as one sent by God'.¹²⁰⁶ Ratzinger further elucidates that Bonaventure's references to Elias connected Francis directly with the prophecy of Joachim.¹²⁰⁷ Additionally, the identification of Francis with the angel of the Apocalypse (the angel of the sixth seal) was also propagated by the work of Bonaventure. Bonaventure's contribution to the historic-theological thought of the Franciscans is evident; Ratzinger summarises that 'apocalyptic prophecy and the actualised reality of the life of Francis are woven together for Bonaventure ever more into an insoluble unity'.¹²⁰⁸

¹²⁰⁰ Comment made by David L. d'Avray, 'A Franciscan and History', p. 457.

¹²⁰¹ Although Ratzinger concludes that Bonaventure rejected Joachim's historical schema;

Joseph Ratzinger, *The Theology of History in St Bonaventure*, p. 118.

¹²⁰² Joseph Ratzinger, *The Theology of History in St Bonaventure*, p. 1.

¹²⁰³ Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 178.

¹²⁰⁴ Bonaventure, *Collations on the Six days*, Works, V. 5, trans. J. de Vinck (New York, 1970). For more on Bonaventure's eschatology see Joseph Ratzinger, *The Theology of History in St Bonaventure*. The influence of Dionysius can also be found in this document.

¹²⁰⁵ See David Burr, *Olivi's Peaceable Kingdom, A reading of the Apocalypse Commentary* (Philadelphia, Pennsylvania Press, 1993), p. 43.

¹²⁰⁶ Joseph Ratzinger, *The Theology of History in St Bonaventure*, p. 31.

¹²⁰⁷ *Ibid*, p. 33.

¹²⁰⁸ *Ibid*, p. 35.

Salimbene of Parma (c. 1221-c. 1290)'s *Cronica*, indicated that Joachimist ideas had been transmitted to the Franciscans by the 1240s. D'Avray, who has explored the *Collationes* of an anonymous Italian Franciscan, argues that this interpretation of the seventh age as characterised by the coming of the Antichrist rather than a final age of rest constituted 'one of the important differences between this Franciscan idea of the seventh age and Joachim's idea of it.'¹²⁰⁹ It is difficult to speak of a pan-Franciscan interpretation of time, or to determine the exact limit of Joachim who undoubtedly influenced Franciscan thought. We know, for example, that after the 1260s Spiritual Franciscans were strong advocates of Joachim's version the expected third status.¹²¹⁰ There is a long list of Franciscans concretely influenced by Joachim: the English Minorites John Rusel and John Ridwell, Bartholomew of Pisa, Pietro Aureole, Henry of Cossey, Hugh of Digne, John of Parma, Pierre Ouriol, Nicholas of Lyre, and Poncio Carbonnel. They borrow from Joachim to provide the Franciscans with an apocalyptic role.¹²¹¹ Although one can trace similar ideas across these works, and in particular the influence of Joachim, one cannot make a case for absolute influence or know precisely who had been in contact with which works. However, it is evident that there was a strong mendicant exegetical tradition.

In *Evangelium aeternum*, Gerard of Borgo San Donnino (d. 1276/7) 'appropriated the Joachimist future for the Franciscan Order' to develop Franciscan spiritualism.¹²¹² He focused in particular on the imminence of the third status of the Holy Spirit and the belief that the Eternal Evangel was especially committed to a barefoot order which would proceed equally from the clerical and lay orders.¹²¹³ Gerard also identified St Francis as the angel of the sixth seal of the Apocalypse. In effect, it was not Mendieta or Motolinia but Gerard of Borgo San Donnino who created the notion of the millennial kingdom, or Franciscan-led New World of the Spirit, which became spatialised in the Americas.

¹²⁰⁹ David L. d'Avray, 'A Franciscan and History', p. 464. These *collationes* were found in MS. 6/111/19, held at Birmingham University.

¹²¹⁰ Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 48.

¹²¹¹ The question of whether exegetes claim that future Franciscans have an apocalyptic role is explored by David Burr, *Olivi's Peaceable Kingdom*, p. 53.

¹²¹² Marjorie Reeves, *The influence of prophecy in the later Middle Age*, p. 187. *Evangelium aeternum* was condemned on October 23, 1255.

¹²¹³ The image of the barefoot order takes on a new significance in the Iberian Peninsula and the New World.

Significantly the Franciscan interpretation of Joachim placed the messianic age (a future world of peace) within history and not beyond it (as with Augustine).¹²¹⁴ It seems more than coincidental that the Franciscans had a strong late medieval culture of the coming of the future world and were also engaged in the 'discovery' and colonisation process of the 'New world'.

The Franciscans needed to be politically astute as the concept of third age was revolutionary. It was said to be the end of the division between the active and the contemplative life and the end of Church hierarchy. The notion was particularly radicalised by Gerard of Borgo San Donnino who turned Francis into a predominantly messianic figure. Gerard's failure to conceal the political implications of this led to his work being investigated. Apocalyptic beliefs perpetuated the Franciscans' strained relationship with authorities.

The recapture of Jerusalem was another event on the path to the third age. This significance did not escape the Patriarch of Jerusalem, Francesco Eiximenis (1340-1409), a Catalan Franciscan of the mystic school, who wrote the unpublished *De triplici statu mundi* (1398) and *Vida de Jesuchrist* (published in 1404), outlining the patterns of history and the future.¹²¹⁵ He was influenced by Joachim and Ubertino da Casale, and also used Arnold of Villanova and Juan de Rocatallada.

Eschatology was part of a philosophical structure, or 'world-view'. Eschatologies, or interpretations of time, influenced the characterization of space.¹²¹⁶ Just as the future was known, unknown space would also find a place within the known, eschatologically dictated, schema. Reeves has described Joachim's belief that Gog and Magog must precede the Sabbath Age of the third *status* as 'the final flick [sic] of the dragon's tail'.¹²¹⁷ Dragon imagery

¹²¹⁴ According to Reeves Joachim had the more pessimistic view that 'no age of human history could achieve the perfection beyond history and so he postulated a final recrudescence of evil'; Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 303.

¹²¹⁵ And the *Libro de las donas*, translated in Castilian and owned by Isabela.

¹²¹⁶ As mentioned in chapter one, the thirteenth century mappamundi held in Hereford Cathedral demonstrates that space and time were mapped simultaneously and structured by eschatological belief.

¹²¹⁷ Reeves and Hirsch-Reich, *The Seven Seals*, in *Rech. De théol. Anc. et méd.* 21 (1954) 220, pp. 222-3, cited in David L. d'Avray, 'A Franciscan and History', p. 466.

contributed to the semiology of apocalyptic theory, while coincidentally (?) the dragon's tail is the name given to the extended Asiatic peninsula in Henricus Martellus' world map of 1489.¹²¹⁸ It is certain that medieval philosophies of time (and the Apocalypse) influenced their understanding of space, and this was played out particularly in Franciscan culture. Journeying through space, as much spiritually as physically, was important to the Franciscan self conception and translocality.

Politics and the Apocalypse in the Franciscan tradition

While Joachimism exerted a significant influence on the Franciscan Order, it would not displace the centrality of St Francis, or rather the legend of St Francis, for the Order. The Legend of St Francis had mystical properties of its own. It was continuously reinterpreted to represent different systems of thought, but its focus on St Francis never deviated. Many different Franciscan intellectuals contributed to the re-working of the legend. A precise system of thought is difficult to identify amongst the Franciscans because there were many different forces of influence. We must break away from our mechanical systematized worldview if we are going to understand various pathways of influence, how ideas circulate, and the psychological makeup of the Franciscan community. The consistent re-working of a single text is a common factor among Christocentric communities. The book itself takes on mystical properties. The book is not a rational object; it carries ideas across time, speaks, and has power. This importance of language was embedded in the Franciscan tradition; St Francis described Jesus as 'the Word of the Father, and the words of the Holy Spirit, which are spirit and life'.¹²¹⁹ In the Franciscan context the book is doubly interesting. It had been the object which had first challenged the identity of the poverty of the Order.¹²²⁰ The book then acquired importance in the New World as a tool for evangelization. However, in the context of the colonisation of

¹²¹⁸ Manuscripts of Henricus Martellus' map can be found at the British Library and at Yale University. Also see Gustavo Vargas Martínez, *América En Un Mapa De 1489* (México D.F., 1996). Richardson, William A. R. 'South America on Maps Before Columbus? Martellus' "Dragon's Tail" Peninsula'. *Imago Mundi* 55 (January 1, 2003), pp. 25-37, Paul Gallez *La Cola Del Dragon: America Del Sur En Los Mapas Antiguos, Medievales y Renacentistas* (Bahia Blanca, 1990). This extended Asiatic Peninsula, or 'dragon's tail' is also visible on Martin Waldseemüller's world map of 1507.

¹²¹⁹ St Francis, *Later Admonition and Exhortation to the Brothers and Sisters of Penance* (second version of the Letter to the Faithful), in *Francis of Assisi: Early Documents, The Saint*, pp. 45-51, p. 45.

¹²²⁰ Ownership of books was contested in the early stages of the poverty dispute but eventually it was permitted, see chapter three.

ideas, how ideas are received cannot be fully controlled, and so we cannot claim to know what messages books were communicating in the context of New World exchanges. The written word and the book may have been seen as having a mystical function, since the process of the locking and unlocking of verbal meaning through the process of writing possessed a hidden power. The written word carried history and was somehow transcendental, and this mystical Franciscan notion was transmitted to the New World as part of the colonial process as text was elevated above other semiotic systems (although the Franciscans did engage with Amerindian systems).¹²²¹ Amerindians had semiotic systems that performed similar functions to European texts,¹²²² yet the European book, its alphabetic writing and its ideology became established at the apex of the hierarchy of semiotic systems.¹²²³ The book became a symbol of Western coloniality, and Christianity propagated in the missionary context using texts facilitated this. The Franciscans may have contributed to this since textual representations of the legend of St Francis were important to Franciscan identity, and as with other cults of saints, were a way of transcending time.

As mentioned in Chapter Three, Peter Olivi played an important role in Franciscan history and identity. Olivi specifically adapted the prophecies of Joachim to the Franciscan Order.¹²²⁴ Olivi and Bonaventure (a key contributor to the legend of St Francis) made the connection between Joachim's spiritual men and the Franciscan Order explicit and shared 'the absolute centrality of Francis and his Rule.'¹²²⁵ St Francis became a figure of apocalyptic significance. The stigmata symbolized a collapse of time. As Reeves has argued, St Francis had a cosmic role of Christ against the Antichrist, the Elijah (or initiator) of the sixth age.¹²²⁶ Francis' resurrection to mark the change of

¹²²¹ Bernardino de Sahagún (1499-1590)'s *Florentine Codex*, produced in the late sixteenth century, is a good example of this.

¹²²² See Elizabeth Hill Boone and Walter D. Mignolo eds, *Writing without words: alternative literacies in Mesoamerica and the Andes* (London, 1994).

¹²²³ This perspective was depicted by Walter Mignolo, *The Darker Side of the Renaissance* (Michigan, 1998), p. 320.

¹²²⁴ Olivi wrote *Postilla super apocalypsim*. Olivi died before completing his commentaries on the Apocalypse. There are many orthodoxy and disciplinary issues in the background. Olivi's writings were suppressed by the Order.

¹²²⁵ David Burr, *Olivi's Peaceable Kingdom*, p. 186.

¹²²⁶ Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 198. Ratzinger also interprets that Francis' stigmata was an indication that he has the function of the apocalyptic angel of the seal; Joseph Ratzinger, *The Theology of History in St Bonaventure*, p. 38.

ages was also prophesied.¹²²⁷ Like Bonaventure, Olivi saw the seven periods of Church history as the subject of all seven visions in the Apocalypse. Reeves argues that 'there is no doubt that Olivi expected a flowering of history between the triumph of Antichrist and the *consummatio seculi*, and that St Francis held in his mind a unique position as the initiator of this final epoch'.¹²²⁸ Olivi was driven by a strong belief that the future could be known.¹²²⁹ He differed from other commentators because he saw the sixth period as a time of renewal.¹²³⁰ Occasionally Olivi seemed in technical difficulty as his work implied a double Antichrist, one mystical and one great.¹²³¹

If this predominantly Franciscan apocalyptic narrative was correct then the Church represented the carnal Church and the Antichrist would take over the papal see. In the papal clash with the Spirituals, the Spirituals would directly refer to the pope as the Antichrist. In the dispute over *usus pauper*,¹²³² Olivi saw the attack on Franciscan poverty as the declining of the fifth age. He had seen Francis and his Rule 'as heralding a new, higher stage in church history'.¹²³³ As always, the spiritual, the political, and the practical were intrinsically linked. Interpretations of Joachim and the Apocalypse formed part of the discourse of the Franciscan Poverty Dispute. John XXII condemned his *Commentary on the Apocalypse* in 1326, since he had become associated with the dissident forces of Joachimism and the Spirituals.

Importantly, the Spiritual Franciscans (who were also condemned by John XXII) employed Joachim in their defence of Franciscan poverty.¹²³⁴ Joachimism also influenced the Fraticelli, an extremist group who had separated from the Franciscan Order and were condemned as heretics. Reeves argued that:

¹²²⁷ Perhaps influenced by Augustine's millennial prediction of the resurrection of the saints.

¹²²⁸ Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 198.

¹²²⁹ See David Burr, *Olivi's Peaceable Kingdom*, p. 148. ('Olivi feels that prediction on the basis of prophetic writings is increasingly possible, because the sheer passage of time, coupled with divine revelation of basic exegetical principles like that of concordance, allows us to clarify the future').

¹²³⁰ *Ibid*, p. 77.

¹²³¹ *Ibid*, p. 133

¹²³² See Chapter Three.

¹²³³ David Burr, *Olivi and Franciscan Poverty*, p. 43.

¹²³⁴ See Angelo of Clareno's letter of defence. Note, Joachimism was important amongst Orthodox Franciscans as well as the more radical spirituals.

