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The Foundation of the OESA: A Reconsideration

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9 April 2006, marked the 750th anniversary of Alexander IV's *Licet ecclesiae catholicae*, establishing the Order of Hermits of St. Augustine (*Ordo Eremitarum Sancti Augustini*). From that point on, members of the new Order had to deal with the fact that unlike the other major Orders, and most notably the Franciscans and Dominicans, the OESA did not have a charismatic founder.¹ The OESA had been artificially created by the pope. Especially after conflict arose between the OESA and the Augustinian Canons Regular in the aftermath of John XXII's granting to the Hermits in 1327 co-custody with the Canons of St. Augustine's tomb in San Pietro in Ciel d'Oro in Pavia over which order was the original Order of St. Augustine, members of the OESA strove to prove their heritage could be traced all the way back to Augustine himself. Members of the Order in the early fourteenth century, such as the Anonymous Florentine, Nicolas of Alessandria, Henry of Friemar, and Jordan of Quedlinburg (Saxony), sought to establish the historical connection between Augustine's original monastic foundation, and the Great Union of 1256.² In 1956, the OESA celebrated the 700th anniversary of *Licet Ecclesiae* with great pomp, and a commemorative volume of essays was published which contains studies that still remain foundational for research on the Order and its traditions.³ Yet in the fifty years separating the 700th from the 750th anniversary of the Great Union, scholars of the Order have re-examined the Order's early history. Foremost among these is Balbino Rano, O.S.A..

In several studies Rano shed much new light on the origins of the OESA and its early traditions.⁴ One of the results of his work was that the origins of the OESA

¹ This is not to say that Augustine was not charismatic! The entire question involved was to what extent was Augustine actually the founder of the OESA.

² See E.L. Saak, *High Way to Heaven. The Augustinian Platform Between Reform and Reformation, 1292-1524*, SMRT 89 (Leiden, 2002), 160-234.

³ *Augustiniana* 6 (1956).

⁴ Balbino Rano, O.S.A., *The Order of Saint Augustine* (s.l., 1975); idem, "Los dos Primeras Obras Conocidas sobre el Origen de la Orden Augustiniana," *Analecta Augustiniana* 45 (1982): 331-376; idem, "San Agustín y los orígenes de su Orden. Regla, Monasterio de Tagaste y Sermones ad fratres in eremo," in *San Agustín en el XVI Centenario de su Conversion 386/87-1987, La Ciudad de Dios, Revista Agustiniiana CC* (El Escorial, 1987), 649-727; idem, "San Agustín y su Orden Algunos

should be seen as having been established in 1244: “The Order,” Rano asserts, “came into being in March 1244 through the uniting of several hermit groups, as decreed by two bulls of Innocent IV, *Incumbit nobis* and *Praesentium nobis*, both issued on the same day, December 16, 1243.”⁵ As a result of Rano’s work, an increasingly common school of opinion in the Order today sees its foundation as beginning with the “Little Union”, the union of the Tuscan Hermits in 1244. In that context, the Great Union, then, is considered to have been a continuation of the unification of the Augustinian Hermits, and though it represents new departures, it stands in the tradition of the on-going development of the OESA that had been begun in 1244.⁶ In effect, the significance of *Licet ecclesiae catholicae* has been relegated to being of secondary importance.⁷

Does such a presentation, though, fit with the historical record? The late medieval Augustinians had to prove their historicity not only with respect to the conflict with the Canons, but also in light of the prohibition of new orders issued at the Third Lateran Council of 1215, which was repeated in 1274 at the Second Council of Lyon. The newly created OESA had to assert that their origins could be dated before the prohibition, and thus they endeavored to show that the Order could be

Sermones de Augustinos del Primer Siglo (1244-1344), *Analecta Augustiniana* 53 (1990), 7-93; *Augustinian Origins, Charism, and Spirituality* (Villanova, 1995).

⁵ Balbino Rano, *The Order of St. Augustine*, 2. For the early history of the OESA, see also David Gutiérrez, *The Augustinians in the Middle Ages, 1256-1356* (Villanova, 1984). The early history of the Order, that is the history of the various groups that came to comprise the OESA, is still very much in need of investigation! It should also be noted that also on 16 December 1244, Innocent placed the hermits of Centumcellis under the guardianship of Richard Annibaldi: “Richardo S. Mariae in Cosmedin Diacono Cardinali, Apostolicae Sedis Legato. Pium est et etiam laude dignum, ut viros religiosos, qui relictis omnibus serviunt soli Deo, dignis attollamus favoribus et foveamus consiliis opportunis, ut nostri suffulti subsidio possint liberius Domino famulari. Cum igitur sicut dilecti filii prior et fratres heremi S. Trinitatis de Centumcellis Nobis exponere curaverint eorum facultates adeo sint tenues et exiles, quod ipsi, relicto sanctae contemplationis otio, coguntur necessaria mendicare. Nobis humiliter supplicaverunt, ut quietius et liberius possint impendere Domino famulatum, ecclesiam S. Severae penitus derelictam, quae iuris et proprietatis Ecclesiae Romanae existit, eis de benignitate Sedis Apostolicae concedere curaremus. De tua igitur circumspectione plenam in Domino fiduciam obtinentes mandamus quatenus, inquisita super praemissis plenius utilitati, si rem inveneris ita esse, concedas eisdem priori et fratribus ac per ipsos eorum Ordini in perpetuum supradictam ecclesiam. Si expedire videris vice nostra contradicere etc. Datum Laterani XVII Kal. Januarii, Pontificatus nostri anno primo.” Innocent IV, *Pium est*, dated 16 December 1244. *Bullarium*, n. 31. In the history of the Order created by the Anonymous Florentine, Nicolas of Alessandria, and Henry of Friemar, Centumcellis was seen as the original foundation of the OESA by Augustine himself, before he returned to Africa. There is thus some historical evidence for the early fourteenth-century Hermits’ assertion of the importance of Centumcellis, though in the accounts of Nicolas and Henry, the history became “mythified”; see Saak, *High Way to Heaven*, 160-234.

