

A Franciscan Reflection on Exile

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This paper suggests that the Franciscans have an exilic dimension to their identity and can be used as a historiographical tool to reflect upon the dominant historical narrative of the discovery of the New World and the colonial identity of modernity. The mechanics of this narrative will be explored, with a focus on the ways in which the Franciscans both participated in and reflected critically upon it.

The Franciscans are a mendicant religious Order that emerged out of the moral and economic anxiety of the thirteenth century.¹ The Order still exists today but has undergone many transformations and divisions since the papal approval of their rule in 1223.² This rule legitimated their apostolic poverty, which was based on accounts of Jesus' renunciation of possessions. Franciscan voluntary poverty renounced not only common *and individual* property, but also the right and the will to own. They were attempting to free themselves from all solicitous relationships with the world, including the power to litigate in court. This radical interpretation of poverty was based on a unique and complex dialogue, which underpins the

1. For a basic introduction to the history of the Franciscan Order see John Moorman, *A History of the Franciscan Order From Its Origins to the Year 1517* (Oxford: 1968).

2. *The rule of St Francis* (Regula Bullata, 1223), paragraph I, taken from trans. D. Burr, *Medieval Sourcebook: The Rule of the Franciscan Order*: <http://www.fordham.edu/halsall/source/stfran-rule.html> [accessed 1 October 2011]. This version was amended between 1221 and 1223 and was based on St Francis' 1210 supplication to Innocent III.

Franciscan identity. The Franciscans have been recognised as vehicles of an alternative historical tradition, but focusing on the exilic dimension of their identity provides a way to interrogate the colonial function of this dominant narrative.³ In doing so, the Franciscan example also provides a way to reflect on the meaning of exile as something that can refer to time and ideas, as well as space.

History occurs as narrative, and the construction or imagining of the past is never neutral; it is invented in a way that is advantageous to certain groups and is therefore colonised by them. This dominant impression of the past can be called the meta-narrative or hegemonic master-narrative. In the same way that an author employs literary devices to accelerate the reader's acceptance and enjoyment of a novel, so too do the authors of hegemonic history rely on bundles of preconceived ideas to maintain an image of the past. The discovery of the New World in 1492 is an excellent example of a colonial meta-narrative. This narrative of 'discovery' was particularly significant in the nineteenth century, and was used to affirm a sense of progress and to justify a new phase of empire through the romanticisation of the colonial past. The typology of sources edited and translated in the Hakluyt series illustrates this process. The Hakluyt society, named after Richard Hakluyt (1552/3-1616), was founded in 1846 and aimed 'to advance knowledge and education by the publication of scholarly editions of primary records of voyages, travels and other geographical material'.⁴ In reality, it followed the precedent set by Richard Hakluyt's *The Principal Navigations, Voyages, Traffiques and Discoveries of the English Nation*, a sixteenth century compilation of documents which emphasised the English role in European expansion, and demonstrated how history could become the handmaiden of imperialism.⁵ The Hakluyt Society was part of his project of 'imperial geography' and support for the English colonisation of America. The Hakluyt series continues this historical project by mythologizing and historicising the era of medieval conquest. This is illustrated by Markham's comment regarding Jean de

3. See Heiko Oberman, *The Harvest of Medieval Theology: Gabriel Biel and Late Medieval Nominalism*, (Durham: Labyrinth Press, 1983).

4. Taken from *The Hakluyt Society*: <http://www.hakluyt.com/> [accessed 1 October 2011].

5. Richard Hakluyt, ed. by J. Beeching, *Voyages and Discoveries, The Principal Navigations, Traffiques and Discoveries of the English Nation*, (Aylesbury: Penguin English Library, 1972).

Bethencourt's expedition. 'It lends the charm of chivalry to an expedition of discovery, undertaken in a period when chivalry was itself a reality'.⁶ Thus did Nineteenth century historians use the Middle Ages to create an image of conquest that would complement the conquests of the age of romantic nationalism. These narratives continued to affect the historical imagination in the twentieth century, as one historian wrote as late as 1966, 'the supreme romance of human achievement is how man discovered his earth'.⁷