'few seem to have understood the deep connection between the passion of the Spirituals for evangelical poverty and the Joachimist expectation in history. This connection was often quite unconscious: it is to be detected in such characteristics as the belief that St Francis' testament had the imprimatur of the Holy Spirit, the heightened significance given to contemporary events, the exaggerated claims made first for St Francis and later of Pierre Jean d'Olivi. The background to all this is the belief that a new age on a new plane of history is dawning.'¹²³⁵

The influence of Joachim and Olivi's interpretation can be seen in the main texts of the Spiritual movement, including Fra Angelo Clareno's *Historia septem tribulationum* (c. 1320) and Ubertino da Casale's *Arbor vitae crucifixae Jesu Christi*.¹²³⁶

The papacy's clash with the Spirituals, a dimension of the Franciscan Poverty Dispute, illustrated the link between poverty and apocalyptic thinking and demonstrated its political implications. John XXII's persecution of the Spirituals was interpreted as one of the challenges to Christianity prophesied by Joachim. The four martyred Spirituals were represented as Christ crucified once more.¹²³⁷ The Spirituals branded John XXII the *Antichristus mysticus*, which was a statement about apostolic time. The Church in Rome was called the carnal Church which would be defeated by the spiritual Church. The political implications of the Joachimitic logic of the Fraticelli was clear when they claimed that the Church could not be the true Church but the Antichrist if it was against the perfection of the future status entrusted to the few.¹²³⁸

Before the Spirituals fell out with the papacy they had been caught in an internal dispute with the leaders of the Order. Between 1309 and 1312 Pope Clement V had tried to intervene. The 1312 Council of Vienne investigated the Spirituals; Clement V issued *Fidei catholicae fundamento* which addressed doctrinal

¹²³⁵ Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 175.

¹²³⁶ *The Tree of the Crucified Jesus Christ*.

¹²³⁷ Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 205.

¹²³⁸ *Ibid.*, p. 213.

irregularities thought to be influenced by Olivi.¹²³⁹ In 1318 John XXII had been able to work with the Franciscans to crush the Spirituals as they presented a disciplinary problem for the Order. Next, John XXII started to crush their ideas. He condemned Olivi's *Postilla super apocalipsim* in 1326. According to Burr, John XXII connected the apocalyptic ideas of Olivi to Franciscan dissidence.¹²⁴⁰ Despite his condemnation, a cult of Olivi emerged in the early fourteenth century and many made pilgrimages to his grave. This demonstrates that the popularity of apocalyptic ideas, especially amongst the Franciscans, could not easily be suppressed.

The writings of the fourteenth-century Spirituals explain the link between the Franciscan need to practice poverty and their role in the apocalyptic narrative. As the agents of the new age the Franciscans had to ensure that the criteria for its manifestation were met. This meant ensuring that they represented the perfection of the spiritual men through Apostolic poverty, and participating in the conversion process that had to occur at the shift between the ages. Casale wrote that 'their [Franciscans] duty to the future requires that they should keep the holy rule and testament.'¹²⁴¹ This illustrates the Franciscan obligation to condition the identity of the future which was enacted in the New World, and that poverty was essential. For the Spiritual Franciscans the essence of the third status was evangelical poverty and not spiritual illumination.¹²⁴² The Spiritual Franciscans had to reach perfection through practising poverty to fulfil their temporal duties.

The Spirituals emphasized the Christ like role of St Francis; the stigmata had apocalyptic significance. Christ's passion marked the transition between the first age and the second, and St Francis' stigmata marked the transition from the second to the third. Reeves summarises: 'thus the 'new age' was the age of a re-enacted Word as much as of an illuminating spirit, and the essence of the third status was now expressed as evangelical perfection, but the source of

¹²³⁹ This signified the start of the fourteenth century phase of the Franciscan Poverty Dispute.

¹²⁴⁰ David Burr, *Olivi's Peaceable Kingdom*, p. 203.

¹²⁴¹ Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 209.

¹²⁴² *Ibid*, p. 251.

their ardent and inflexible purpose was the Joachimist expectation of the new and last age'.¹²⁴³

Another intriguing prophecy, begun by Olivi and associated with the Spirituals, was that at the opening of the sixth seal of the sun, islands will move.¹²⁴⁴ The temporal and spatial framework of the Franciscans was like an open narrative that was ready to absorb any 'discoveries' or events. This notion that space would change as time changed is interesting, and indicative of the way in which the Franciscans had preconceived the New World.

Reeves argues that 'the concept of the *renovatio mundi* transformed merely political dreams into hopes of a genuine spiritual empire' and that this was 'not so much renewal as final consummation within history'.¹²⁴⁵ The second half of this chapter focuses on the Apocalypse and mysticism to explore the Franciscan role in the construction of the 'Americas' as the 'New World'. Within this socially embedded and Franciscan-led eschatology that I have described the New World had to be new because it had to fit in with the eschatological forecast of the new age.

Mysticism and the Apocalypse in late medieval Spain¹²⁴⁶

Mapping the intellectual climate of mysticism and millenarianism in late medieval Spain illustrates the links between space and ideas, and the importance of political networks in facilitating these links. Apocalyptic and mystical thought traditions were transmitted to the Iberian Peninsula where there was an active reception and vigorous re-interpretation of the ideas; all levels of society were affected by this culture.¹²⁴⁷ Edwards wrote: 'the highest in the land were under the influence of prophecy and messianic fervour'.¹²⁴⁸

¹²⁴³ Ibid, p. 210.

¹²⁴⁴ Peter John Olivi, 'Letter to the Sons of Charles II', in Bernard McGinn ed., *Apocalyptic Spirituality, treatises and letters of Lactantius, Adso of Montier-en-der, Joachim of Fiore, The Franciscan Spirituals, Savonarola*, translation and introduction by Bernard McGinn (London, 1980), pp. 173-181, p. 177.

¹²⁴⁵ Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 305.

¹²⁴⁶ As explained in the introduction, while Spain may not be the best term here, the Iberian Peninsula would include Portugal, which I do not look at. I focus on trends in both the kingdoms of Aragon and Castile.

¹²⁴⁷ See John Edwards, *Religion and society in Spain, c. 1492* (Aldershot, 1996), whose work focused on the inquisition record.

¹²⁴⁸ John Edwards, 'Elijah and the Inquisition: Messianic Prophecy among Conversos in Spain, C. 1500', *Religion and society in Spain, c. 1492* (Aldershot, 1996), pp. 79-94, p. 91.

Mysticism and apocalyptic thought were important across Spain. The significance of apocalypticism in Spain was particularly pronounced around 1492 which witnessed events that fitted into an apocalyptic narrative, including the conquest of Granada and the expulsion of the Jews. Yet, these apocalyptic traditions of thought had accumulated in Spain in the years preceding 1492, and perhaps contributed to the shape of its events. The Iberian Peninsula had been receptive to millenarianist thought, and according to Reeves, the 'refuge of the earlier Joachites'.¹²⁴⁹ Significantly, Joachimism managed to avoid being branded heretical in the Iberian Peninsula, and this suggests the importance of politics (as well as space) to intellectual history. The history of apocalypticism in Spain facilitates our historic awareness of the geopolitics of knowledge since it reveals the dynamic links between ideas, space, and politics.

Ideas from elsewhere in Europe tended to pass across the Pyrenees into Catalonia, a region significant to the history of medieval thought.¹²⁵⁰ Catalonia is also significant to the intellectual history of the Atlantic world due to the nautical networks linking Catalonia to Majorca and the Canary Islands. These places all played a role in the Franciscan knowledge network. For example, Majorca had also been home to Ramon Lull, who, it is fabled, had prophesied about the New World.¹²⁵¹ Political links between places influenced Franciscan networks and idea networks. For example, the expansive powers of the Crown of Aragon created links between Catalonia, Majorca, and Sicily, which were part of the Crown of Aragon at different times. These links are significant since the Spiritual Franciscans had been active in the Kingdom of Sicily,¹²⁵² and political links

¹²⁴⁹ Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 446. (and the home of the Blessed Amadeus)

¹²⁵⁰ For more on the significance of this region see A. Abad Perez, O.F.M., 'presentacion', in José M. Pou y Martí *Visionarios, Beguinos y Fraticelos Catalanes (siglos XIII-XV)*, (Madrid, 1991), pp. vii-xiii.

¹²⁵¹ Francis Borgia Steck, 'Christopher Columbus and the Franciscans', *The Americas* 3, no. 3 (January 1, 1947), pp. 319-341, p. 320.

¹²⁵² It is possible that Philip of Majorca, who sympathised with the Spirituals (and even met Angelo Clareno), influenced Frederick III of Sicily in his decision to allow Sicily to become a refuge for the Spirituals. Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 219. Majorca and Naples were both receptive to the influence of the spirituals. In Majorca, a sect emerged entitled the Brethren of the Poor Life, or the Followers of Br. Philip of Majorca, which believed that since the time of John XXII, the Roman Church was no longer the true church.

facilitated the transmittal of Spiritualist ideas to associated regions.¹²⁵³ Regional politics influenced the map of intellectual history. The Catalan region acted as an important hub for the translocal network of the Franciscans and Franciscan ideas. The fourteenth-century Catalan intellectuals, Arnold de Villanova and Ramon Lull were influenced by Franciscan mysticism, and references to the ideas of Joachim and Olivi can be found amongst intellectuals of the region.¹²⁵⁴ Reeves notes that 'the Joachimist ferment in Aragon and Catalonia produced several examples of genuine Joachites, that is, those who expounded the future of history within the framework of the status.'¹²⁵⁵ The Catalan Franciscan scholar, Poncius Carbonell (d. 1320), made an important contribution to apocalyptic exegesis of his time, and asserted that the future had been revealed in apocalyptic visions. While another Catalan Franciscan, Juan de Rocatallada (d. 1365), wrote about the millennial kingdom, the importance of the Franciscans and the worldly spirit, and the renovation of the Church through poverty.¹²⁵⁶ The apocalyptic ideas of Catalan Franciscans were the product of the fusion of ideas from across Europe and their ideas regarding prophecy, apocalypticism and mysticism reached across Spain and into the highest echelons of society.

The mystic and visionary Arnold of Villanova (1238-1311) did much to transmit apocalyptic thought throughout the Iberian Peninsula. He was concerned with the coming of the Antichrist and the end of the world. Arnold was a faithful disciple of Joachim. According to Reeves, in his *Expositio super Apocalypsim*, Villanova 'expounded the three statuses with their three orders, as well as the Seven Days of Creation'.¹²⁵⁷ Further, Villanova believed in the need for attaining the highest poverty and may have had contact with the Spiritual Franciscans.¹²⁵⁸ His ideas made him politically rebellious and in 1302 he

¹²⁵³ Pou y Marti outlined the extensive history of the involvement of Catalonia and Aragon in the dispute of the spirituals in Sicily. See Pou y Marti, P. Jose M., O.F.M., presentacion, A Abad Perez, O.F.M., *Visionarios, Beguinos y Fraticelos Catalanes (siglos XIII-XV)*, (Madrid, 1991).

¹²⁵⁴ For an example see the anonymous *De Statibus Exxlesiae secundum Apocalypsim* (1318), cited by Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 221.

¹²⁵⁵ Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 221.

¹²⁵⁶ See Pou y Marti, *Visionarios* pp. 289-307. His name occasionally appears as Jean de Rocquetallada and little is known about his life.

¹²⁵⁷ Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 221.

¹²⁵⁸ Pou y Marti, *Visionarios*, p. 46

denounced the excessive state of the secular Church.¹²⁵⁹ The case of Villanova is significant because Iberian Franciscans are often left out of histories of the Franciscan Poverty Dispute even though they were engaged in its affairs. The ideas of Villanova were supported by the Spiritual Franciscans and the Fraticelli radicals (this support may have been facilitated by the historic link between Catalonia and the regions that were Spiritualist strongholds).¹²⁶⁰ Blending Joachimic philosophy and Franciscan ideals, Villanova created a world-view that resonated with many.¹²⁶¹ According to Pou y Marti, the House of Aragon was receptive to Villanova and had 'sympathy for the doctrines of the poor and spiritual renewal of society'.¹²⁶² The case of Villanova illustrates how the Franciscans were part of a range of elite and non-elite networks that transformed and transmitted ideas, contributing to the construction of a world-view with a built in model of the future.

Joachitic and Franciscan ideas found powerful vectors in the Iberian Peninsula. Infante Pedro of Aragon was an important Iberian satellite of Joachimism and millenarian belief. He was also a Franciscan, and had an expectation of the age of triumph, 'when peace and material goods would abound, Jews and infidels would be converted, and Jerusalem would be glorified'.¹²⁶³ Pedro was influenced by the Catalan Franciscan Spiritual, Fray Francisco Eiximenis, who was the confessor to Queen Maria de Luna.¹²⁶⁴ The Court of Aragon facilitated the circulation of millenarian ideas around the Peninsula; in the early fifteenth century the knight Diego Ruiz acquired knowledge of prophecies here, and he influenced the Infanta Isabel.¹²⁶⁵

Cardinal Cisneros, the powerful Franciscan who dominated the political and theological landscape of late medieval Spain after leaving the convent of La Salceda, is known to have had an interest in prophetic futures. Edwin Sylvest

¹²⁵⁹ Ibid, p. 6, Arnold's denouncement of the church appeared in his publication *philosophia catholica*.

¹²⁶⁰ Ibid, p. 89

¹²⁶¹ For example, records from the 1317 Council of Tarragona suggest Villanova had many disciples in the region.

¹²⁶² 'la simpatia de la casa de Aragon por las doctrinas de la pobreza y renovamiento spiritual de la sociedad'; Pou y Marti, *Visionarios*, p. 31,

¹²⁶³ Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 222.

¹²⁶⁴ Eximenis was the author of the *de triplici statu mundi* (1384-1397).