⁶ See, for example, the history of the Order as presented on OSANET:

<http://www.osanet.org/howeare/en/default.asp?page=history&language=en§ion=who>.

⁷ Cf. Alberic de Meijer and Ralph Kuiters, “Licet Ecclesiae Catholicae,” *Augustiniana* 6 (1956), 9-36.

traced all the way back to Augustine himself. Though the importance of Innocent IV and the “Little Union” did not go unnoticed, and Jordan of Quedlinburg argued that Alexander IV had completed the union of Augustine’s dispersed heirs that had been begun by his predecessor, Pope Innocent,⁸ in the created “Myth of Augustine” the fourteenth-century Augustinians portrayed Augustine himself as having effected the Great Union.⁹ Yet for modern scholars, there is no such need to prove the antiquity of the Order, and the redating of the Order’s foundation from 1256 to 1244 is simply a matter of the historical record. The question that must be asked, therefore, is to what extent does the “Little Union” of 1244 indeed represent the foundation of the OESA? To answer this question, we must return to the historical evidence.

Though the late medieval members of the OESA viewed themselves as standing in a continuous line of succession from Augustine’s first monastic foundation,¹⁰ there is little evidence indeed as to what happened to Augustine’s monastic community after its dispersion resulting from the raids of the Vandals. The earliest reference we have is the bull of Gregory VIII, *Apostolica nobis licet*, dated December 1187, which granted privileges and indulgences to “the beloved sons, Prior, and brothers of the Order of St. Augustine in the hermitage (*in eremo*) of St. James of

⁸ “Unde beatus Augustinus, volens dispersionem suae Religionis congregari, succedenti ei in Sede apostolica, scilicet domino Alexandro papae IV, in visione apparuit, grandis quidem capite, sed membris exilis. Ex qua visione velut divino oraculo papa comminitus unionem per praedecessorem suum dominum Innocentium inchoatam consummavit.” Jordanus de Quedlinburg (de Saxonia), *Liber Vitasfratrum* 1,14, ed. Winfridus Hümpfner and Rudolph Arbesmann, Cassiciacum 1 (New York, 1943), 47.80-85. Here we find not only Jordan’s recognition of Innocent’s role in the creation of the OESA, but also the most developed version of the “myth of Augustine”, or at least a central aspect thereof. For the “myth of Augustine”, see footnote 9 below.

⁹ The “Myth of Augustine” is a term I have employed to refer to the re-creation of Augustine as the eremitical founder of the OESA. This process began after John XXII’s *Veneranda sanctorum* of 1327. Members of the OESA, in the ensuing conflict with the Canons as to which order was the original *Ordo Sancti Augustini*, re-wrote Augustine’s biography to prove that he had first founded his Order of Hermits, before having established his Order of Canons. We can see this development in the Anonymous Florentine’s *Initium sive Processus Ordinis Heremitarum Sancti Augustini* dated 1330, in Nicolas of Alexandria’s *Sermo de Sancto Augustino* of 1332, in Henry of Friemar’s *Tractatus de origine et progressu Ordinis Fratrum Eremitarum Sancti Augustini* of 1334, and then in Jordan of Quedlinburg’s *Collectanea Sancti Augustini* of 1343 and his *Liber Vitasfratrum* of 1358; see E.L. Saak, *High Way to Heaven*,

160-234; 279-284. Also central to the “myth of Augustine” were the *Sermones ad fratres suos in heremo*, at least some of which had their origins after the works of the Anonymous Florentine, Nicolas of Alexandria, and Henry of Friemar. I will be treating the *Sermones* at length, as well as the theoretical issues concerning the “myth of Augustine”, in my forthcoming study, *Augustinus Noster. Interpreting Late Medieval Augustinianism*.

¹⁰ Though the late medieval Augustinians created a history for Augustine’s own monasticism, there is no question that Augustine himself lived a monastic life; see Adolar Zumkeller, *Das Mönchtum des heiligen Augustinus*, Cassiciacum XI (Würzburg, 1968).