The discourse of the Middle Ages is tied intrinsically to the discourse of modernity and coloniality. However, this relationship needs to be untangled. A decolonisation of the history of the Middle Ages is required in order to understand the colonial dimension of modernity. This decolonisation of scholarship is part of a revolution of academic thought. John Dagenais critiques the meta-narrative according to which modernity began with the collapse of the Middle Ages, which coincided with the assumption that Columbus 'discovered' the New World in 1492. He argues that, in the fourteenth century, Petrarch's denial of his own coevalness produced an idea of the Middle Ages (as Middle Time) which made modernity possible. Modernity and the Middle Ages were produced simultaneously as symbiotic organisms. 'The break between the Middle Ages and modernity', Dagenais suggests, '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'.⁸ Typological time is defined by Johannes Fabian as time 'measured, not as time elapsed, nor by reference to points on a (linear) scale, but in terms of socioculturally meaningful events, or more precisely, intervals between such events'.⁹

6. Clements Markham, 'Introduction' in Alonso De Espinosa, *The Guanches of Tenerife, The Holy Image of Our Lady of Candelaria and the Spanish Conquest and Settlement* (London: The Hakluyt Society, 1907), p. ii.

7. Vilhjalmur Stefansson, 'Man Discovers His Earth', in Rhys Carpenter, *Beyond the Pillars of Hercules, the Classical World Seen Through the Eyes of its Discoverers*, (New York: TBS Ltd, 1966), pp. v. ii-xiv, p. viii.

8. John Dagenais, 'The Postcolonial Laura', *Modern Language Quarterly*, 65 (2004), p. 374.

9. Johannes Fabian, *Time and Other: How Anthropology Makes its Object* (Columbia: Columbia University Press, 2002), p. 32, cited in Dagenais, 'The Postcolonial Laura', p. 373.

Dagenais uses examples that involve modernity denying its negative aspects, such as violence and ignorance to argue 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.’¹⁰ The typological use of ‘medieval’ was a way of exercising and containing those aspects of modernity that are inadmissible to itself. Yet, modernity also denies other things 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 fourteenth century phase of the Franciscan poverty dispute.¹¹ The Franciscans exist as symbols of a medieval world beyond Modernity. They symbolise the denial of possible alternative understandings of property and right. They have an exilic identity within the hegemonic narrative of the New World and they play an important role in the symbolic discourse of the denial of alternative understandings of property and right in the colonial context of the Atlantic world.

This spatio-temporal context of the early Atlantic world is essential to an understanding of the significance of the role of the Franciscans. Like modernity, the New World is a discourse rather than a location. Furthermore, they occur simultaneously within the same discourse; they are both invented and colonising. In 1958 the Latin-Americanist Edmund O’Gorman published *The Invention of America*, in which he argued that the very paradigm of ‘discovery’ was conceptually flawed, based on 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.’¹² In spite of this critique, the notion that the New World was discovered in 1492 is still an organising principle for much scholarship.¹³ This is not just an academic problem, but a demonstration that knowledge production has not yet been decolonised—one of the

10. J. Dagenais, p. 374.

11. The Franciscan poverty dispute is discussed below. For a detailed history of the dispute, see Virpi Mäkinen, *Property Rights in the Late Medieval Discussion on Franciscan Poverty* (Leuven: Peeters, 2001).

12. Edmundo O’Gorman, *The Invention of America: An Inquiry into the Historical Nature of the New World and the Meaning of its History* (Westport, Connecticut: Greenwood Press, 1972), p. 72.

13. For example David Abulafia, *The Discovery of Mankind, Atlantic Encounters in the Age of Columbus* (London: Yale University Press, 2008), and Felipe Fernández-Armesto, *1492: The Year the World Began* (New York: Harper One, 2009).

objectives of the anticolonialist school. 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*.¹⁴ Alonso looks at the legacy of the notion of the New World in contemporary Latin American politics. He argues that concepts of futurity and novelty lead to the ‘permanent exoticisation of the New World’, which constitutes an ‘ideological façade sustaining old world power’.¹⁵ Modernity’s discourse of the New World is a symptom of colonised time; the New World is a world in exile, or an alterity. An engagement with the ideas of the Latin-Americanists, postcolonialists and anticolonialists would enable medievalists to construct a history of the late Middle Ages that considers the politics and mechanics of the invention of the New World and works to decolonise its historical master narrative.