¹²⁶⁵ Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 222 footnote 5, citing *Visionarios*, pp. 370-2.

writes that ‘although he died in 1517, the Franciscan modality embodied by him continued to shape Spanish style and practice in the conquest, especially the religious conquest, of New Spain’.¹²⁶⁶ Cisneros was responsible for the Observant reform of the Spanish Franciscans; his attack on the conventuals was only slowed by their international support.¹²⁶⁷ According to Reeves, Cisneros himself dreamed of the renewal of the world (*renovatio mundi*), ‘in which, after the final crusade led by Spain, there would be ‘*unum ovile et unus pastor*’,¹²⁶⁸ and he himself would celebrate Mass before the Holy Sepulchre’.¹²⁶⁹ Sylvest has argued that Cisneros kept the idea of universal Christendom alive in Spain.¹²⁷⁰ The millenarian sympathies of Cisneros must have been known; in 1509, amidst the prophetic fervour surrounding Charles of Habsburg,¹²⁷¹ Cisneros received a letter from Charles de Bovelles about the imminence of the prophetic future and Cisneros’ role within it.¹²⁷² Cisneros, a statesman and politician as well as a Franciscan, received apocalyptic messages cautiously as across Spain the inquisition was investigating a variety of politically dangerous apocalyptic claims.¹²⁷³ Due to the confluence of events in Spain (not least the expulsion of the Jews), Cisneros was interpreted as having millenarian significance. Apocalyptic fears and hopes intensified following the death of Isabella in 1504, and the resultant dynastic uncertainty, and Cisneros had to ensure he was distanced from dissident groups who were joining apocalyptic hopes with politically rebellion.¹²⁷⁴

¹²⁶⁶ Edwin Edward Sylvest, Jr., *Motifs in Franciscan mission theory*, p. 25. He cites Marcel Bataillon, pp. 1-10. Sylvest argues that Cisnerian reform was transplanted to New Spain by the Franciscan missionary Zumarraga, see p. x.

¹²⁶⁷ This point is made by Marcel Bataillon, *Erasmus y espana, estudios sobre la historia spiritual del siglo XVI* (Mexico D.F., 1950), p. 6.

¹²⁶⁸ Literally ‘one sheep and one pastor’, it refers to the conversion of all the infidel and suggests a belief in one world emperor.

¹²⁶⁹ Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 446. She cites Marcel Bataillon *Erasmus y espana, estudios sobre la historia spiritual del siglo XVI* (Mexico D.F., 1950).

¹²⁷⁰ Edwin Edward Sylvest, Jr., *Motifs of Franciscan Mission Theory*, p. 35.

¹²⁷¹ In 1512, Fray Melchior contributed to the prophetic expectations of the age, and in 1523, the Franciscan Francesco de Ocean prophesied the final reforming mission of Charles V. In the sixteenth century, the reign of Charles V was seen as having prophetic significance due to both the appearance of the name Charles in the Second Charlemagne prophecy, and events of his reign that were seen to have an apocalyptic significance, such as the conflict with the Turks and his sack of Rome in 1527. For more regarding Charles de Bovelles, see Marcel Bataillon, *Erasmus y espana, estudios sobre la historia spiritual del siglo XVI*, pp. 54-57.

¹²⁷² Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 359.

¹²⁷³ Including the death of Ferdinand and Isabella, See John Edwards, *Religion and society in Spain, c. 1492* (Aldershot, 1996).

¹²⁷⁴ Marcel Bataillon, *Erasmus y espana, estudios sobre la historia spiritual del siglo XVI*, p. 54.

Cisneros' contribution to the identity of the New World is unquestionable. Due to his establishment of the University of Alcalá, invitation of Erasmus to Spain, and production of the first polyglot Bible, Cisneros is normally more associated with the currents of Renaissance humanism and emergence of modernity than with mysticism and the late Middle Ages.¹²⁷⁵ It is important to strip away the periodisation politics characterizing identities in order to understand the complex dimensions of thought influencing the perception of the New World at this time, which has shaped its long term identity. Undoubtedly Cisneros was aware of the importance of language which was central to humanism, a phenomenon which dominated the cultural and intellectual landscape at this time. Philology was central to humanism, and both influenced the currents of mysticism and millennialism. Emphasis on the importance of language, and its role in the apocalyptic narrative, was not exclusive to the sixteenth century; in the early fourteenth century Ramon Lull had argued that language was essential to the process of conversion, and that conversion also had an eschatological significance. While producing the polyglot Bible, Cisneros commissioned the help of the man who had brought humanism to Spain, Antonio de Nebrija, the author of book of Castilian grammar, and the colonial strategist who had described language as 'the ideal companion of Empire'.¹²⁷⁶ Language was an ideal companion for Cisneros' empire, but this empire also had an apocalyptic significance.¹²⁷⁷ Nebrija's *Gramática* conveyed a sense of this loaded significance of language, and he began with a history of language with apocalyptic overtones, beginning with a reference to the age of Solomon.¹²⁷⁸

Humanism was important to the identity of the New World, but the analysis of humanistic trends influencing the New World risks obscuring the role of other intellectual trends of the late Middle Ages. For example, the prolific historian Silvio Zavala provides us with an example of how Thomas More's *Utopia* was

¹²⁷⁵ Marcel Bataillon begins his book on humanism in Spain with Cisneros. Marcel Bataillon, *Erasmus y España, estudios sobre la historia espiritual del siglo XVI*.

¹²⁷⁶ 'que siempre la lengua fue compañera del imperio'; Antonio de Nebrija, *Gramática de la lengua Castellana*, ed. Antonio Quilis (Madrid, 1992), p. 74.

¹²⁷⁷ The link between imperialism and messianism was explored in the now dated A. Castro *Aspectos del Vivir Hispanico, Espiritualismo, Messianismo, Actitud Personal en los Siglos XIV al XVI* (Santiago, Chile, 1949).

¹²⁷⁸ Antonio de Nebrija, *Gramática de la lengua Castellana*, p. 76.

interpreted in the New World by the Franciscan Quiroga,¹²⁷⁹ and while this study is interesting, it neglected to adequately historicize Franciscan identity and explore the links to Franciscan intellectual traditions and cultures of thought. Consequently this work has remained an isolated case-study, rather than a comment on the contribution of Franciscan thought to the identity of the New World. Understanding the traditions of mysticism and the millennialist thought currents at work within the Franciscan Order can broaden our understanding of the perception and construction of the New World identity both in Europe and the Americas. This can only occur by challenging the historicism of the spatial and temporal rift in the Atlantic in 1492 which meant the end of one intellectual tradition and the start of the new. This historicism sees the New World as linked only to the Reformation humanism of the Northern Renaissance. The Franciscans transcend this spatial and temporal frontier and their mysticism and millennialist thought which was developed throughout the late Middle Ages remained important to the identity of the New World. Mysticism remained important amongst the Franciscans in Spain after 1492. With the Franciscans Francisco de Osuna (1495-1541), Alonso de Madrid (1485-1570), Garcia de Cisneros (1455-1510), Bernardino de Laredo (1482-1540), Antonio de Guevara (c. 1481–1545), Miguel de Medina (1489-1478), and Juan de los Angeles (1536-1609), mysticism became a distinct movement in Spain.¹²⁸⁰ 1492 did not constitute a radical change in cultural or intellectual trends.

Cisneros' involvement in the currents of mystical and millennialist thought circulating in the Iberian Peninsula is evidenced by his support of the *Floreto de Sant Francisco*. This book, published in Seville on 24 August,¹²⁸¹ 1492, twenty-one days after Columbus set sail to the Indies, demonstrates the importance of apocalypticism in Castile.¹²⁸² Cisneros must have approved of the circulation of the *Floreto* amongst Iberian Franciscans, and in 1516 he ordered the friars to

¹²⁷⁹ Silvio Zavala, *Sir Thomas More in New Spain: a Utopian adventure of the Renaissance* (London, 1955).

¹²⁸⁰ For more about this see Fray Juan Bautista Gomis O.F.M, *Misticos Franciscanos Espanoles* (Madrid, 1948); and Américo Castro, *Aspectos del vivir hispánico* (Madrid, 1970).

¹²⁸¹ Under the title *Este es el Floreto de Sant Francisco. El qual tracta de la vida e miraglos del bienaunturado señor Sant Francisco e de la regla de los frayles menores*.

¹²⁸² *Floreto de Sant Francisco, [Sevilla, 1492], Fontes Franciscani y Literatura en la península Ibérica y en el Nuevo Mundo, Estudio crítico, texto, glosario y notas*, ed. Juana María Arcelus-Ulibarrena (Madrid, 1998). An edition appeared in *AIA* in 1989, Capuchin friar Jose Maria de Elizondo had started the project 80 years previously, noted p. 25. A 1913 Chilean edition and a 1916 Madrid edition are known. The 'Estudio Critico' at the start of the 1998 edition provides a comprehensive history of the text.

take copies to the New World in an effort to control its identity. The *Floreto de Sant Francisco* is a miscellaneous collection of Franciscan writings that were translated into Castilian Spanish for circulation in the Iberian Peninsula. We know it is the text that the Franciscans took to the New World for evangelization. The manuscript of the *Floreto* is rare, and only four copies of the incunabula of the 1492 Seville edition of the *Floreto* are known. They were found in Lisbon, Madrid, Barcelona and Bilbao. It is described as the ‘ultimate big compilation of the medieval Franciscans’.¹²⁸³ A Catalan version of the text also appeared, entitled the *Flos Sanctorum*. Although the *Floreto* was published in 1492, it was composed in the last decades of the fourteenth century and the first half of the fifteenth.¹²⁸⁴ It is based on the Compilation of the *Fontes franciscani* circulating from one convent to another in the three Franciscan provinces Castile, Santiago, and Aragon.¹²⁸⁵ The *Floreto* is an essential source for understanding Franciscan identity in late medieval Iberia and the New World but it has been largely neglected by Atlantic world historians, religious historians, and even Franciscan historiography.¹²⁸⁶

The *Floreto* is a compilation of the Castilian translations of the most important Latin documents of the *Fontes franciscani*. The *Presentación* summarises:

The *Floreto* is divided into four sections. The first section is composed of seventeen chapters, mainly extracted from the *De inceptio vel fundamento Ordinis et actibus illorum fratrum Minorum qui fuerunt primi in religione et socii b. Francisci* (Anonimo Perugino), and also the *Actus B. Franciscani et Sociorum eius*, the *Speculum Vitae* composed between 1430 and 1443 by Fabiano de Igal, the *Legenda maior* of Bonaventure, the *Vita secunda* of Thomas of Celano, the *Legenda trium sociorum* of the *Expositio Regulae fratrum Minorum* of Angelo Clareno, the *Tractatus indulgentiae S. Marie de Portiuncula* of Francesco di Bartolo, and

¹²⁸³ La última gran compilación del medioeval franciscano'; *Floreto de Sant Francisco*, [Sevilla, 1492], *Fontes Franciscani y Literatura en la península Ibérica y en el Nuevo Mundo, Estudio crítico, texto, glosario y notas*, ed. Juana María Arcelus Ulibarrena (Madrid, 1998), p. 17.

¹²⁸⁴ Juana María Arcelus Ulibarrena, 'Estudio Critico', *Floreto de Sant Francisco*, [Sevilla, 1492], *Fontes Franciscani y Literatura en la península Ibérica y en el Nuevo Mundo, Estudio crítico, texto, glosario y notas*, ed. Juana María Arcelus Ulibarrena (Madrid, 1998), pp. 51-357, p. 57.

¹²⁸⁵ These sources are now lost. See 'Estudio Critico', p. 74.

¹²⁸⁶ Also observed by Juana María Arcelus Ulibarrena, 'Estudio Critico', p. 96-7.

the *Compilatio* of Angers. The second part is much more consistent and consists of one hundred and fifty chapters all taken from the *Speculum perfectionis*, with fragments of the *Compilatio Assiensis* of the *Vita Prima* of Thomas of Celano, from the Compilation that Sabatier called *Legenda Vetus*, from the *Speculum Vitae*, the *Vita secunda* of Celano, the *Actus*, the *Verba* of Corrado d'Offida, the *Compilación Antonia*, the *Liber de laudibus b. Francisci* of Bernard of Bessa, the *Benedictio fratris Leonis*, the *Legenda maior* of Bonaventure, the *Compilación de Friburgo*, the *Tractatus de miraculis* of Thomas of Celano, the *De conformitate vitae b. Francisci ad vitam Domini Jesu* of Bartholomew of Pisa, the *Chronica XXIV generalium Ordinis Minorum*, and the *Considerazioni sulle stimmate*. The third part has twenty chapters taken mainly from the *Actus*, but also the *Chronica XXIV generalium*, the *Vita* and the *Dicta* of St. Egidio [Gil]. The fourth part is the most reduced and is composed of 19 chapters (*Exempla notabilia*) with fragments of the *Compilación Antonia*, the *Speculum perfectionis*, the *De Conformitate*, the *Verba* of Corrado d'Offida, the *Vita secunda* of Celano, the *Compilación Florentina*, the *Chronica XXIV generalium*, the *Liber de laudibus* of Bernard of Bessa, and the *Legenda trium*.¹²⁸⁷

This contents list is interesting because it was compiled by an observant Franciscan, most probably Cisneros himself, and emphasises spiritual inspiration.¹²⁸⁸ Arcelus Ulibarrena informs us that there are variations between the existing editions of the *Floreto*; with *Floreto 3*, XX containing the *Revelaciones* of Saint Isabel of Hungary, and *Floreto 1*, XIII containing the prophecy of the *Erunt duo viri* about the two future Orders.¹²⁸⁹ Arcelus

¹²⁸⁷ Enrico Menestò, 'Presentación', in *Floreto de Sant Francisco, [Sevilla, 1492], Fontes Franciscani y Literatura en la península Ibérica y en el Nuevo Mundo, Estudio crítico, texto, glosario y notas*, ed. Juana María Arcelus Ulibarrena (Madrid, 1998), pp. 17-20, p. 17-18.

¹²⁸⁸ *Ibid*, p. 19.

¹²⁸⁹ Juana María Arcelus Ulibarrena, 'Estudio Crítico', p. 97.