Aquaviva near Pisa.”¹¹ In the early thirteenth century we find the papacy taking heremital groups in Italy under its protection, though without designating them as the Order of St. Augustine or even as following Augustine’s Rule.¹² A variant of the

¹¹ “Dilectis filiis Priori (et fratribus) Ordinis (S.) Augustini in eremo Sancti (Jacobi) Aquaviva prope Liburnam Pi(sa.. nae) D(iocesis) deg(entibus), Salutem et Apostolicam benedictionem. (In) Apost(olicae Sedis administratione) Nobis, licet imbecillibus (viribus) collat(a) (decet), ut honestis pet(entium) deside(riis) (cum solita benignitate provideamus). Exhibita siquidem Nobis (iusta) vest(ra) peti(ti)o, dilectissimi (Prior et fratres), in qua ... [sequitur pars particularis, quae coniecturis restauranda non est] ... (vobis) indul(gentiam unius anni) et quadraginta dierum annuatim (in ann)i(versario) dedicationis ecclesiae vestrae) S. Jacobi (indulgemus), (item facultatem) Christi fidelium confessiones audiendi, prae(terea) (in) coemeteria (fideles) sepeliendi quotquot in caemeteriis atque ecclesiis... sepulturam. Nos vestr(is) (pre)cibus inclinati... dictam ecclesiam. Datum Pisis...” Benignus van Luijk, OSA, ed., *Bullarium Ordinis Eremitarum S. Augustini. Periodus formationis, 1187-1256* (Würzburg, 1964), n. 1; online at: www.tiscali.it/ghirardacci/bullarium/bullarium.htm. This is the monastery that Nicolas of Alessandria and Henry of Freimar claimed St. Francis “joined” before founding his own order; see Saak, *High Way*, 214-215. There were, certainly, groups living according to Augustine’s Rule previous to 1187. The Augustinian Canons followed Augustine’s Rule, as did later the Dominicans. The question here is not the earliest evidence we have for the influence of Augustine’s Rule, but rather the origins of an Order of Augustine. The historicity of the Rule itself is not without its problems. Though Luc Verheijen’s exhaustive work on the textual traditions of the Rule most persuasively, if not conclusively, proves the authenticity of the Rule, modern scholars have not always taken note; see Luc Verheijen, *La Règle de saint Augustin. Vol. 1: Tradition manuscrite*, vol. 2: *Recherches historiques* (Paris, 1967); and idem, *Nouvelle Approche de la Règle de saint Augustin* (Abbaye de Bellefontaine, 1980).; see also George Lawless, *Augustine and his Monastic Rule* (Oxford, 1987). In a standard survey of medieval intellectual history, Marcia Colish could still claim that Augustine’s Rule was originally a letter to nuns; see M. Colish, *Medieval Foundations of the Western Intellectual Tradition, 400-1499* (New Haven, 1997), 52. Augustine’s own monastic life has only rarely entered into portrayals and interpretations of Augustine, or medieval Augustinian monasticism for that matter. The best treatment of Augustine’s own monastic life is still Adolar Zumkeller’s, *Das Mönchtum des heiligen Augustinus* (as in note 10 above). Yet a century ago, Ernst Troeltsch argued that Augustine’s own monastic life was the first expression of a “Christian cultural ethic.” See Troeltsch, *Augustin, die christliche Antike und das Mittelalter. Im Anschluss an die Schrift “De Civitate Dei,”* (Berlin, 1915); and Saak, *High Way*, 6-7.

¹² We see this, for example, in the bull, *Iustis petentium*, of Innocent III, dated 18 October 1205: “Dilectis filiis fratri L. eremita et fratribus eius de radice Montis Nevoniensis, Salutem etc. Iustis petentium desideriis dignum est Nos facilem praebere assensum, et vota, quae a rationis tramite non discordant effectu prosequente complere. Quapropter dilecti in Domino filii devotionem, quam erga B. Petrum et Nos ipsos habere noscimini, attendentes personas vestras cum omnibus bonis tam ecclesiasticis quam mundanis, quae in praesenti rationabiliter possidetis aut in futurum iustis modis, praestante Domino, poteritis adipisci, sub B. Petri et nostra, felicis recordationis Innocentii Papae praedecessoris nostri vestigiis inhaerentes, protectione suscipimus. Specialiter autem possessiones, quas nobilis mulier Italia et filii eius eidem eremo in eleemosynam concesserunt aut eas iuste et pacifice possidetis, vobis et per vos domui vestrae auctoritate Apostolica confirmamus et praesentis scripti patrocinio communimus. Nulli ergo omnino etc. Datum Laterani VIII Kalendas Aprilis, Pontificatus nostri anno septimo.” Van Luijk, *Bullarium*, n. 2. This bull was reissued by Honorius III on 18 October 1217, addressed “Dilectis filiis Oberto priori et fratribus Eremi de Morimundo, Salutem etc.” *Ibid.*, n. 8. Similar privileges and protection were extended to the Hermits of Brettino, which became part of the Great Union establishing the OESA in 1256, though again without mention of Augustine: “Dilectis filiis Priori et Fratribus Ecclesiae Eremi de Bricinis, Salutem et Apostolicam benedictionem. Sacrosancta Romana Ecclesia devotos et humiles filios ex assuetae pietatis officio propensius diligere consuevit, et ne pravorum hominum molestiis agitentur, eos tanquam pia mater suae protectionis munimine confovere. Ea propter, dilecti in Domino filii, vestris iustis postulationibus grato concurrentes assensu, personas vestras et locum, in quo divino estis obsequio mancipati, cum omnibus bonis, quae in praesentiarum rationabiliter possidetis aut in futurum honestis modis (dante