The colonisation of language, and the ideas that it signifies, was the mechanism for the colonisation of space and time and the assertion of a hegemonic history. The importance of language in this process cannot be understated, ‘for it was through language—the rhetoric, figures of speech, and discursive formations—that Europeans have understood and governed themselves and the peoples they subjected overseas’.¹⁶ Contrary to this, in the late thirteenth and early fourteenth century, the tertiary friar Ramon Llull tried to establish schools and encourage missionaries to learn languages so that they could speak to the peoples that they encountered in their native tongues. Later on, fewer attempts were made to communicate with indigenous populations in their native tongues, and more attempts were made to impose language upon them. At the time of the Spanish colonisation of the New World, the first book on grammar was published by Antonio de Nebrija, who described language as ‘the ideal weapon of empire’.¹⁷ Walter Mignolo argues that Nebrija planted the ‘ideological seed of what would become a gigantic campaign to colonise

14. Carlos Alonso, *The Burden of Modernity: The Rhetoric of Cultural Discourse in Spanish America* (New York: Oxford University Press, 1998).

15. Alonso, p. 8 and p. 10.

16. Patricia Seed, ‘Review: Colonial and Postcolonial Discourse’, *Latin American Research Review*, 26 (1991), p. 184.

17. Antonio de Nebrija, *Gramática de la lengua Castellana* (Madrid: Ediciones de Cultura Hispanica, 1992).

Amerindian languages'.¹⁸ However, the colonisation of language did not begin with the historicised colonisation of the New World; it had a more subtle origin in the political and theological discourses of the late Middle Ages. Then, terms that are crucial to the paradigm of colonisation, property and right, were themselves colonised, and a hegemonic interpretation was asserted. This occurs throughout the discourse of the Franciscan poverty dispute. The colonisation of language was essential because text both negotiated and legitimated colonial endeavours, as demonstrated by the vast corpus of treaties dispensing conquest rights.¹⁹ Language needed to be colonised as it has a ritualistic function. This ritualistic function is best demonstrated by the farcical legal document, *El Requerimiento* (The Requirement), which was read out in Spanish on first encountering the Native Americans, stipulating that they must surrender or be conquered.²⁰

The Franciscans are important to this research agenda for two reasons. Firstly, in *The Harvest of Medieval Theology*, Heiko Oberman explains that the Franciscans are essential to an understanding of the history of the late Middle Ages, as they provide another way of historicising that period.²¹ They do not fit the Protestant narrative of the decay of the late Middle Ages as the backdrop to the reformation; nor do they fit other enlightenment narratives of the general collapse of the Thomistic synthesis that ushered in the ignorance of the Dark Ages until the Age of Reason. According to Hans Baron, contrary to the Franciscan position, St Thomas adopted an Aristotelian view of possessions, seeing riches as an aid to virtue.²² Many histories have therefore neglected the Franciscans and the importance of poverty.

Secondly, Oberman argues that the vibrancy of Franciscan mysticism, nominalism and their influence on the *via moderna*, provide an alternative perspective on the late Middle Ages. The Franciscans have a historiographical

18. Walter Mignolo, *The Darker Side of the Renaissance* (Ann Arbor: University of Michigan Press 2003), p. 40.

19. See for example, Alexander VI, *Inter Caetera*, Papal Bull of May 4, 1493, taken from: http://www.kwabs.com/bull_of_1493.html [accessed 1 October 2011].

20. Ferdinand II, *El Requerimiento de 1513*, taken from: <http://www.gabrielbernat.es/espana/leyes/requerimiento/r1513/r1513.html> [accessed 1 October 2011].

21. Heiko. Oberman, *The Harvest of Medieval Theology*.

22. Hans Baron, 'Franciscan Poverty and Civic Wealth as Factors in the Rise of Humanistic Thought', *Speculum*, 13(1938), pp. 4-5.

function, but, more importantly, the history of the Franciscan Order is essential both to the meaning of property and right, and the invention and colonisation of the New World. The Franciscan poverty dispute of the fourteenth century focused on language and determined how ‘property’ and ‘rights’ could be understood in this period.