Ulibarrena has argued that the prophecy of the *duo viri* gave the Franciscans the responsibility of evangelising in the New World.¹²⁹⁰

The *Floreto* collection is different from modern circulations of the *Little Flowers of St Francis*, or *Fioretti*. The *Actus B. Franciscani et Sociorum ejus*, which form part of the *Floreto* are thought to be an approximation of the Latin compilation of Franciscan sources circulating in the late Middle Ages, known as the *Floretum*, which is now lost. The Italian *Fioretti* are said to be based on the Latin *Floretum*. The *Fioretti* are already the subject of a long historiographical discussion, but the *Floreto* is seldom discussed. While the *Floreto* was based on the group of documents now known as the *Fioretti*, the *Floreto* nonetheless emerged from the particular set of texts circulating in the Iberian Peninsula and is important for understanding identity and political processes within that Peninsula. Franciscans everywhere were defined by the legend of St Francis. Menestò has observed that Wadding believed that the *Floreto* was a Hispanic version of the *Fioretti*, but there are differences.¹²⁹¹ It is thought that the *Floreto* represents the Spanish diffusion of the *Fontes Franciscani*, or legend of St Francis, but without these documents it is hard to be sure. Arcelus Ulibarrena observes that ‘apparently dealing with the *Floreto* had always represented an enigma for franciscanists starting with Wadding’.¹²⁹² To make matters more confusing, a Latin edition of the *Floreto* was also published in Seville in 1494.¹²⁹³ Juana María Arcelus Ulibarrena traced references to the *Floreto* across Franciscan history and tries to account for its historic silence.

The *Floreto* is more than a hagiography of St Francis; it is a statement of Iberian Franciscan identity. Arcelus Ulibarrena argues that the *Floreto* demonstrated the influence of the Spiritual Franciscans.¹²⁹⁴ The *Floreto* demonstrates the importance of mysticism to the Spanish Franciscans. It explores the

¹²⁹⁰ Juana María Arcelus Ulibarrena, ‘La profecía de Joaquín de Fiore en el ‘Floreto de Sant Francisco’ y su presencia en el Nuevo Mundo’, *Archivum Franciscanum Historicum*, Vol. 85 (1992), pp. 5-38, p. 5.

¹²⁹¹ Enrico Menestò, ‘Presentación’, p. 19.

¹²⁹² ‘Por lo visto tratar del Floreto ha representado siempre un enigma para los franciscanistas comenzando por el mismo Wadding’; Juana María Arcelus Ulibarrena, ‘Estudio Crítico’, p. 62, she cited L. Wadding, *Annales Minorum*, I, ad Claras Acquas 1931-33; I, XXVII an 1210; XIII an 1219, Cap. 131; XXI, anno 1220; *ibid*; B.P. Francisci Assiensis, *Opuscula*, Antverpiae 1623, pp. 6. 93, 103, 118, 254, 285, 299, 319, 337, 429, 442, 452, 460, 469, 496.

¹²⁹³ Juana María Arcelus Ulibarrena, ‘Estudio Crítico’, p. 97.

¹²⁹⁴ See Juana María Arcelus Ulibarrena, ‘Estudio Crítico’, p. 112.

transcendentalist event of the stigmata of St Francis which had apocalyptic as well as mystical significance. The *Floreto* also evidences the importance of Joachim, whose prophecies were included amongst the documents related to the life of St Francis.¹²⁹⁵

The 1492 Seville edition of the *Floreto* appeared with a woodcut engraving of St Francis receiving the wounds of the stigmata in the town of Seville.¹²⁹⁶ This is significant as it demonstrates the transcendence of space and time that was so important to Franciscan identity. The stigmata of St Francis collapsed the temporal distance between St Francis and Christ, which also made a political and theological statement of eschatological belief. Staging this event in Seville collapses distance (according to legend this event took place in La Verna, Italy), and conveys the message that Franciscan space is shared space. For the Franciscans the past is present and the future is now, and this philosophy of space-time was enacted in the New World and contributed to its identity.¹²⁹⁷ This religious philosophy of time was another way in which the Franciscans contributed to the invention of the New World.

The *Floreto* was the handbook, or instruction manual, for Hispanic Franciscan identity. Consequently, it contributes to the prosopographical approach to the Franciscans. It provides an insight into otherwise unwritten identities, and enables us to think about members of the Order below the elite level.¹²⁹⁸ However, it can also be seen as a Cisneros brand of Franciscanism, and the mechanism by which Cisneros controlled the Franciscan missionary message.

Isabella's entanglement with the Franciscans is often noted since she had a series of influential Franciscan confessors, and there is evidence that she gave a substantial donation ('mil ducados de oro') to the Franciscan convent of Mount Sion in Jerusalem in 1489.¹²⁹⁹ Yet, Isabella was also entangled in

¹²⁹⁵ *Floreto de Sant Francisco*, pp. 431-33.

¹²⁹⁶ See Appendix.

¹²⁹⁷ It is important to remember the legacy of Giotto on the collective memory of the stigmata. The famous image was commissioned for the church of San Francesco in Pisa, but today is held by the Louvre.

¹²⁹⁸ This is one of the aims of translocal theory.

¹²⁹⁹ 'Donativo de Isabel la Católica al convento de Franciscanos de Monte Sión, de Jerusalém. [Samuel Eijan, *El Real Patronato de los Santos Lugares*, I, p. 230]', in María Lourdes Díaz-

Franciscan culture and philosophy in other ways. It is thought that Isabella had a copy of the *Floreto*, but this precise copy has not been found.¹³⁰⁰ Isabella also had a copy of the revelations Angela de Foligno, a female tertiary and mystic of the thirteenth century.¹³⁰¹ Isabella's possession of these books may indicate her receptiveness to apocalyptic ideas. Isabella ordered Francesco Eiximenis' *Libro de las Donas* to be translated into Castilian, demonstrating her interest in both Franciscan mysticism and female education. Arcelus Ulibarrena suggests that aspects of Franciscan spirituality (apocalypticism in particular) became important to royal education.¹³⁰² Alonso Ortiz translated Ubertine of Casale's *Arbor vitae* into Castilian.¹³⁰³ Through Eiximenis and Ortiz, the ideas of Ubertine of Casale, mysticism, and spiritualism diffused across Spain, and their influence transcended the Franciscan Order.

The spirit of reform was very important in late medieval Iberia; where it also had an eschatological significance. Mario Cayota notes that the Franciscan reforms of the fifteenth and sixteenth centuries 'grew in an atmosphere of eschatological Joachimistic expectation'.¹³⁰⁴ The climate of reform amongst the Spanish Franciscans began with Pedro de Villacreces (c. 1350-1422), who established observance in the Spanish convents of Aguilera and Abrojo, in what became known as *la reforma villacrecesiana*.¹³⁰⁵ These convents were involved in the later *desclazos* reform movement and provided missionaries to the New World, most famously Fray Juan de Zumarraga. Arcelus Ulibarrena argues that the texts of St Francis circulating in the Iberian Peninsula that were eventually compiled in the *Floreto* inspired the Iberian Franciscan reformers Pedro de Villacreces and

Trechuelo Spínola ed., *América en la 'Documentos Ineditos para la Historia de España*, Vol. VII (Madrid, 1952), pp. 276-278.

¹³⁰⁰ It is thought to have been a copy of the 1492 Seville edition, Juana María Arcelus Ulibarrena, 'Estudio Critico', p. 101 and p. 111.

¹³⁰¹ In 1505 Cisneros published the *liber qui dicitur angela de fulgino* in Latin in 1505, and the *Liber o Libro de las Revelaciones* of Angela of Foligno in Castilian in 1510. See Juana María Arcelus Ulibarrena, 'Estudio Critico', p. 111.

¹³⁰² See Juana María Arcelus Ulibarrena, 'Estudio Critico', p. 114.

¹³⁰³ *Arbol de la vida crucificada de Nuestro Señor Jesu Cristo compuesto por Ubertino del Casar [sic] y romanceado*, trans. Dr. Alonso Ortiz. Juana María Arcelus Ulibarrena, 'Estudio Critico', p. 115.

¹³⁰⁴ 'creceran en esta atmosfera de expectativa escatologica joaquinista'; Mario Cayota, *Siembra entre brumas: utopía franciscana y humanismo renacentista*, (Montevideo, 1992), p. 311.

¹³⁰⁵ The doctrine of Pedro Villacreces is contained within the *Memoriale Religionis o breve Memorial de los oficios actios y contemplativos de la religión de los frayles Menores*, traces of which can be found in *Floreto* 3, IX, 1-13, *Floreto* 2, X, 7-19, and *Floreto* 3, XI. See Juana María Arcelus Ulibarrena, 'Estudio Critico', pp. 88-89.

other members of the Villacrecian movement: Pedro Regaldo (1390-1456), Lope de Salazar y Salinas (1393-1463), Juan de Guadalupe (1450-1505), and Juan de la Puebla (1453-1495).¹³⁰⁶ Arcelus Ulibarrena adds that this spirit of reform passed to the New World and especially Mexico.¹³⁰⁷ Arcelus Ulibarrena linked the *Fontes franciscani*, the sources that influenced the *Floreto*, to *la reforma villacreciana*, but these sources are shrouded in mystery.¹³⁰⁸

After the Villacrecian movement, Spanish Franciscan reform was re-invigorated by Juan de Guadalupe.¹³⁰⁹ In 1496 Juan de Guadalupe secured papal permission to observe the Rule of St Francis literally which resulted in the *Guadalupano* movement, which emphasised a restoration of poverty. Juan also obtained authorisation to found the Institute of Franciscan Reform in Granada.¹³¹⁰ Enthusiasm for poverty, reform and conversion often coalesced, and all three had eschatological significance. Granada became an important training ground for the discourse of the New World. Eiximenis' *Vita Chrisiti* was published in Granada in 1496, and this transplanted the ideas of Ubertino of Casale into this context. This text emphasised the apocalyptic significance of poverty and conversion.¹³¹¹ The *Guadalupenses* lived relatively independently from any superior of the order; they altered their habits and discarded their sandals and became known as the *discalceati*, or the *descalzos*.¹³¹² Sylvest argues that 'followers of Guadalupe represented a revival of Spiritual influence among the Observants'.¹³¹³ The *descalzos* (barefoot) Franciscans, 'an exclusively Hispanic phenomenon', became dominant amongst the missionaries in America.¹³¹⁴ Cayota suggests that the *descalzos* continued the currents of mysticism in Spain.¹³¹⁵ Belief in the Apocalypse was very important to the *descalzos* Franciscans, whose appearance paralleled the barefooted spiritual men of Joachim's prophecies. Cayota describes that they believed it was the

¹³⁰⁶ Juana María Arcelus Ulibarrena, 'Estudio Critico', p. 97

¹³⁰⁷ Ibid.

¹³⁰⁸ Ibid, p. 85.

¹³⁰⁹ This reform was in addition to the reforms of Cardinal Cisneros.

¹³¹⁰ Juana María Arcelus Ulibarrena, 'Estudio Critico', p. 99.

¹³¹¹ Ibid, p.113. It was published thanks to the first bishop of Granada, the Jeronimite Hernando de Talavera.

¹³¹² Edwin Edward Sylvest, Jr., *Motifs of Franciscan Mission Theory*, p. 31.

¹³¹³ Ibid, p. 32.

¹³¹⁴ 'un fenomeno exclusivamente hispanic'; Mario Cayota, *Siembra entre brumas*, p. 328.

¹³¹⁵ Mario Cayota, *Siembra entre brumas*, p. 328.

eve of the Apocalypse, but that Indoamerica represented a sign of hope.¹³¹⁶ Arcelus Ulibarrena adds that the spirit of Juan de Guadalupe, and the *descalzos* movement he inspired, can be found in the *Floreto*, which was taken to the Americas.

It is no coincidence that a reform movement takes the name *descalzos* at this time in the Iberian Peninsula. Perhaps also it is more than a passing coincidence that on his voyages Columbus promises to make pilgrimages barefoot: 'the storm, however, grew fiercer and everyone on the ship made a vow to walk barefoot and in their shirts to offer up a prayer on the first land they came to in any church dedicated to the Virgin'.¹³¹⁷ Barefootedness is part of the complex semiology of apocalyptic thinking and the significance of its imagery is known and utilised. The arrival of the 'twelve Apostles' in the New World in 1524 is important to the mythology of the Franciscans in the New World even though these Franciscans were neither the first nor the last to arrive. They have, perhaps, been emphasised since the number twelve was significant. They were seen to replicate the Apostles, and this had apocalyptic significance. These Franciscans were also linked to the *descalzos* movement.¹³¹⁸ They demonstrate the importance of spiritual reform in the establishment of the apocalyptic identity of the New World. The 'unshod', barefoot, or *descalzos* translate the eschatological narrative for the context of the New World. Poverty was an important component of identity in this context.

The Franciscan contribution to the religious and apocalyptic identity of the New World

The Franciscans helped shape the religious identity of the New World. According to Cayato, 'the evangelical work of the first missionaries would be scheduled by Franciscan spirituality and the conceptions of Spanish renaissance humanism'.¹³¹⁹ The mysticism and millennial thinking nurtured by

¹³¹⁶ Ibid, p. 333.

¹³¹⁷ 'Digest of Columbus' Log-Book on his first voyage made by Bartolomé de Las Casas', in John Cohen ed., *The Four Voyages of Christopher Columbus, being his own log book, letters and dispatches with connecting narratives drawn from the Life of the Admiral by his son Hernando Colon and other contemporary historians* (London, 1969), pp. 37-76, p. 101-102; and again p. 109.

¹³¹⁸ Mario Cayato, *Siembra entre brumas*, p. 343.

¹³¹⁹ 'La labor evangelizadora de los primeros misioneros estará pues pautada por la espiritualidad franciscana y las concepciones del humanismo renacentista español'; Mario Cayato, *Siembra entre Brumas*, p. 348.

the Iberian Franciscans influenced perceptions of the 'New World' and its identity. Morales has suggested that mysticism informed the intercultural dialogue of the Franciscans in the Americas.¹³²⁰ Cayota argues that many of the friars who went to the New World were influenced by Joachimism and utopian ideals.¹³²¹ Leonard Sweet observes that the Spiritual Franciscans 'became a main vehicle for perpetuating Joachimite ideas, especially the notion of a millennial age as a monastic age and mendicant preachers as midwives to the millennium'.¹³²² Spiritualist ideas influenced Iberian Franciscans who believed in their role in creating the future; they enacted this belief in the New World.

The spirit of reform, so important amongst Iberian Franciscans was also important in the New World. Sylvest claims that Fray Martin took the Pueblan and Guadalupian reform movements to New Spain in 1523, but it was Cisneros' Franciscanism that prevailed there more than the more radical Guadalupian Franciscanism.¹³²³ The spirit of reform was important to controlling the identity of the New World. For it to be the 'New World', associated with the third age of the spirit, it had to be pure and perfect and reform was essential to achieving this pathway to the eschatological future.