official title of the Order, given by Pope Alexander IV in the Great Union of 1256, is found already in 1228 in the bull of Gregory IX, *Conquesti sunt*, addressed to the Archdeacon of Aretino concerning the rights and privileges of “the prior and brothers of the hermits of Rosia, of the Order of St. Augustine.”¹³ In December of the same year, Gregory IX granted the request of a group of hermits in the diocese of Brettino to live according to the Rule of St. Augustine, absolving them from the observance of their previous order. What is significant here is that Gregory acknowledges that these hermits founded a “new Order”, based on the Rule of Augustine.¹⁴ Seven years later, on 13 March 1235, Innocent issued his bull *Quae omnium conditoris*, confirming the

Domino) poterit adipisci, sub Beati Petri et nostra protectione suscipimus. Specialiter autem ecclesiam S. Blasii de Bricinis cum pertinentiis suis, possessiones et alia bona vestra sicut ea omnia iuste ac pacifice possidetis, vobis et per vos eidem ecclesiae vestrae auctoritate apostolica confirmamus et praesentis scripti patrocinio communimus. Nulli ergo omnino hominum liceat hanc paginam nostrae protectionis et confirmationis infringere vel ei ausu temerario contraire. Si quis autem hoc attentare praesumpserit indignationem Omnipotentis Dei et Beatorum Petri et Pauli Apostolorum eius se noverit incursurum. Datum Laterani VI Kalendas Decembris, Pontificatus nostri anno primo.” Gregory IX, *Sacrosancta Romana Ecclesia*, dated 26 November 1217. *Ibid.*, n. 11.

¹³ “Dilecto filio archidiacono Aretino, Salutem etc. Conquesti sunt Nobis prior et fratres heremitarum de Rosia, Ordinis S. Augustini, quod de Radicundula, de Radi de Montanea, de Mantiano et de Sancto Quirico de Toni universitates hominum. Rusticucius de Rosia, Mercatante et Brachus, filii quondam Baldizoni de Monte Chiani, fratres laici Volterranae et Senensis dioecesis super terris, domibus, vineis, oliveriis, possessionibus et rebus aliis iniuriantur eisdem. Ideoque discretioni tuae per apostolica scripta mandamus, quatenus, patribus convocatis, audias causam et, appellatione remota, debito fine decidas, faciens quod decreveris per censuram ecclesiasticam firmiter observare, proviso ne in universitates praedictas excommunicationis vel interdicti sententias proferas, nisi a Nobis super hoc mandatum receperis specialem. Testes autem qui fuerint nominati, si de gratia, odio vel amore subtraxerint, censura simili appellatione cessante compellas verum testimonium perhibere. Datum apud Urbem Veterem Nonis Martii, Pontificatus nostri anno primo.” Gregory IX, *Conquesti sunt*, dated 7 March 1228. *Ibid.*, n. 14.

¹⁴ “Dilectis filiis Fratribus Eremitis de Bricinis Fanensis Dioecesis et aliis Fratribus Eremitis ipsi subiectis, Salutem et Apostolicam benedictionem. Cum olim, sicut intelleximus, motu proprio quendam novum Ordinem inveneritis et ad ipsius observantiam vos duxeritis astringendos, quia tandem illo relicto, cum non esset de Ordinibus approbatis, Beati Augustini regulam recepistis eamque cupitis in perpetuum irrefrangibiliter observare, Nos vestris supplicationibus inclinati vos ab observantia praedicti Ordinis absolventes, a vobis perpetuis temporibus inviolabiliter observari concedimus regulam memoratam. Nulli ergo etc. Datum Perusii VI Idus Decembris, Pontificatus nostri anno secundo.” Gregory IX, *Cum olim sicut intelleximus*, dated 8 December 1228. *Ibid.*, n. 15. The previous Rule that had been followed was most likely the Rule of St. Benedict. On 28 March 1244, Innocent IV released the Tuscan Hermits from obedience to the Rule of St. Benedict, placing them under the Rule of St. Augustine: “Dilectis filiis Prior et fratribus heremitis in Tuscia Ordinis S. Augustini, Salutem etc. Cum a Nobis petitur, quod iustum est et honestum, tam vigor acquitatis, quam ordo exigit rationis, ut id per sollicitudinem officii nostri ad debitum perducatur effectum. Exhibita siquidem Nobis vestra petitio continebat, quod cum Regulam B. Augustini vobis concedendam duxerimus, ut a vobis et successoribus vestris perpetuis futuris temporibus observetur, ac per dilectum filium nostrum Richardum S. Angeli Diaconum Cardinalem a promissione, quam de observando Ordine S. Benedicti vel quocumque alio feceratis de speciali mandato nostro sitis penitus absoluti, Nos absolutionem ipsam ratam et gratam habentes, illam auctoritate Apostolica confirmamus et praesentis scripti patrocinio communimus. Nulli ergo omnino etc. Datum Laterani V. Kal. Aprilis Pont. nostri anno primo.” Innocent IV, *Cum a nobis*, dated 28 March 1244. *Ibid.*, n. 36.