John Docker has defined diaspora as ‘a sense of belonging to more than one history, to more than one time and place, more than one past and future’.²³ Diaspora, and its troubled partner exile (*exsilium* in Latin), relate not only to space, but also to a sense of time. The case of the Franciscans provides a means to explore this historical dimension of exile. Daniel 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 their historical projection of the future—and contributed to the their exilic identity.²⁴ The Franciscans are exiles, who choose a life of voluntary poverty, in order to detach themselves from the property-based society that surrounds them. As Inga Clendinnen has explained, to be a Franciscan, was to ‘choose exile in one’s own land’.²⁵ Yet there is a subtle ‘doubleness’ to the exilic identity of the Franciscans. During the fourteenth century poverty dispute, the Franciscans were exiled from both their ideals and their identity. The Franciscans were aiming to become Christ-like through their practice of voluntary poverty, which entailed a rejection of not only property, but also rights and the will to own. They were attempting to free themselves from all solicitous relationships with the world, including the power to litigate in court, based on Christ’s command, ‘be not solicitous for the morrow’.²⁶ However the dispute caused the Franciscans to be exiled from this principle and from the sense of history that made the principle possible. This process was the result of a discourse that resulted in the colonisation of the language of property and rights, and the history, or collective religious memory, of property.

23. John Docker, *1492: The Poetics of Diaspora* (London: Continuum, 2001), p. vii.

24. See Daniel Lesnick, *Preaching in Medieval Florence* (Athens: University of Georgia Press, 1989), p. 134.

25. Inga Clendinnen, ‘Disciplining the Indians: Franciscan Ideology and Missionary Violence in Sixteenth-Century Yucatán’, *Past & Present*, 94 (1982), pp. 27-48.

26. Matthew 6:34, *The Holy Bible: Authorised King James Version* (London: Collins, 2011).

Until the fourteenth century phase of the Franciscan poverty dispute, the Franciscans claimed to be living a life of absolute poverty, based on the 1223 rule of St Francis, the *Regula Bullata*, which stipulated the conditions for apostolic poverty. The rule required the Franciscans ‘to observe the holy gospel of our Lord Jesus Christ, living in obedience without anything of our own’ and promised obedience to the papacy.²⁷ It asked the brothers to ‘sell everything they have, and attempt to give it to the poor’, not be concerned by possessions, nor accept money, to ‘appropriate nothing for themselves’, but to seek ‘the highest poverty’.²⁸ This model of apostolic poverty was based on accounts of Jesus’ renunciation of possessions recorded in the New Testament. ‘If you wish to be perfect, go, sell your possessions and give them to the poor, and you will have treasure in heaven. Then come, follow me’.²⁹ According to the bull *Exiit qui seminat*, the papacy owned all things that were needed by the Franciscans, such as bread.³⁰ The Franciscans were permitted to use objects of necessity, without right to use those things. The Franciscans understood property (*dominium*) and rights (*ius*) as being equally appropriative, and rejected both as a result. The Franciscan position undermined the institution of property as the basis for a stable society. They claimed to exist outside the system of property and law, and hence beyond jurisdiction, which raised many questions. Clendinnen suggested that the Franciscan position was radical as they ‘resisted the structural notion of authority based on power’.³¹ She used an example of humility from a Franciscan chronicle, which she described as a piece of ‘counter theatre’, and according to the chronicler, was undertaken by the Franciscan ‘for the love of Jesus and in order to conquer himself’.³²

Franciscan poverty had an internal as well as external dimension, as they rejected not only property and rights, but also the will to own, the denial of which magnified the intensity of the poverty dispute. This position also represented a

27. *The rule of St Francis (Regula Bullata, 1223)*, paragraph I, trans. D. Burr, taken from: <http://www.fordham.edu/halsall/source/stfran-rule.html> [accessed 1 October 2011].

28. *Ibid*, paragraph II.

29. Matthew 19.21, *The Holy Bible*.

30. Nicholas III, *Exiit qui seminat*, trans. J. Kilcullen, and J. Scott, *Sexti Decretalium* (Lyons: 1671), taken from: <http://www.humanities.mq.edu.au/Ockham/wexiit.html> [accessed 1 October 2011].

31. Clendinnen, ‘Disciplining the Indians’, p. 38.

criticism of the spiritual authority of the church, which was based on an extensive network of ecclesiastical property. The papacy needed to overcome the criticism of property, and in particular ecclesiastic property, in order to authenticate its power, a point which was particularly significant in the context of colonisation. The papacy had to prove that property was just, and that its own property was held on a just basis before it could dispense lordship to others. The bull, *Inter Caetera*, issued by the Spanish Pope Alexander VI in 1493, demonstrates the means by which the papacy legitimated its property, by granting to Spain,

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.³³

This assertion of the church's proprietorial rights over the world and its right to transfer this property to rulers is a demonstration of the church's conviction in the legitimacy of its property, a conviction which held great significance for the colonial development of the Atlantic world.