The desire to create a universal Christendom, kept alive in the Iberian Peninsula by Cisneros, continued to exert influence on the identity on the New World. Sylvest comments, 'the sense of the providential destiny of the Church to encircle the globe, and Martin de Valencia [leader of the twelve Franciscans arriving in Mexico in 1524]'s conviction that there were yet others in still more distant regions to whom the gospel had to be proclaimed strengthens the thesis that the Friars Minor understood the end of their labors to be the realization of the universal pastorate of Christ'¹³²⁴

The spiritualist texts in the Iberian Peninsula were transmitted to the New World. Copies of the *Floreto* were taken to the Indies by the Franciscans for the

¹³²⁰ Francisco Morales, 'New World Colonial Franciscan Mystical Practice', in Hilare Kallendorf ed., *A New Companion to Hispanic Mysticism* (Leiden, 2010) pp. 71-101.

¹³²¹ Mario Cayota, *Siembra entre brumas* p. 353.

¹³²² Leonard Sweet, 'Christopher Columbus and the Millennial Vision of the New World', p. 378. Examples: Fray Martin de Valencia, Sahagun, Motolinia, Mendieta

¹³²³ Edwin Edward Sylvest, Jr., *Motifs of Franciscan Mission Theory*, p. 32.

¹³²⁴ *Ibid*, p. 124.

task of evangelization.¹³²⁵ Cisneros ordered that the friars take copies on the 1516 expedition is the first official date of its arrival in the Americas, but copies may have been taken on earlier expeditions.¹³²⁶ Morales notes that a copy of the *Floreto* 'bears on one of its pages important evidence of its use in the early friaries of Mexico'.¹³²⁷ Morales notes 'it was not just the first and only hagiographical text to be printed in Mexico during the sixteenth century, but it was also addressed to the Nahuatl Christian people since it was published in Nahuatl'.¹³²⁸ It illustrates the continued importance of early sources, for example Bonaventure's *Legenda minor*. During the conversion process the Franciscans tried to project this sense of the apocalyptic significance onto the Amerindians. In particular they emphasised the importance of mysticism. Morales argued that 'the friars deliberately tried to introduce mystical practices into Nahuatl Christianity'.¹³²⁹ The *Floreto* helps us to understand the interpretation of religion in the New World.

Morales research states that 'we have documentation on the circulation of two other important books which played a significant part of the spiritual formation of the sixteenth-century Franciscans of Mexico: the *De conformitate vitae b. Francisci ad vitam Domini Ihesu* by Bartholomaeus of Pisa and the *Arbor vitae cruciferae Iesu* by Ubertino de Casale'.¹³³⁰ This confirms the significance of apocalyptic spirituality in the New World, and in turn the relevance of the New World to apocalyptic spirituality. Morales has argued that 'the topic of a "poor church" in the New World ruled by bishops of the religious orders, the idea of an Indian Church with a different organization from that of Spain, and notable devotions to the Holy Cross (as well as to the passion of Christ and its dramatization) have strong links with Ubertino of Casale's thinking'.¹³³¹ The implication of this statement is that the Franciscans were enacting their inherited culture of apocalyptic mysticism in the New World.

¹³²⁵ Juana María Arcelus Ulibarrena, 'Estudio Critico', p. 93.

¹³²⁶ The edition taken was in Mexico until 1544 and is now at the Biblioteca Nacional de España.

¹³²⁷ Francisco Morales, 'New World Colonial Franciscan Mystical Practice', p. 94. He cited Sofronius Classen, "El Floreto de San Francisco", *Collectanea Franciscana*, Vol. 35 (1965), pp. 248-66.

¹³²⁸ Francisco Morales, 'New World Colonial Franciscan Mystical Practice', p. 95. Morales cited *Nican moteneua yn nemilitzen sant Francisco* (Mexico, 1577).

¹³²⁹ Francisco Morales, 'New World Colonial Franciscan Mystical Practice', p. 97.

¹³³⁰ *Ibid*, p. 95.

¹³³¹ *Ibid*, p. 96.

The spirit of reform was important to the identity of the New World. As we have seen, this is because there was a suggestion that the appearance of the New World was linked to a shift in the eschatological calendar. The New World was an opportunity to advance the sixth age; the spiritual elite had to reach perfection through poverty and assist with the conversion of the world. This was important if the seventh age, situated within the third status or age of the spirit could begin. This would be a time of peace and spiritual perfection. Evangelical poverty was essential for the world of the spirit to be realised.¹³³²

The Franciscans and the making of Columbus

Columbus and his proposed voyage were influenced by both the Franciscans (as we saw in an earlier chapter) and the cultural and intellectual climate of apocalyptic mysticism. Sylvest argued that Perez kept Columbus' hope for his voyage alive as he was motivated by his own spiritual motives.¹³³³ The prophetic visions of Columbus are known through his *Book of Prophecies*, published after his landing in the West Indies. These books have been interpreted cynically as Columbus' attempt to augment his own authority by giving his voyages eschatological significance. Whatever the motivation of these writings, they are nonetheless useful in determining ideas of the apocalyptic significance of the New World and the intellectual context of Columbus. Further, Columbus is known to have been widely read and have contacts with the Franciscans prior to his first voyage. In Columbus' narrative of his third voyage he referred to another mystic Franciscan, Nicholas of Lyra.¹³³⁴ As mentioned in Chapter One, the eminent scholar Pierre d'Ailly who is known to have been influenced by Franciscans and apocalyptic ideas, had a profound influence on the ideas of Columbus.¹³³⁵ During his fourth voyage, Columbus wrote a letter to the sovereigns of Spain which included a reference to Pius II,

¹³³² One problem of this was that, as shown by the last chapter, the pragmatics of mission often compromised the restrictions of poverty. Fray Alonso de Escalona, feared that the Province of the Holy Gospel threatened the observance of Juan de Guadalupe and Juan de la Puebla, see Edwin Edward Sylvest, Jr., *Motifs of Franciscan Mission Theory*, p132.

¹³³³ Edwin Edward Sylvest, Jr., *Motifs of Franciscan Mission Theory*, p. 20.

¹³³⁴ 'Narrative of the Third Voyage of Christopher Columbus to the Indies, in which He Discovered the Mainland, Dispatched to the Sovereigns from the Island of Hispaniola', in J. M. Cohen ed., *The Four Voyages of Christopher Columbus: being his own log-book, letters and dispatches with connecting narrative drawn from the Life of the Admiral by his son Hernando Colon and other contemporary* (London, 1969), pp. 206-226, p. 223.

¹³³⁵ Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 422. D'Ailly had wondered whether schism was the preamble to the coming of the Antichrist.

whose ideas were embedded in the intellectual culture of mysticism.¹³³⁶ Given this intellectual background it is unlikely that Columbus' prophetic writings were simply a political act, but the product of exposure to the late medieval intellectual culture that the Franciscans had made such an important contribution to. There are examples throughout Columbus' logbooks which inferred a prophetic, or eschatological, significance to his voyage.

The log books of Columbus have been edited, used and re-used on many occasions as the historical figure of Columbus is continuously re-invented.¹³³⁷ Columbus' eschatological references do not comply with a particular schema, for example Joachimism, but indicate the influence of a range of prophetic trends.¹³³⁸ On his first voyage he compared himself with Moses, who moved the narrative of the Old Testament from one stage to the next: 'I was in great need of these high seas because nothing like this had occurred since the time of the Jews when the Egyptians came out against Moses who was leading them out of captivity'.¹³³⁹ Through this parallel Columbus constructed himself as the agent of a biblical future. This is also expressed by Columbus' claim that the people of the Americas were thought to have asked whether they had come from heaven.¹³⁴⁰

¹³³⁶ 'letter written by Christopher Columbus, viceroy and admiral of the Indies, to the most Christian and Mighty king and queen of Spain, our sovereigns, notifying them of the events of his voyage and the cities, provinces, rivers and other marvels, also the situation of the many goldfields and other objects of great riches and value', in J. M. Cohen ed., *The Four Voyages of Christopher Columbus: being his own log-book, letters and dispatches with connecting narrative drawn from the Life of the Admiral by his son Hernando Colon and other contemporary* (London, 1969), pp. 283-304, p. 297.

¹³³⁷ Columbus gave the holograph original of the journal of his first voyage to Isabella and Ferdinand and received a copy of it back before his second voyage. Although his grandson Luis Columbus was granted permission to publish the journal in 1554, this did not happen, and both the original and the copy have disappeared. Our knowledge is based on an abstract by Bartolomé de las Casas; this is another way in which this Dominican influenced the legacy of the New World.

¹³³⁸ Pauline Moffitt Watts argued that Columbus was influenced most by d'Ailly, and that it is not known through which channels he was influenced by Joachimism; Pauline Moffitt Watts, 'Prophecy and Discovery', p. 97.

¹³³⁹ 'Digest of Columbus' Log-Book on his first voyage made by Bartolomé de Las Casas', J. M. Cohen ed., *The Four Voyages of Christopher Columbus: being his own log-book, letters and dispatches with connecting narrative drawn from the Life of the Admiral by his son Hernando Colon and other contemporary* (London, 1969), pp. 37-76, p. 45.

¹³⁴⁰ Christopher Columbus, *The Journal of Christopher Columbus*, trans. Cecil Jane, revised and annotated by L. A. Vigneras (London, 1960), p. 27, p. 42, and p. 54; and also the 1493 'Letter of Columbus' in *The Journal of Christopher Columbus* (London, 1960), pp. 191-202, p. 196.

In the logbook to his first voyage Columbus indicated the mixed motivations of his expedition. Yes, he wanted to find gold, but according to this statement he wanted the gold to finance the re-capturing of the Holy Land:

'he hopes in God that on his return that he would undertake from castile he would find a barrel of gold that those who were left would have acquired by exchange; and that they would have found the gold mines and the spicery, and those things in such quantity that the sovereigns, before three years [are over], will undertake and prepare to go conquer the Holy Sepulchre; for thus I urged your highnesses to spend all the profits of this my enterprise on the conquest of Jerusalem, and your highnesses laughed and said it would please them and that even without this profit they had that desire'.¹³⁴¹

This statement of intent may indicate the influence of apocalyptic theories on Columbus' thinking as the re-taking of Jerusalem was important to the narrative of the end of days.

Columbus' prophetic millennial views are thought to have increased during his third voyage, which ended in him being taken back to Spain in chains. In his letter to the governess of Don Juan written in the year of his disgrace, he described his trials but added that 'the Holy Spirit inspired St Peter and the twelve Apostles with him and they all fought valiantly in this world. Their trials and labours were many: and in the end they were victorious'.¹³⁴² Given the climate, the eschatological significance of the triumph of the Holy Spirit and the Apostles seems more than a coincidence. Whether politically, theologically, or simply egotistically motivated Columbus' words imply that the trials of the New World are connected to the age of the spirit. Of course, Columbus did not

¹³⁴¹ Christopher Columbus et al., *The Diario of Christopher Columbus' first voyage to America, 1492-1493*, abstracted by Fray Bartolome de las Casas, transcribed and translated into English with notes and a concordance of the Spanish by Oliver Dunn and James E. Kelley, Jr (Norman, 1989), p. 291.

¹³⁴² 'Letter sent by the admiral of the Indies to the Governess of Don Juan of Castile in the year 1500, in which we was brought from the indies a prisoner', J. M. Cohen ed., *The Four Voyages of Christopher Columbus: being his own log-book, letters and dispatches with connecting narrative drawn from the Life of the Admiral by his son Hernando Colon and other contemporary* (London, 1969), pp. 265-276, p. 266.

accept the notion of the 'new' continent America, which grew with every 'discovery' and yet did not reach China and so he tried to reach different interpretations of the terrain.

As stated in the introduction, there were differences of opinion among apocalyptic thinkers regarding whether the third age (of the spirit) and seventh period of history (of peace) would be within the world, or beyond world history and in the heavenly kingdom. What was specific about Franciscan apocalyptic interpretations was that in thinking of themselves as the spiritual ushers mentioned by Joachim, they located the third age within world history. And yet imaginings of this kingdom implied a spatially distinct place.

The notion that one could reach the kingdom of God in this world resonated with Columbus. On his third voyage Columbus described his landscape, he believed that he was sailing uphill, as the sea was shaped like a woman's breast or a pear.¹³⁴³ He said of the summit: 'I believe that the earthly Paradise lies here, which no one can enter except by God's leave.'¹³⁴⁴ He identified one of the waterways as the Orinoco delta, which was one of the four rivers of the Bible, flowing from earthly paradise, and had a common source with the Tigris, the Euphrates and the Ganges. Columbus made a real connection between the space of the Americas and the kingdom of God.

On his fourth voyage Columbus referenced more prophecies. He compared navigation techniques to a prophetic vision.¹³⁴⁵ He specifically referred to Joachim: 'Jerusalem and Mount Sion shall be rebuilt by Christian hands; whose they are to is said by David in Psalm 14. Abbot Joachim said that this builder would come from Spain'.¹³⁴⁶ Here Columbus indicated that the gold of the

¹³⁴³ Christopher Columbus, 'Narrative of the Third Voyage', *The Four Voyages of Christopher Columbus*, p. 206-226, p. 218.

¹³⁴⁴ *Ibid*, p. 221.

¹³⁴⁵ Christopher Columbus, 'Columbus' letter to the Sovereign's of Spain', *The Four Voyages of Christopher Columbus*, pp. 283-304, p. 296.

¹³⁴⁶ 'letter written by Christopher Columbus, viceroy and admiral of the Indies, to the most Christian and Mighty king and queen of Spain, our sovereigns, notifying them of the events of his voyage and the cities, provinces, rivers and other marvels, also the situation of the many goldfields and other objects of great riches and value', *The Four Voyages of Christopher Columbus*, pp. 283-304, p. 300. The footnote adds that in Joachim's *Oraculum Turcicum* there is actually no reference to Spain. Columbus may not have read Joachim first hand but been aware of his ideas through other sources, or had simply chosen to add in this reference to Spain's role to please the monarchs.