constitutions of the new order.¹⁵ On 24 September 1243, Innocent further granted the Hermits of Brettino the rights to hear confessions and preach, and stipulated that within three months of the death of their prior general, a new prior general must be elected. Innocent referred to their Order as a *pia religio*, and recognized the offices of visitors, definitors, prior generals, and the existence of General Chapters, or in other words, much the same structure that soon was to be had by the OESA.¹⁶ Rano

¹⁵ “Dilectis filiis Priori et Fratribus Eremitarum de Bricinis Fanensis Dioecesis, Salutem et Apostolicam benedictionem. 1. Quae omnium Conditoris honorem et profectum continent animarum amore praecipuo diligentes, eo quod quidquid in desiderio praeter illa geritur apud Dei sapientiam pro nihilo reputetur, dignum fore providimus, ut in iis, quae intuitu salutis aeternae cupitis, Nos favorabiles ad Redemptoris gloriam habeatis. 2. Sane praesentata Nobis vestra petitio continebat, quod vos vitia carnis cupientes extinguere, ut succedente virtutum gratia possitis perennis vitae bravium obtinere, deliberatione provida statuistis, ut semper in communi refectorio comedentes, a festo Exaltationis Sanctae Crucis usque ad festum Resurrectionis Dominicae, praeterquam in diebus Dominicis (exceptis positis minutis in necessitate fratribus) ieiunetis; bis in die reliquo tempore comesturi, praeterquam in quarta et sexta feria ac temporibus aliis ab Ecclesia constitutis, nisi prior, qui pro tempore fuerit, aliter cum fratribus duxerit dispensandum. 3. Debiles quoque ac iter agentes ad observantiam dicti ieiunii minime teneantur, praeterquam in sexta feria Quadragesimae S. Martini et temporibus aliis per Ecclesiam constitutis. 4. Insuper fratres, quorum unusquisque cultellum habeat non acutum, ab esu carni et condimento sanguinis [*melius* sagiminis], praeter infirmos, penitus abstinebunt. 5. Caseum et ova tribus diebus in hebdomada comesturi, exceptis Quadragesima Sancti Martini ac Septuagesima et solemnibus ieiuniis per Ecclesiam constitutis, in quibus nec iter agentes caseum et ova comedant, licet illis vescendi singulis aliis temporibus liberam habeant facultatem. 6. Statuistis praeterea ut a vobis annis singulis celebretur Capitulum generale, in quo diffinitores a Priore et visitoribus eligantur. Ipsi vero diffinitores cum visitoribus anni praeteriti, corrigendi et reformandi tam in capite quam in membris, quae correctionis et reformationis officio noverint indigere, liberam habeant potestatem. 7. Item quod visitores etiam ordinentur, qui omnia loca fratrum visitent, corrigant et reforment, prout secundum Deum et Beati Augustini Regulam, secundum quam statuistis Domino in perpetuum famulari, viderint expedire. 8. Ceterum humiliter attendentes quod Regnum Dei non in pretiosa veste consistit et quod induit paupertatis habitum Conditor singulorum, laudabiliter statuistis, ut fratres vestri Ordinis de colore seu valore vestium minime contententes semper in eis vilitatem observent, et quattuor tunicis, una cuculla et duobus scapulariis sint contenti; item quilibet frater cingatur desuper ampla corrigia non consuta et illa contentus existat; item quod non utantur lineis indumentis, nec extra eremum possessiones, praeter hortum et silvam, habere praesumant. Super habendis caligiis, calceis et similibus prior secundum suum arbitrium potestatem habeat disponendi. 9. Item quod nullus in mensa fratrum recipiatur, nisi religiosus extiterit vel constitutus in aliqua praelatura. Quare Nobis humiliter supplicastis, ut statutum huiusmodi apostolico dignemur munimine roborare. 10. Nos igitur vestris iustis precibus inclinati statutum ipsum auctoritate Apostolica confirmamus et praesentis scripti patrocinio communimus, iure dioecesanorum episcoporum in omnibus semper salvo. 11. Nulli ergo etc.” Datum Perusii III Idus Martii, Pontificatus nostri anno octavo.” *Ibid.*, n. 19.

¹⁶ “Dilectis priori et fratribus de Bricinis, Fanensis dioecesis. 1. Vota devotorum Ecclesiae, quae fructum salutis aeternae continere perspicimus, quo potiora sunt omnibus, libenter ad effectus deduci gratiam procuramus. Hinc est quod Nos vestris piis desideriis annuentes ut de licentia et assensu dioecesanorum ac rectorum parochialium ecclesiarum fratres sacerdotes Ordinis vestri recurrentium ad ipsos confessiones audire ac eis paenitentiam intingere salutarem necnon ut illi ex eisdem, quibus virtutum Dominus contulit scientiam praedicationis et gratiam, possint populis proponere verbum Dei vobis auctoritate praesentium concedimus facultatem. 2. Caeterum, quia per Nos providi cupitis quod vestra pia Religio digna spiritualibus proficere incrementis sibi pro tempore oportune commodum provisionis acceleret et diutina dispendia vacationis ignoret, statuimus, ut obeunte te, fili prior, vel tuorum quolibet successorum, visitores qui a Priore ac diffinitoribus vestri Ordinis annuatim in generali capitulo statuuntur, convocatis universis et singulis prioribus locorum ad heremum vestram spectantium, ab eis per electionem canonicam et concordem de priore faciant providi, ita ut ultra tres