Pope John XXII addressed the challenge presented by the Franciscan relationship to property by claiming that it was not possible for the papacy to own the things that the Franciscans used because the Franciscans destroyed those things through their use of them, and that only an owner could have the right to destroy something.³⁴ He stated that the Franciscan position undermined the papacy, and the divinely instituted regime of property.³⁵ In 1322 John XXII issued the bull, *Ad conditorem canonum*, in which it was stated that use and *dominium* could not be

33. Alexander VI, *Inter Caetera*, Papal Bull of May 4, 1493, taken from:

http://www.kwabs.com/bull_of_1493.html [accessed 1 October 2011].

34. John XXII, *Ad Conditorem Canonum*, trans. by Kilcullen and Scott. The Latin text from *Corpus Iuris Canonici* (Lyons, 1671) is compared with Friedberg's edition (Leipzig, 1879) at:

<http://www.humanities.mq.edu.au/Ockham/wadc.html> [accessed 1 October, 2011].

35. John XXII, *Quia Vir Reprobus*, (Translated, with the publisher's permission, from H.S. Offler's edition of Ockham's *Opus Nonaginta Dierum* in *Guillelmi de Ockham, Opera Politica*, vols. 1 and 2 (Manchester University Press), <http://www.humanities.mq.edu.au/Ockham/wqvr.html> (15.04.2011).

separated.³⁶ According to John XXII, the Franciscans did not practice absolute poverty because they were the owners of the things they used. John XXII was advised by Hervaeus Natalis, who argued that anyone who uses something ‘uses it as his own’, and so must have the right to use it.³⁷ According to John XXII’s position, using something against the will of its owner was unjust and illicit. Consequently, the Franciscan position was neither possible, nor desirable.

The dispute escalated into an attack on the idea of voluntary poverty. John XXII and his supporters proposed that poverty should not be an ideal and that it was heresy to say that Christ had not owned anything.³⁸ Further he proposed the legal categories that an act was either just, or unjust, and that a just act was an act of right. If the Franciscans were acting justly—that is, within the law—they must be acting with rights. The pope explained that a just act—an act of right—was determined by reason.³⁹ Since it was impossible for a rational man to deny his reason, as this would go against his nature as a man, it was not possible for man to act justly without rights. An alternative interpretation of this point is that a person without basic property, such as adequate clothing and food, could be associated with a lack of reason, and could therefore be assigned a lesser status than man in the eyes of the law.

In this way, the meaning of property and rights were colonised, and alternative understandings became the suppressed subaltern. Prior to the Franciscan poverty dispute, multiple meanings of property and rights were possible. Following the Franciscan poverty dispute, only one interpretation of property and rights is possible. In other words, the meaning of the linguistic signifiers property and rights was colonised through the discourse of the dispute. The outcome of this colonisation is a hegemonic worldview, which is summarised by Antonio Gramsci’s 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

36. John XXII, *Ad conditorem canonum*.

37. Hervaeus Natalis, trans. J. Jones, ‘Question 2A, Article 1’, *The Poverty of Christ and the Apostles* (Toronto: Pontifical Institute of Medieval Studies, 1999), p. 39.

38. John XXII, *Cum Inter Nonnullos*, trans. J. Kilcullen, taken from *Franciscan Archive*: <http://www.franciscan-archive.org/index2.html> [accessed 1 October 2011].

39. John XXII, *Quia Vir Reprobus*.

defined by the existing order'.⁴⁰ After the meaning of property and rights had been colonised in the discourse of the Franciscan poverty dispute, alternative interpretations of property and rights became inconceivable and were reduced to the category of unjust, or contra to the law. John XXII argued that rights could only be understood in a legal way, and that since no rational person could be without rights, man was subject to the law. This position confined all human action to the coercive juridical process. John XXII's arguments wrote freedom out of property and the law out of history.⁴¹ Thus man was exiled to the law, and it became inconceivable for licit man to exist without property, and for rational man to exist outside the law.