Indies would finance the rebuilding of Jerusalem. The implications of his eschatologies are not consistent. The political role of Columbus is also captured by this citation as he inserts the importance of Spain into this prophecy; reference to Spain cannot be found in Joachim's writings but is thought to have been introduced by Arnold of Villanova.¹³⁴⁷

Columbus drew on the classics as well as the Bible. Below some lines from the tragedy *Medea*, by the Latin poet Lucius Anneus Seneca, Columbus wrote an imprecise translation. Roberto Rusconi observes that he added a gloss 'identifying the pilot Tiphys, Jason's guide on the mythical voyage, as a prefiguration of the Genoese navigator: "During the last years of the world, the time will come in which the Ocean sea will loosen the bounds and a large landmass will appear; a new sailor like the one named Tiphys, who was Jason's guide, will discover a new world, and then Thule will no longer be the most remote land"''.¹³⁴⁸

Columbus shared his thoughts regarding prophecy with Isabella, who, as previously mentioned, had shared this interest. In a letter to the queen he wrote: 'the prophets wrote about the future as if it were past and about the past as if it were yet to happen and similarly about the present'.¹³⁴⁹ This indicates Columbus' belief that the 'discoveries' must be known within a prophetic future.

The *Book of Prophecies* is a collection of prophetic excerpts compiled by Columbus following his return from the Indies in disgrace after his third voyage.¹³⁵⁰ Between 1501 and 1502 Columbus created 'a broad and well-constructed piece of propaganda designed to defend himself against the

¹³⁴⁷ The origin of this prophecy is discussed in Pauline Moffitt Watts, 'Prophecy and Discovery', pp.94-95; she reviews the arguments of John Phelan, José Pou y Martí, and Alain Milhou, who all discussed this issue.

¹³⁴⁸ Roberto Rusconi, 'Introduction', *The Book of Prophecies edited by Christopher Columbus*, historical and textual editor Roberto Rusconi, trans. Blair Sullivan, *Repertorium Columbianum*, V. III (Berkeley, 1997), pp. 3-51, p. 34, for a copy of the text see p. 291.

¹³⁴⁹ 'Letter from the admiral to the king and queen', *The Book of Prophecies edited by Christopher Columbus*, historical and textual editor Roberto Rusconi, trans. Blair Sullivan, *Repertorium Columbianum*, V. III (Berkeley, 1997), pp. 67-77, passage 35, p. 73.

¹³⁵⁰ *The Book of Prophecies edited by Christopher Columbus*, historical and textual editor Roberto Rusconi, transl. Blair Sullivan, *Repertorium Columbianum*, V. III.

charges made against him and, above all, to justify his own actions'.¹³⁵¹ Rusconi suggests that *The Book of Privileges* and *The Book of Prophecies* be seen in this context. Additionally, Columbus hurried Peter Martyr to write his *Decades de Orbe Novo* and narrate the importance of the role of Columbus. Despite the pragmatic reasons for production, the *Book of Prophecies* is nonetheless useful for interpreting how the New World could fit into an eschatological culture and influenced its mystical interpretation. The excerpts chosen by Columbus for the *Book of Prophecies* are telling.

Columbus was aware of the significance of the New World for the fulfilment of the prophetic stage of the conversion of all people to Christendom at the end of the world. He cited Psalm 18: 'there is neither speech nor language in which the voices are not heard; their voices have gone out to the whole land and their words to the ends of the earth'.¹³⁵² This emphasises the importance of evangelism in the New World.¹³⁵³ Columbus also cast God in the role of last emperor: "all the ends of the earth will remember and turn to the Lord; and all the peoples will worship before him. Because the kingdom is the Lord's, and he will be the universal sovereign".¹³⁵⁴

Columbus' citation from Augustine's *On Christian Education* is very interesting. Although Joachim's eschatology was distinct from Augustine's, this chosen passage resonates with Joachim's notion of the age of the spirit. As explained, during the last days a *translatio* was meant to occur as the Church moved from Rome to Jerusalem. This passage implies a kind of metaphysical *translatio*; as 'the Israel of the spirit is made distinct from the Israel of the flesh'.¹³⁵⁵ The inclusion of this passage in this context suggests that the opportunity for achieving the 'figurative of Israel of the Spirit' could be in the New World. Israel's presence in the New World became part of its mythological identity. It was discussed whether the indigenous people were the heirs of the Lost Tribes of Israel. These currents of thought must still have had a relevance early

¹³⁵¹ Roberto Rusconi, 'Introduction', *The Book of Prophecies edited by Christopher Columbus*, historical and textual editor Roberto Rusconi, trans. Blair Sullivan, *Repertorium Columbianum*, V. III (Berkeley, 1997), pp. 3-51, p. 3.

¹³⁵² 'Psalm 18', *The Book of Prophecies edited by Christopher Columbus*, historical and textual editor Roberto Rusconi, transl. Blair Sullivan, *Repertorium Columbianum*, V. III, p. 81.

¹³⁵³ It perhaps seems more surprising then that no missionaries attended the first voyage.

¹³⁵⁴ *The Book of Prophecies*, p. 137.

¹³⁵⁵ *Ibid*, p. 145.

modern North America, where Salem (abbreviated from Jerusalem) can be found.

Having argued that Joachim influenced the Franciscan paradigm of apocalyptic thought it is worth noting that Rusconi claims that ‘it cannot be argued on good grounds that his [Columbus’] eschatological views could have been derived from a Joachimitic framework, whether authentic or spurious’.¹³⁵⁶ However, Cayota argues that Columbus’ prophetic letters alluded to Joachim, and that he knew of the location of the antipodeans.¹³⁵⁷ Having explored the complex diffusion of trends of Joachimitic thought into Franciscan Iberian culture, and understanding Columbus’ connections to the Order, the potential for influence cannot be denied.¹³⁵⁸

Rusconi has argued that ‘several decades would pass after the discovery of the new world before the religious orders, and in particular the Franciscan missionaries in America would view the process of evangelisation of the new peoples in the light of an eschatological and apocalyptic interpretation that is undeniably Joachimitic’.¹³⁵⁹ However the prevalence of apocalyptic thinking within Iberian Franciscan culture in the late Middle Ages calls this into question this. Indeed, André Vauchez reminds us that St Francis had constructed his agenda for mission amid the Papal endorsement of the intensification of the war against Islam in the Iberian Peninsula in the early thirteenth century.¹³⁶⁰ Vauchez notes that as Innocent III called for this new Crusade (traditionally listed as the fifth) he announced:

A certain son of perdition, the pseudoprophet Muhammead, has arisen. Through worldly enticements and carnal delights, he has seduced many oeaople away from the truth. His perfidy has prospered until this day. Yet we have faith in God, who has already given us a good omen that the

¹³⁵⁶ Roberto Rusconi, ‘Introduction’, *The Book of Prophecies*, p. 32.

¹³⁵⁷ ‘el mismo Cristóbal Colon, como ya de ha advertido, hara allusion en sus cartas a los profecias del abad Joaquin de Fiore, a quien, por como cita, concia perfectamente, mas alla que en su actuar se coloque en sus antípodas’; Mario Cayota, *Siembra entre brumas*, p. 311.

¹³⁵⁸ For a more detailed examination of what constitutes influence within historical discourse see Francis Oakley, ‘“Anxieties of Influence”: Skinner, Figgis, Conciliarism and Early Modern Constitutionalism’, *Past & Present*, No. 151 (May, 1966), pp. 60-110.

¹³⁵⁹ Roberto Rusconi, ‘Introduction’, *The Book of Prophecies*, p. 33.

¹³⁶⁰ André Vauchez, *Francis of Assisi, The Life and Afterlife of a Medieval Saint*, trans. Michael F. Cusato (London, 2012), p. 85.

end of this Beast is drawing near. The number [of the Beast] is 666, according to the Apocalypse of John, of which almost six hundred years have already passed.¹³⁶¹

Apocalyptic imagery, linked to an eschatological understanding of time, was part of the mental world of the fifth crusade. Vauchez argues that the events of the fifth crusade are ‘the context into which the arrival of Assi in Damietta during the summer of 1219 [the start of his overseas missionary enterprise] has to be placed’.¹³⁶² The mission to convert the infidel has often been driven by an eschatological conception of the importance of time, and this influenced the origins of the Franciscan conception of mission. It seems likely that there was continuity with regards to the Franciscan interpretation that their role as missionaries had apocalyptic significance. Mission was important to Franciscan identity from the inception of the Order, and the Americas were a continuation of this. The Franciscans saw their role in the conversion process as significant because of the eschatological framework, and this contributed to the Franciscan commitment to mission. Mission was part of the brothers’ testament, and this could be given eschatological significance since Francis had conceived ‘a truly ambitious project of a missionary apostolate that would not be limited to the Christian world’.¹³⁶³ St Francis’ missionary strategy was part of his enactment of the time of Christ and the Apostles and has implications for the eschatological framework. The proximity between St Francis and Christ was emphasised at the time of St Francis by the notion that he had received the stigmata, controversy over the evidence of this perhaps led to the high security treatment of his remains,¹³⁶⁴ and the significance of the similarity between Francis and Christ was only further emphasised following his death. This emphasis was not a normative hagiographic device, but something unique which embedded Franciscan identity within an eschatological framework. When Joachim’s eschatological framework is used to interpret St Francis as the angel of the sixth seal, the notion is a manipulation of a pre-existing trope within the Franciscan tradition. Given the eschatological framework to Franciscan identity, it is likely

¹³⁶¹ Cited by John V. Tolan, *Saracens: Islam in the Medieval European Imagination* (New York, 2003), p. 194, cited by André Vauchez, *Francis of Assisi, The Life and Afterlife of a Medieval Saint* p. 83.

¹³⁶² André Vauchez, *Francis of Assisi, The Life and Afterlife of a Medieval Saint*, p. 84.

¹³⁶³ *Ibid*, p. 83.

¹³⁶⁴ This is discussed by André Vauchez, p. 153.

that the Franciscan conception of their evangelical role was influenced by this eschatological framework. As Reeves has explained, thirteenth-century Franciscan spirituality was linked to an urgent sense of mission, as St Francis had embodied a new advent of Christ.¹³⁶⁵ As this chapter has indicated, the feeling of accelerated time and the eschatological need for conversion was in full swing in the Iberian Peninsula before Columbus set sail for the Americas; it had been conditioned by the climate of the *reconquista* and the discourse surrounding conversion (including discussions about the unstable identity of the conversos) which had characterised the Iberian Peninsula and created a mental world which was not radically broken away from in the Americas.

Elsewhere Columbus was brazen about his apocalyptic role. In 1500 he wrote 'God made me the messenger of the new heaven and the new earth which he spoke in the Apocalypse of St John after having spoken of it through the mouth of Isaiah; and he showed me the spot where to find it'.¹³⁶⁶ The power politics of this are clear, but so too is the potential eschatological significance of the New World.

One complication in this notion of the Franciscan eschatological construction of the New World was the contradiction between Franciscan poverty and the eschatological significance of gold. The search for gold is a reoccurring theme in the documents of Columbus. After the watershed of his third voyage Columbus tries to cast the hunt for gold in terms of its spiritual relevance. Gold is wanted to rebuild the temple of Jerusalem, an eschatological event. Columbus' apocalyptic references to gold draw on a wide range of sources. The *Book of Prophecies* include excerpts regarding the location of Solomon's gold in the Indies.¹³⁶⁷ He states that 'silver in ingots will be brought from the Tarshish, and gold from Ophir'.¹³⁶⁸ In his 1503 letter to the Ferdinand and Isabella he wrote a description of Solomon's gold, which he believed he was about to find; 'Solomon brought all this gold, precious stones and silver, but your Majesties

¹³⁶⁵ See Marjorie Reeves, 'Preface', in Bernard McGinn ed., *Apocalyptic Spirituality, treatises and letters of Lactantius, Adso of Montier-en-der, Joachim of Fiore, The Franciscan Spirituals, Savonarola*, translation and introduction by Bernard McGinn (London, 1980), pp. xiii-xviii, p. xvii.

¹³⁶⁶ G.B. Spotorno, *Memorials of Columbus* (London, 1823), p. 224; cited in Pauline Moffitt Watts, 'Prophecy and Discovery', p. 73.

¹³⁶⁷ *The Book of Prophecies*, p. 323.

¹³⁶⁸ *Ibid*, p. 217. And later p. 281, p. 285 and p. 321.

may send orders for them to be collected at your pleasure'.¹³⁶⁹ He follows this statement with an explanation of the Christian function of this gold as 'Jerusalem and Mount Sion shall be rebuilt by Christian hands' and adds that 'Abbot Joachim said that this builder would come from Spain'.¹³⁷⁰ The Franciscan reaction to this hunt for apocalyptic gold is not known, but the notion of the virtuous function of wealth seems more in line with the Aristotelianism popularised in the Renaissance than with Franciscan philosophy. Enrique Dussel asserts that gold and notions of capitalism were the new gods that rose in the fifteenth century 'under the auspices of modernity's sacrificial myth'.¹³⁷¹

When preparing for his third voyage Columbus is rumoured to have put on the habit of the tertiary Franciscans, but the date (or reality) of Columbus' adoption of tertiary status is unknown.¹³⁷² According to Hugh Thomas, at the end of his second voyage, Columbus enslaved some Caribes at Guadalupe and headed to Seville, 'dressed surprisingly, as a Franciscan monk'.¹³⁷³ This appropriation of Franciscan identity takes place before his arrest and trial, and so the act cannot be dismissed as a pragmatic political manoeuvre. Nor could it have been sincere as he continued his hunt for wealth in the New World and arranged his payments with the monarchs. Given what we have inferred about Columbus' psychology, it is likely the action was calculated to augment his authority in some way. Perhaps he too was trying to find a role in the millennial narrative particular to the Franciscans by becoming like one of the spiritual men, custodians of the new age. At the end of his letter sent to the Spanish monarchs during his fourth voyage, after he informed them of his proximity to the gold of Solomon he wrote 'of worldly possessions I have not even a farthing to offer for my spirit's good',¹³⁷⁴ indicating that despite his continued hunt for gold he had renounced his possessions. He is also thought to have worn the habit on his death bed, a final statement to posterity.