claimed that Innocent had granted such privileges to the unified Tuscan Hermits in his bull *Vota devotorum* of 23 March 1244, thus establishing the sequence: first the foundation charter, then the first General Chapter (though Rano does not cite any documentation for this), and then the granting of the privileges to preach and hear confessions.¹⁷ Yet the text of *Vota devotorum* is the same text as that of Innocent's bull of the same title issued 24 September 1243 with the only exception being that the later bull is addressed "To the beloved sons, Prior, and brother hermits in Tuscany of the Order of St. Augustine,"¹⁸ whereas the former is addressed "To the beloved Prior and brothers of Brettino."¹⁹ Moreover, just two and one half months before the supposed "foundation charter" of the OESA, Innocent issued a charter of privileges to the Hermits of Brettino, establishing their right to follow the Rule of St. Augustine and exempting them from lay or ecclesiastical interference.²⁰

So what are we to make of all this? If the foundation charter of the OESA was Innocent IV's bull *Incumbit nobis* of 16 December 1243, there has to be some legitimation, some evidence that *Incumbit nobis* was different from previous bulls. Why would not *Cum olim intelleximus* of Gregory IX (December 1228) recognizing the Hermits of Brettino as a "new order" following the Rule of St. Augustine serve just as well, especially in light of the later constitutions and privileges? Rano dates the foundation of the OESA to 1244 based on *Incumbit nobis* as the Order's foundation charter, but *Incumbit nobis* does not go as far as does *Licet ecclesiae*. True, it united the Tuscan Hermits, with the exception of the Williamites, and that is not without significance.²¹ *Incumbit nobis* also placed the Tuscan Hermits under the protection and guidance of Cardinal Richard Annibaldi, and Annibaldi has been seen

menses heremus ipsa priore non vacet. Ad quod si forte iustum impedimentum in causa non fuit, dicti priores et fratres ab eisdem visitoribus per censuram ecclesiasticam, appellatione postposita, compellantur. Nulli ergo etc. Datum Anagninae VIII Kalendas Octobris, Pontificatus nostri anno primo." *Ibid.* n. 27.

¹⁷ Rano, *The Order*, 3.

¹⁸ "Dilectis filiis Priori et fratribus eremitis in Tuscia Ordinis S. Augustini, Salutem etc.," Van Luijk, *Bullarium*, n. 34.

¹⁹ See note 16 above.

²⁰ See Van Luijk, *Bullarium*, n. 28.

²¹ For the Williamites, see Kaspar Elm, *Beiträge zur Geschichte des Wilhelmitenordens* (Cologne, 1962).

as the major force behind of Great Union of 1256.²² The question, though, is whether such a move represents the foundation of a new order such as the OESA. Though the united Tuscan Hermits had houses outside of Italy “in places beyond the Alps,”²³ it was only after the Great Union of 1256 that the OESA became a truly international Order with a centralized administration governing all houses of Augustinian hermits. *Incumbit nobis* was not as comprehensive as was *Licet ecclesiae*, but then why not go back to *Cum olim intelleximus*? The influence of Cardinal Annibaldi is certainly a factor to consider, but is it sufficient to claim that therefore the origins of the Great Union are to be found with his protectorate of the Tuscan Hermits? Rano argued that the term *Ordo St. Augustini* was originally virtually synonymous with *Regula St. Augustini*, distinguishing those followers as the *ordo canonicus* from the *ordo monasticus*, as were the Benedictines, and it is not without significance in this light that several papal bulls specifically relieve the addressed eremitical groups from adherence to the Rule of St. Benedict to follow the Rule of St. Augustine.²⁴ Yet *Incumbit nobis* is addressed: “To all the hermit sons constituted in Tuscany, with the exception of the Williamites,”²⁵ whereas *Licet ecclesiae* is explicit that it is forming all hermits therein mentioned into “one profession and regular observance of the Order of Hermits of St. Augustine.”²⁶ The title itself is a new departure: in previous

²² See Saak, *High Way to Heaven*, 44-48. See also Francis Roth, O.S.A., “Cardinal Richard Annibaldi. First Protector of the Augustinian Order (1243-1276),” *Augustiniana* 2 (1952), 26-60, 108-149, 230-247; 3 (1953), 21-34, 283-313; 4 (1954), 5-24.

²³ See Innocent IV’s bull *Religiosam vitam eligentibus* of 31 May 1253: “Dilectis filiis Priori et fratribus eremitis in ultramontanis partibus constitutis, tam praesentibus quam futuris, regularem vitam professis, in perpetuum.” Van Luik, *Bullarium*, n. 104.

²⁴ See note 14 above.

²⁵ “Dilectis filiis universis Eremitis, exceptis Fratibus S. Guilelmi, per Tusciam constitutis, Salutem etc.” Innocent IV, *Incumbit nobis*, 16 December 1234. *Bullarium*, n. 32.

²⁶ “Propterea dudum a Nobis mandatum Apostolicum emanavit ut de singulis domibus vestris, quarum quaedam Sancti Guillelmi, quaedam Sancti Augustini Ordinum, nonnullae autem fratris Johannis Boni, aliquae vero de Fabali, aliae vero de Bricinis censebantur, et apud homines ambiguus interdum nuncupationibus vaccillabant, duo fratres cum pleno mandato ad nostram mitterentur praesentiam, quod nostra circa vos salubriter ordinaret dispositio recepturi. Cumque fratres huiusmodi ad Sedem Apostolicam accessissent coram dilecto filio nostro Riccardo S. Angeli diacono cardinali, quem negotio unionis vestrae perficiendo deputavimus vice nostra, sufficientia ad id exhibuere mandata, et in Generali Capitulo vestro in Urbe celebriter congregato, nomine omnium a quibus fuerant destinati et de communi Capituli eiusdem assensu, vos et domos vestras in unam Ordinis observantiam et vivendi formulam uniformem redigi, unumque ex eis ovile fieri Generalis Prioris praesidentia gubernandum unanimiter consenserunt, petentes ut, per gratiam unionis et conformitatis huiusmodi, eis iuxta conceptum votum paupertatis spontanee perpetuae possessionum terrestrium abdicatio remaneret et ipsis baculos vel ferulas deferendi imposita necessitas tolleretur, collata in cardinalem eundem providendi vobis ea vice de Generali Priori totius Ordinis nihilominus potestate. Porro idem cardinalis, nostri auctoritate mandati vivo ad eum sermone directi necnon et concordia eorundem fratrum ac praedicti

bulls, the various groups of Italian hermits were designated as the “hermits of brother John the Good, of the Order of St. Augustine,” or as the “hermits of Brettino, of the Order of St. Augustine,” or as “the brother hermits of Rosia, of the Order of St. Augustine.” *Incumbit nobis* states that all the hermits in Tuscany should assume “the one Rule and order of St. Augustine,”²⁷ yet does not establish a new Order or title.²⁸ The first reference we have to the *Ordo Eremitarum Sancti Augustini* is in the bull *Dilecti filii, priores et fratres* of Innocent IV, dated 3 August 1252.²⁹ Yet Innocent did not consistently use the title *Ordo Eremitarum Sancti Augustini*, and most often

Capituli consensione suffultus, universas domos et congregationes vestras in unam Ordinis Eremitarum Sancti Augustini professionem et regularem observantiam perpetuo cōnivit sub Generalis cura Prioris, canonice instituendi pro tempore prae aliis Provincialibus necnon et conventualibus singularum domorum prioribus, regulariter gubernandas, et, ut novam ovilis Dominici unionem universalis capituli unitas consummaret, te, dilecte fili frater Lanfrance, in Generalem Ordinis eiusdem Priorem et patrem, Spiritus Sancti gratia invocata, praefecit ac etiam, prout a Nobis specialiter in mandatis acceperat, confirmavit; vos universos et successores vestros a baculis vel ferulis deportandis et quod non cogamini ad recipiendas possessiones aliquas vel habendas, decernens perpetuo liberos et exemptos.” Alexander IV, *Licet ecclesiae* 3, 9 April 1256. *Ibid.*, n. 163.

²⁷ “Nos nolentes vos sine pastore sicut oves errantes post gregum vestigia evagari universitati vestrae per Apostolica scripta mandamus, quatenus in unum vos regulare propositum conformantes, Regulam Beati Augustini et Ordinem assumatis ac secundum eum profiteamini de caetero vos victuros; salvis observantiis seu constitutionibus faciendis a vobis, dummodo eiusdem Ordinis non obvient institutis.” Innocent IV, *Incumbit nobis*, 16 December 1243. *Ibid.*, n. 32.

²⁸ That it was a union of various eremitical groups there is no question. The issue here is that the designation *Ordo Sancti Augustini* was a reference to the *ordo canonicus*, as Rano pointed out. As such it had been in use since at least 1187 (see above, n. 11), and was applied as well to the Hermits of John the Good and the Hermits of Brettino. No new title is given the union in 1244, and it is only with *Licet Ecclesiae* that there is a new *ordo*, comprised of the unification of various eremitical groups, all of which were, at least previous to 1256, of the Order of St. Augustine. There is no evidence in the papal bulls previous to *Licet Ecclesiae* to claim that the unification of the Tuscan Hermits in 1244 was a “pre union, union”; the line could also be seen as running from the Bonites to *Licet Ecclesiae*. The privileges granted to the Tuscan Hermits in the bull *Religiosam vitam eligentibus* of Innocent IV, dated 26 April 1244 (*Bullarium*, n. 46) are virtually identical to those granted the Hermitsof Brettino in *Quoties a nobis petitur* of 1 October 1243 (*Bullarium*, n. 28). The same privileges were granted to the Hermits of Brettino on 3 November 1245 (*Bullarium*, n. 55) and to the Bonites on 26 April 1246 (*Bullarium*, n. 56). There is no evidence to privilege the Tuscan Hermits as the group of Augustinian Hermits that led to the Great Union. Only a thorough study, however, of the pre *Licet Ecclesiae* history of Augustinian eremitical monasticism can shed definitive light on the question as to the origins of the OESA.