¹³⁶⁹ Christopher Columbus, 'Columbus' letter to the Sovereign's of Spain', *Christopher Columbus, The Four Voyages*, pp. 283-304, p. 300.

¹³⁷⁰ *Ibid.*

¹³⁷¹ Enrique Dussel, *The invention of the Americas: eclipse of "the other" and the myth of modernity* (New York, 1995), p. 116.

¹³⁷² Francis Borgia Steck reported that it is not known when or where he became a Franciscan tertiary (he suggests as early as 1487), but states that there is some evidence in Las Casas' *Historia de las Indias*; Francis Borgia Steck, 'Christopher Columbus and the Franciscans', *The Americas* 3, no. 3 (January 1947), pp. 319-341, p. 327.

¹³⁷³ Hugh Thomas, *Rivers of Gold, The Rise of the Spanish Empire* (London, 2010).

¹³⁷⁴ Christopher Columbus, 'Columbus' letter to the Sovereign's of Spain', *Christopher Columbus, The Four Voyages*, pp. 283-304, p. 303.

Millennialism remained important in the New World. Describing American historiography in the 1980s, Sweet said that the millennial vision has been used as a 'centering concept for the ordering and analysis of American history'.¹³⁷⁵ One historian claimed that 'American history is thus best understood as a millenarian movement'.¹³⁷⁶ Sweet argued that 'the history of America begins with the quest for the millennium'.¹³⁷⁷ The millennium is undoubtedly important to the identity of the Americas, but it is important to note that this was a particular Franciscan brand of millennialism that had long roots in the Middle Ages.

Conclusion

In conclusion, the Franciscans had an intellectual culture heavily influenced by mysticism and apocalyptic thought to which reform was very important. As this chapter has shown it is possible to trace apocalyptic ideas across a wide spectrum and interpret apocalyptic significance in a range of situations. These traditions began in the life of St Francis and found new vigour in late medieval Spain. The Franciscans historical future and translocalised space dictated that the Americas had to be the 'New World'. The force of their preconception and their efforts to control the identity of the New World through reform, missionaries, and the circulation of the *Floreto*, ensured that the Franciscan intellectual tradition had a lasting impact on the identity of the New World. The popular late medieval narrative of the Christian end as either a 'mounting crescendo of evil, or as the Millennium, a Messianic Age of Gold' has a remarkable resonance with the description of the New World that appeared.¹³⁷⁸ McGinn observes that 'in the a priori mode the inherited apocalyptic drama with its various symbolic figures and conflicts is used to give meaning to current events'.¹³⁷⁹ The Franciscan eschatological narrative was robust enough to absorb any of the events that unfolded into its schema. This is an additional dimension of the significance of the Franciscans to the creation of the New

¹³⁷⁵ Leonard Sweet, 'Christopher Columbus and the Millennial Vision of the New World', *The Catholic History Review*, Vol. 72, No. 3 (July, 1986), pp. 369-382, p. 369.

¹³⁷⁶ William G. McLaughlin, *Revivalism, Awakenings and Reform*, (Chicago, 1968), p. xiv, cited in Leonard Sweet, 'Christopher Columbus and the Millennial Vision of the New World', p. 369.

¹³⁷⁷ Leonard Sweet, 'Christopher Columbus and the Millennial Vision of the New World', p. 372.

¹³⁷⁸ Marjorie Reeves, *The influence of prophecy in the later Middle Ages*, p. 295.

¹³⁷⁹ Bernard McGinn, 'Introduction', *Apocalyptic Spirituality*, p. 9.

World in the late Middle Ages. For the Franciscans, a New World had been coming, the world of the third age, that coincidentally became the 'Third World'.¹³⁸⁰

Understanding the Franciscan historical vision contributes to our historical understanding of the New World. A Franciscan narrative that traces the importance of apocalypticism and mysticism both before and after 1492 also helps to disrupt this historicist rupture. At the end of the world was a new world, from the perspective of Franciscan philosophy that is all there could be. The end of world and the end of time were linked. The link between space and time is intensely political.

¹³⁸⁰ The derogatory expression 'Third World' is actually a term of the Cold war.

Conclusion

This thesis set out to evaluate the influence of the Franciscans on the medieval invention and identity of the New World, following a deliberately de-centred narrative. It has explored different typologies of knowledge and indicated the importance of the links between ideas, space and politics. This can contribute to our understanding of the geopolitics of knowledge. Reflecting on the power agenda of knowledge, it has revealed some hidden dimensions of coloniality. Using the perspective of the late medieval Atlantic world, it has tried to decentre some of the structures of dominant narratives of European identities and processes, particularly those surrounding colonisation. It also challenges assumptions regarding the temporal framework of the emergence of global history in the Atlantic world by showing how perceptions constructed in the Middle Ages helped shape the identities of modernity (including the identity of the New World), and by fragmenting the importance of the historicist rupture of 1492. It has used the Canary Islands and poverty to re-focus our gaze on the Atlantic world.

The issue of how we should punctuate time has long been on the historical agenda. Hannah Arendt wrote that 'time is not a continuum, a flow of uninterrupted succession; it is broken in the middle, as the point where "he" stands; and "his" standpoint is not the present as we usually understand it but rather a gap in time which "his" constant fighting, "his" making a stand against past and future, keeps in existence'.¹³⁸¹ Arendt continues that 'only because man is inserted into time and only to the extent that he stands his ground does the flow of indifferent time break up into tenses'.¹³⁸² The emergence of global history has led the discipline of history to ask a new question: 'how is space punctuated?' And perhaps Arendt's answer could provide guidance for this. Space is punctuated at the point of 'man' (or rather person). And so this thesis has endeavoured to show the Franciscans, a religious order of individuals that

¹³⁸¹ Hannah Arendt, *Between past and future: eight exercises in political thought* (New York, 1977), p. 11.

¹³⁸² *Ibid.*

formed a global network, can be used as a historiographical tool to approach the spatial and temporal assumptions of global history in a different way.

This thesis has explored many dimensions of the identities, cultures, journeys, and knowledge networks of the Franciscans as a way to reflect upon the late medieval invention of the 'New World'. It has been appropriate that the Franciscans be used for a reflection, since reflection has played an important role in their history.¹³⁸³ The many narrative strands that this study has revealed, means that the Franciscans have offered more of a refraction of the history of this period than a reflection. Just like the reflections made by the surface of the Atlantic Ocean, a surface at once transparent and opaque, the image of the late medieval Atlantic world is fractured and contorted. This echoes John Dagenais' claim, cited in the introduction, that 'when modernity arrives, it is already postcolonial – and the modern European self that incarnates it is already fragmented and divided against itself along all-too-familiar lines of domination and subjugation – long before the great age of conquest begins'.¹³⁸⁴ The history of the Franciscans in the Atlantic has represented ambiguity and has demanded that we re-think many of the long established co-ordinates of hegemonic meta-narratives, such as the significance of 1492, and dissolve binary structures, such as colonised / coloniser. This study has been a reflection upon our understanding of colonialism, the, at times hidden, dimensions of coloniality, and the medieval engineering behind many facets of modernity, such as the discourse of rights.

The notion of the discovery of the New World in 1492 has been used as point of origin for Eurocentred global meta-narratives of the start of a 'modernity' characterised by teleological conceptions of nation states and capitalism; for example John Crow claimed that 'in 1492 that nation [Spain] stood at the pinnacle of her destiny, she exerted herself to create the golden moment, and she was able to follow through'.¹³⁸⁵ While contributing to the expulsion of much of the mythology of narratives of the discovery of the New World in 1492, this

¹³⁸³ Consider, for example, the Paul Sabatier's 1897 publication of the *Speculum perfectionis seu S. Francisci Assiensis legenda antiqtissima, auctore frate Leone*, which revolutionised Franciscan historiography and challenged Franciscan identity.

¹³⁸⁴ John Dagenais, 'The Postcolonial Laura', *Modern Language Quarterly* 65, no. 3 (2004), pp. 365-389, p. 365.

¹³⁸⁵ John A. Crow, *Spain: the root and the flower* (Berkeley, 2005), p. 159.

thesis has revealed many other significances of this year which saw the 'reconquista' of the Iberian peninsula, the expulsion of the Jews, the papal election of Alexander Borgia, the birth of Francisco de Vitoria, the publication of Antonio de Nebrija, *Gramática de la lengua Castellana*, the election of Cardinal Cisneros as Isabella's confessor, and the publication of the *Floreto* in Seville. The fact that a history of the Franciscans can intersect so many different events is testament to their expansiveness and importance. 1492 was business as usual for the Franciscans, who had members living and working in the Canary Islands, as chaplains on Portuguese and Spanish ships throughout the Atlantic world, as confessors to monarchs, as advisors and challengers to the papacy, as leaders of popular religious movements, and as members of communities across Europe and the wider world.

Although the source record for the three case studies of La Rábida, the Canary Islands, and Hispaniola has been fragmentary, there have been enough references to the Franciscans in the Atlantic world across a variety of sources to convey an intriguing picture of the multifaceted roles of the Franciscans. I have endeavoured to make some of the Spanish literature regarding the Franciscan role in the New World accessible to an Anglophone audience. The Franciscans' own histories and collections such as the *Archivo Ibero-Americano* have made an essential contribution to this work. Translating Glassberger's first chronicle account of the Franciscans in Hispaniola during the early years of European presence also helped to re-frame our existing history of the 'discovery of America'. Placing these sources and histories in different historiographical frameworks, thinking about law, politics, and economics as well as spirituality has helped me to re-think some of the meta-narratives of the Atlantic world, notions of the end of the Middle Ages and the start of modernity, and questions of historical identity. This has been facilitated by maintaining an awareness of the exilic and translocal dimensions of Franciscan identity, a physical and epistemological rootlessness conditioned by their philosophy of poverty.

The Franciscans have provided an alternative narrative of the Atlantic world which is not solely co-ordinated by notions of 'discovery' and 'conquest', the narrative tropes that have been emphasised by authors influenced by the mythology of nineteenth century imperialism, such as the editors of the Hakluyt

series. As a religious order they have demonstrated the roles of religion in Atlantic history, as a tool for justifying and legitimizing colonisation for an intellectual European audience, as a structure for understanding space and time, and as a mode of cultural interaction. Religion formed part of the ritual of colonisation, as demonstrated by Columbus who, upon hearing that land had been sighted, 'fell on his knees to give thanks to Our Lord, and Martin Alonso with his men said the *Gloria in excelsis Deo*'.¹³⁸⁶ Yet the Franciscans have also reminded us that Christianity was not a monolithic institution, but something that people have interpreted and identified with in different ways. Franciscan history, with its controversy regarding poverty, embodies the tension between the centralising power agenda of the papacy and the capacity for individuals and groups to interpret and enact theological concepts and ideas. As this thesis has shown, the Franciscans had an ambiguous relationship with both royal and papal authority. They symbolise the ambiguity of the late Middle Ages and transmitted this ambiguity throughout the Atlantic world and modernity, where they have contorted legacies. The multidimensional history of the Franciscan Atlantic can take its place alongside other discourses of the Atlantic world, including David Wallace's *Humanist Atlantic* and Paul Gilroy's *Black Atlantic*.¹³⁸⁷

The Franciscans, with their tripartite structure and commitment to the journeys of poverty and mission, were entangled with the activities of all levels of society: the poor, merchants, scholars, sailors, monarchs, emperors, and the papacy. Le Goff summarises that there was something unique about Franciscanism, 'a great religious movement that, more than any other mendicant order, awakened, influenced and pervaded the whole of Christian society in the thirteenth century'.¹³⁸⁸ While Chapter Three considered the continental entanglements of the Franciscans through the prism of poverty, Chapter Five explored Franciscan entanglements in the Atlantic world. Both chapters reflected upon how the history of Franciscan identification with poverty related to the discourses and practices of colonialism. In accordance with the aims of the introduction, the Franciscans have represented the pluriversal approach

¹³⁸⁶ Christopher Columbus, *The Journal of Christopher Columbus*, trans. Cecil Jane, revised and annotated by L. A. Vigneras (London, 1960), p. 16.

¹³⁸⁷ David Wallace, *Premodern Places: Calais to Surinam, Chaucer to Aphra Behn* (Malden, MA, 2004); Paul Gilroy, *The black Atlantic: modernity and double consciousness* (London, 1993).

¹³⁸⁸ Jacques Le Goff, *St Francis of Assisi* (London, 2004), p. 65.

recommended by Walter Mignolo.¹³⁸⁹ Their history has been characterised by movement, and reveals the fluid movements between places and social groups that are often hidden by historical narratives co-ordinated by more rigid structures, such as a teleological notion of the state. The Franciscans have provided a narrative structured by movement and interaction, as much in the Atlantic world as the European mainland, where the migration of ideas can be traced.

Due to their translocal structure, and their interest in theology and mission, the Franciscans created their own network of global knowledge that was both mystical and practical. Their networks have facilitated the migration, flow, and transformation of ideas. The Franciscans have represented knowledge on the move. Consequently, they are an appropriate structure for the intellectual history of the Atlantic, which is characterised by the movement of documents such as letters.¹³⁹⁰ As this thesis has indicated, the Franciscans had a theological and practical interest in understanding space and time. This caused them to contribute to the pre-conception and identity of the New World. The Franciscans have played different roles within discovery of the New World narratives, yet they have their own narrative, highlighted by this thesis, which demonstrates that they were in possession of a large body of global knowledge and theories regarding the identity of future space and time.¹³⁹¹ Since the Franciscans transcended the constraints of normative linear time, their history navigates away from the coloniality of Eurocentred periodised time.

In addition to exploring the meanings and implications of the knowledge networks of the Franciscans, Chapter One considered the link between politics and knowledge in relation to politics. This became a continuous theme throughout the following chapters. Chapter One illustrated that rationalisations and description of space have a political agenda, as does the paradigm of 'discovery'. This exploration of these histories of medieval knowledge of space

¹³⁸⁹ Walter Mignolo, *The Darker Side of Western Modernity, Global Futures: decolonial options* (Michigan, 2011), pp. 71-72.

¹³⁹⁰ For example, Peter Martyr's *De Orbe Novo* was built up from letters flowing across the Atlantic.

¹³⁹¹ For an example of their global knowledge, see An Unknown Friar of the XIV Century, *Book of the Knowledge of all the kingdoms, lands, and lordships that are in the world, and the arms and devices of each land and lordship, or of the kings and lords who possess them*, ed Jiménez De La Espada Marcos, and Clements R. Markham (London, 1912).

showed how the New World was part of a European cosmology with a colonial agenda. While investigating the history of ideas of space, I have tried to look beyond the key ideas of elite individuals who have often characterised the field of intellectual history, and have focused instead on how ideas are produced and exist within a context and are developed and experienced by groups. This approach intended to explore the political mechanics and mythologies of intellectual histories. I have stressed the 'translocal' dimension of the Franciscans while considering their contribution to intellectual history to emphasise this.

Focusing on the poverty, alterity, and migratory structure of the Franciscans has provided another way of approaching intellectual history. Following the Franciscan negotiation with the concepts of property and rights, which was precipitated by their doctrine of poverty, I have been able to reflect upon the intellectual histories of these concepts in relation to the Atlantic world. Consequently I was able to explore the 'darker side' of the rights discourse and to consider the ways in which the discourse of rights and property, which was engineered in both the Franciscan Poverty Dispute and the Atlantic world, is related to the discourse of colonialism. This darker side of the rights discourse is connected to Patricia Seed's observation that in 'rationalizing their seizing and retaining the New World's resources, Europeans did not automatically invoke the practical reasons they were able to achieve their aims of wealth', but that 'like most successful colonizers, Europeans wanted to create a morality tale from the facts of success'.¹³⁹² I hope that this approach has indicated new, non-linear, directions for intellectual history, as well as begin to challenge the Eurocentric, universalising, and colonial dimensions of the discourse of rights and its historical makeup. Revealing the darker side of the rights discourse is way to challenge its claim, through intellectual history as well as contemporary discourse, to universality. This thesis approached this by thinking about the processes by which the hegemonic discourse came to monopolise meaning, and the alternatives that get lost along the way.

¹³⁹² Patricia Seed, *American Pentimento, the invention of Indians and the pursuit of riches* (London, 2001), p. 5.

To investigate the darker side of the rights discourse in Chapter Four, I considered the contexts of key tracts that have been associated with the rights discourse. I noted the political context that produced the sixteenth-century rights discourse, and the paradoxical situation that the expansion of the rights discourse did not lead to an expansion of rights. I contributed to the revision of key figures such as Las Casas and Vitoria, by looking at their roles in colonial processes, following Daniel Castro's thesis that Las Casas constituted 'another face of empire'.¹³⁹³ Las Casas' contribution to the defence of the Amerindians has been well reported, but his writing also formed part of the colonial discourse. For example, Las Casas tried to explain the reasons for the idolatry of the Indians, and used the example that the people of antiquity, especially the Egyptians, had also practiced idolatry.¹³⁹⁴ This comparison between Indians and Egyptians is an example of the denial of coevalness which is part of the discourse of colonialism.¹³⁹⁵

In modernity, property is seen as the paradigmatic right, yet this is not necessarily something which is positive or conducive to personal liberty. The coincidence of property and right is the direct consequence of the Franciscan Poverty Dispute and interrogating the processes and meanings of this discourse has contributed to our understanding of the way in which the meaning of property and rights were first colonised, and then played a role in the discourse of colonialism. For example, the Laws of Burgos, a quintessential doctrine of the discourse of colonialism in the Atlantic world, justified the forced migration and labour of the Amerindians whilst also guaranteeing that 'as soon as the Indians are brought to the estates they shall be given all the aforesaid as their own property'.¹³⁹⁶ Like the Franciscans during the poverty dispute, within the discourse of colonialism the Amerindians are forced to have property, and this is symptomatic of the loss of their freedom and the possibility of alternative relationships with the material world and exchange mechanisms. Chapter Four

¹³⁹³ Daniel Castro, *Another Face of Empire: Bartolomé De Las Casas, Indigenous Rights, and Ecclesiastical Imperialism* (Durham, 2007).

¹³⁹⁴ Bartolomé de las Casas *Apologética historia de las Indias* ed. M. Serrano y Sanz (Madrid, 1909), pp.189-196.

¹³⁹⁵ Johannes Fabian, *Time and the Work of Anthropology: Critical Essays, 1971-1991* (Chur, 1991).

¹³⁹⁶ *The Laws of Burgos of 1513-1513, Royal Ordinance for the good government and treatment of the Indians*, translated, with an introduction and notes by Lesley Byrd Simpson (San Francisco, 1960), p. 15.

endeavoured to demonstrate possible links between the concepts of property and rights that emerged during the Franciscan Poverty Dispute, and the modern teleological discourse of rights and its colonial dimension.

According to Immanuel Wallerstein, the search for bullion during the early phases of the expansion of capitalism drove 'discovery',¹³⁹⁷ and cash played the key role in the invention of Eurocentred modernity. Reflecting on the intellectual history of the Middle Ages in the context of the Atlantic world has also suggested the possibility of a theological history of capitalism, since the fate of wealth and religion were so firmly tied in the discourse of colonialism. For example, further to the demand that all Indians and Spaniards involved in the extraction of gold should hear mass,¹³⁹⁸ the Laws of Burgos dictated that the Indians must extract gold for five months, and then rest for the biblical period of forty days.¹³⁹⁹ The Franciscans complicate this topic further, and their silenced voices offer a critical perspective on questions of the links between capitalism, modernity and the new world. The Franciscans represent a globalising narrative that is not dominated by capitalist acquisition but poverty and ambiguity. Inga Clendinnen has observed that 'in rank-mad, gold-dazzled expansionist Spain they [the Franciscans and their poverty, humility and simplicity of soul] took on the special poignancy and authority of a deliberate denial and inversion of the values dominant in secular society'.¹⁴⁰⁰ The Franciscans represent an alternative narrative, but they have been also described as a 'laboratory of economic reflection'.¹⁴⁰¹ They emerged at a time when the meaning of money and its modes of exchange were being negotiated. They provide a way to critically analyse global meta-narrative assumptions of the genesis of capitalism and the role of the Atlantic world, and this is a key area for future research. This investigation of the meta-narratives of economic and global systems should include a reflection upon the role of ideas, particularly philosophies of space and time, and their links to politics and power agendas. This topic encompasses

¹³⁹⁷ Immanuel Wallerstein, *The modern world-system. Vol. 1, Capitalist agriculture and the origins of the European world-economy in the sixteenth century* (London, 1974), p. 41.

¹³⁹⁸ *The Laws of Burgos of 1513-1513*, p. 21.

¹³⁹⁹ *Ibid.*, p. 24.

¹⁴⁰⁰ Inga Clendinnen, *Ambivalent Conquests, Maya and the Spaniards in Yucatan, 1517-1570* (2edn, Cambridge, 2003), p. 46.

¹⁴⁰¹ Giacomo Todeschini, *Franciscan Wealth, From Voluntary Poverty to Market Society*, trans. Donatella Melucci, eds, Michael F. Cusato O.F.M, Jean François Godet-Calogeras, Daria Mitchell, O.S.F. (New York, 2009), p. 106.

the mysticism and apocalyptic ideas touched upon in chapter six. As Joseph Ratzinger summarises:

‘in the final age, God has sent men who freely chose to be beggars and to be poor in earthly possessions. These men have been sent against the spirit of covetousness which was to achieve its greatest force at the end of the world’.¹⁴⁰²

The final chapter’s investigation of the Franciscan brand of mysticism and apocalypticism, not only contextualised previous comments on the role of the Franciscans in the Americas, but also deepened our sense of the complexity of the entanglement of the Franciscans with the identity of the New World. This chapter demonstrated the theological and mystical dimensions of the quest for gold in the New World, an indication of the continued enchantment of modernity.

This thesis’ reflection on the Franciscan role in the invention of the New World revealed some agencies of the Middle Ages that have been obscured by meta-narratives of the Atlantic world and the start of modernity. The stories revealed by Franciscan history have contributed to the fragmentation of the homogeneity of Atlantic world macro-narratives, such as world-systems theory, which have focused on normative notions of capitalism, wealth accumulation, and colonialism. Capitalism is seen to be the main factor behind the essentialism of European identity; it is therefore significant that the Franciscans shadow its development, forever representing a critical perspective, an alternative (if suppressed) interpretation of property. The ambiguity of the Franciscans in the Atlantic world represents a broader historical phenomenon of ambiguity, which admits to varieties, tensions, complexities, and anxieties which are concealed by more static narratives. This study has revealed that voluntary poverty played an important role in the discourse of the discovery of the New World. Columbus stressed his lack of personal wealth and utilised the Franciscan identity. Similarly, in a letter to Piero Soderini about his motivations for discovering the New World, Amerigo Vespucci wrote: ‘having known the continual struggle man undergoes to acquire possessions, subjecting himself to so many hardships and

¹⁴⁰² Joseph Ratzinger, *The Theology of History in St Bonaventure* (Chicago, 1971), p. 113.

dangers, I decided to abandon trading and set my sights upon something more praiseworthy and enduring: and so it was that I determined to go to see part of the world and its wonders'.¹⁴⁰³ Poverty, or the voluntary rejection of wealth, was essential to the discovery of the New World discourse. This has been hidden by the meta-narratives of Eurocentred modernity which invent the Atlantic world as the cradle of the capitalist world-system.

As mentioned, the Franciscans impacted upon the identity of the New World in a variety of ways not just shaping the religious identity of the people whom they encountered, and there are more legacies than I have had time to explore here. As Chapter Six illustrated, the Franciscans were vectors for ideas of mysticism, the Apocalypse, and the spiritual importance of poverty. Uncovering the importance of the *Floreto* was a significant finding of this research. The Franciscans also influenced other traditions that are claimed to be essential to the identity of the New World of the sixteenth century, particularly humanism. According to Morales, 'the 16th-century Franciscans of Mexico are a singular testament to the close relationship between the *devotion moderna* and humanism'.¹⁴⁰⁴ Traces of Franciscan mysticism and millennialism can be found in the sixteenth century and beyond. Franciscan influence also transcended the order itself. Franciscan influence on the Jeronimites was important to their continued influence in the New World. The *Alumbrados*, or *dejados*, (emerged in 1525) had close relations with the Franciscans and were influenced by their mysticism.¹⁴⁰⁵ The *Alumbrados* were also influenced by the Franciscan *Floreto*, Isabel de la Cruz and Pedro Ruiz de Alcaraz, the first *Alumbrados* of Toledo, are thought to have read it.¹⁴⁰⁶ In the sixteenth century, it is notable that the Jesuits emerged and 'bore to a remarkable degree the characteristics of Joachim's prophesised 'monastic' or mediating order, and within the Society of Jesus there were those who saw their vocation as that of Joachim's spiritual

¹⁴⁰³ Amerigo Vespucci, 'Letter to Pier Soderini', in Luciano Formisano ed. *Letters from a New World, Amerigo Vespucci's Discovery of America*, trans. David Jacobson (New York, 1992), pp. 57-97, p. 59.

¹⁴⁰⁴ Francisco Morales, 'New World Colonial Franciscan Mystical Practice', in Hilare Kallendorf ed., *A New Companion to Hispanic Mysticism* (Leiden, 2010) pp. 71-101, p. 97.

¹⁴⁰⁵ See 'The alumbrados: dejamiento and its practitioners', *A New Companion to Hispanic Mysticism* (Leiden, 2010), pp. 103-124.

¹⁴⁰⁶ Juana María Arcelus Ulibarrena, 'Estudio Crítico', *Floreto de Sant Francisco, [Sevilla, 1492], Fontes Franciscani y Literatura en la península Ibérica y en el Nuevo Mundo, Estudio crítico, texto, glosario y notas*, ed. Juana María Arcelus Ulibarrena (Madrid, 1998), pp. 51-357, p. 104, and p. 106.

men.¹⁴⁰⁷ The Jesuits became important in the New World and they are often said to have been influenced by the Franciscans.

The role of the Franciscans in the creation of the New World has generated a variety of legacies in contemporary Latin America where they have influenced the politico-religious movement of Liberation Theology,¹⁴⁰⁸ and emerge as cultural references in a number of works of fiction by Latin American authors.¹⁴⁰⁹ This demonstrates the importance, not just of Franciscan history, but of the period of the late Middle Ages and its role in the construction of many of the facets of modernity.

This thesis began with a reference to Edmund O’Gorman’s *The Invention of America*, in which he described the New World as ‘a world forever in the making, always a new world’.¹⁴¹⁰ This New World was invented in the Middle Ages, a period of time which is also locked in the continuous process of creation. These invented Middle Ages and New World are structures which sustain the colonising mythology of Modernity. The Franciscans offer a way to reflect critically upon this; they reveal the permeability of the boundaries between modernity and the Middle Ages (existing and having influence in both periods), between the old world and the new, and between invention and discovery. Investigating the role of the Franciscans in the late medieval invention of the New World has been a way to explore the global dimensions of the Middle Ages. I hope to continue researching the global dimensions of the Middle Ages in the future, focusing on movement and the links between space, ideas, and politics.

¹⁴⁰⁷ Marjorie Reeves, *The influence of prophecy in the later Middle Ages: a study in Joachimism* (Notre Dame, 1993), p. 274.

¹⁴⁰⁸ The example of Leonardo Boff’s use of St Francis was discussed in Chapter Five.

¹⁴⁰⁹ Including Alejo Carpentier and Mario Vargas Llosa.

¹⁴¹⁰ Edmund O’Gorman, *The Invention of America, an inquiry into the historical nature of the New World and the meaning of its history* (Westport Connecticut, 1972), p. 69.

Appendix



Image from the 1492 edition of the Floreto of the Stigmata of St Francis, with Seville Cathedral in the background, taken from the Biblioteca Nacional de Madrid (1.1814), taken from Arcelus Ulibarrena, Juana María, ed., *Floreto de Sant Francisco*, [Sevilla, 1492], *Fontes Franciscani y Literatura en la península Ibérica y en el Nuevo Mundo*, Estudio crítico, texto, glosario y notas, ed. Juana María Arcelus Ulibarrena (Madrid, 1998).

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