²⁹ “Venerabilibus fratribus universis Archiepiscopis et Episcopis praesentes litteras inspecturis, Salutem etc. Dilecti filii Priores et fratres Ordinis Eremitarum S. Augustini Nobis humiliter supplicarunt, ut eis construendi ecclesias et domos in terris, maneriis et possessionibus, quae sibi a Christi fidelibus conferuntur, ac audiendi et celebrandi divina officia in eisdem ecclesiis et recipiendi ecclesiastica sacramenta licentiam de benignitate solita largiremur; vobis igitur qui locorum dioecesani existitis in hac parte deferre volentes, universitati vestrae per Apostolica scripta mandamus, quatenus eis concedatis licentiam postulatam sine iuris praeiudicio alieni. Datum Perusii III Nonas Augusti, Pont. nostri anno decimo.” *Ibid.*, n. 97. See also *ibid.*, n. 101.

used “the Order of St. Augustine” as a designation of a particular group of hermits.³⁰ Moreover, on 14 April 1253, Innocent wrote “to all priors and brothers of the Order of Hermits,” concerning their profession and habit, giving the responsibility for insuring uniformity to the prior general, Lanfranc of Milan, who would soon become the first prior general of the OESA.³¹ Lanfranc was a member of the Bonites (the Hermits of John the Good), and here Innocent addressed the Bonites simply as the Order of Hermits. The first form of profession later used by the OESA was established for the Bonites. The Bonites, the Tuscan Hermits, and the Hermits of Brettino were still three very distinct orders, even if all three individually could be referred to as the Order of Hermits, or as the Hermits of the Order of St. Augustine, and even if Cardinal Annibaldi had a special relationship to the Tuscan Hermits. In all bulls previous to *Licet ecclesiae* the term *Ordo St. Augustini* seems indeed to refer to the “way of life” expressed in the Rule of St. Augustine, as Rano indicated. The primary designation is the designation of the group itself, the brothers of John the Good, the Hermits of Brettino, etc., which are then further designated as “of the Order of St. Augustine.” And the same can be said of the “Little Union.” With *Licet ecclesiae*, a new use comes to the fore: the Order of St. Augustine is no longer simply a designation for a particular group’s way of life, but is the Order that is being established, one Order and one profession, of the Hermits of St. Augustine.³² The possessives should not go unnoted: the Hermits in question are no longer the Hermits of John the Good, or the Hermits of Rosia, or of Brettino; now, for the first time, they are the Hermits of St. Augustine, which form one Order. It is only with *Licet ecclesiae* that we have a social group designated as being “of Augustine”, namely, the hermits of Augustine’s Order. If one wants to look into the history preceding the

³⁰ Thus, for example, the usual form of address can be seen in Innocent’s bull *Quia ex apostolici cura* of 19 April 1244: “Dilectis filiis Priori et fratribus Eremitarum Ord. S. Aug. in Tuscia, Salutem etc.” *Ibid.*, n. 43.

³¹ Innocent IV, *Admonet Nos cura*, dated 14 April 1253. *Ibid.*, n. 102. The form of profession here established was essentially identical to the form of profession of the OESA: “Fratres etiam, qui de caetero in Ordine vestro debuerint profiteri, eidem Priori Generali vel certo eius nuntio profiteantur hoc modo: Ego N. facio professionem et promitto obedientiam Deo et B. Mariae Virgini et tibi Priori Generali Ordinis Eremitarum tuisque successoribus usque ad mortem secundum Regulam B. Augustini et Constitutiones Fratrum istius Ordinis.” *Ibid.*

³² Alexander first used the title *Ordo Eremitarum Sancti Augustini* in his bull *Hiis quae pro animarum* of 31 July 1255 (*ibid.*, n. 152), but thereafter returned to the former usage, such as in his bull *Pacis vestrae* of 13 August 1255: “Dilectis filiis... Priori Generali et universis prioribus atque fratribus Eremitarum Ord. B. Augustini.” *Ibid.*, n. 154.

Great Union for the origins of the Order, developments with respect to the Tuscan Hermits have no greater claim than do those regarding the Hermits of Brettino or the Hermits of John the Good. While it is certainly important to point to antecedent developments, of which *Incumbit nobis* is one among others, the OESA only came into being with *Licet ecclesiae*.

If the OESA should be seen as having been established by *Licet ecclesiae* and the Great Union of 1256, rather than the “Little Union” of 1244, we still must ask what difference does this make? On the one hand we can only answer that it makes no real difference at all. Whether modern scholars see the OESA as having been established in 1244 or in 1256 does not impinge upon the historical development of the Order thereafter, nor on the Order’s contemporary identity. Members of the Order are still the “sons of Augustine”. Yet on the other hand, getting the history “right” is not a secondary concern. In returning the Great Union to its historical significance, while not discounting the importance of the “Little Union”, we can begin to realize anew that what happened in early April of 1256 was something new, a new departure, and a new creation. While modern scholars and members of the Order cannot accept the mythic accounts of that event created by their medieval forbearers, they can share with them nevertheless the realization, given the development of the Order until today, that what happened in 1256 was not only a new departure: it was also, and remains, miraculous.