An important implication of this point can be inferred from early colonisation narratives, which assessed the rationality of the indigenous peoples encountered. These commentaries can be seen as part of the discourse of rights in the Atlantic world. The case study of the early representation of the Canary Islands is significant. In 1341 a voyage was made to the Canaries under the auspices of the king of Portugal. This expedition occurred despite Clement VI's papal bull of 1334, granting the Canary Islands to Luis de la Cerda.⁴² A narrative of this expedition by Giovanni Boccaccio has survived, in which he used letters written by Florentine merchants established in Seville to compile his account.⁴³ This narrative illustrated the mode by which colonisation was legitimised. Boccaccio describes the natives as 'like savages in their appearance and demeanour' and relates that 'they were shown some gold and silver money, but they were quite ignorant of the use of it'.⁴⁴ These early constructions of natives were important with regard to conceptions of their rights and legal status. Boccaccio's narrative appears in the introduction of *The Canarian*, which was itself a manuscript written in order to justify Jean de Bethencourt's

40. T.J. Jackson Lears, 'The Concept of Cultural Hegemony: Problems and Possibilities', *American Historical Review*, 90 (1985) p.33.

41. Again, see John XXII, *Cum inter nonnullos*.

42. Elias Serra, 'Sermón de Clemente VI papa acerca de la otorgación del Reino de Canarias a Luis de España, 1344', in *Revista de historia canaria* 29 (1963-64): 89, cited in Dagenais, 'Postcolonial Laura', p. 385.

43. Boccaccio, 'Narrative of 1341 Voyage', ed. and trans. in R.H. Major's 'Introduction' to *The Canarian* (London, 1872), pp. xiii-xix.

44. *Ibid.*, pp. xiv and xix.

conquest of the Canaries in 1402.⁴⁵ As David Wallace has explained, 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’.⁴⁶ In 1500, Pêro Vaz de Caminha described the people of Brazil as naked, possessing ‘no knowledge of iron’ and unable to ‘till soil or breed stock’.⁴⁷ Thus are indicators of private property at the core of encounter narratives.

The importance of property in the construction of the rights of the Native Americans is still more apparent in the writings of Juan Ginés de Sepulveda, who opposed Bartolomé de Las Casas’ defence of Indians. In *A Treatise For the Just Cause for War against the Indies*, Sepulveda wrote that the Indians ‘lack letters [...] and don’t even have private property’.⁴⁸ According to Lewis Hanke, Sepulveda ‘seems to have advocated a permanent mandate for Spain over the peoples of the new world’.⁴⁹ In this way, the discourse of property and its relation to the construction of the rights of natives, which was essayed in the Canaries, remained important to later colonisation histories in the Americas. Following these assertions of hegemonic interpretations of property and rights, all deviations and alternative interpretations become the subaltern.

In the early fourteenth century, the Franciscans were exiled from their ability to understand property and right in the terms which had been dominant in the thirteenth century.⁵⁰ John XXII referred to the nature of ownership prior to The Fall, saying that ‘before the division there was community in respect of the lordship of

45. P. Bontier, and J.L. Verrier, *The Canarian*, trans. R.H. Major, (London: Burt Franklin, 1872).

46. David Wallace, *Premodern Places* (Malden: Blackwell, 2004), p. 7.

47. Pêro Vaz de Caminha, ‘Letter of Pedro Vaz de Caminha to King Manuel, written from Porto Seguro of Vera Cruz, 1 May, 1500’ in William Brookes Greenlee, ed., *The Voyages of Pedro Alvares Cabral to Brazil and India* (London: The Hakluyt Society, 1938), p. 29.

48. Lewis Hanke, *The Spanish Struggle for Justice in the Conquest of America* (Pittsburgh: University of Pennsylvania Press, 1949), p. 122.

49. *Ibid.*, p. 128.

50. The Franciscan position in the thirteenth century had been dominated by Bonaventure. In particular see Bonaventure, trans. Jose de Vinck, ‘Defence of the Mendicants’ (*Apologia Pauperum*), in *idem.*, *The works of Bonaventure: Cardinal, Seraphic Doctor, and Saint* (Paterson N.J.: St. Anthony Guild Press, 1966).

things'.⁵¹ This extension of the genealogy of property obliterated the concept of freedom from property from history. The Franciscans lost the ability to even remember their ideal conception of property and rights. First Adam and Eve were exiled from the Garden of Eden, and then man was exiled from remembrance of the possibility of life without property. The Franciscan poverty dispute constituted a second fall. John XXII used linguistic analysis to reason that there ownership did exist prior to the Fall. 'From "lordship" [*dominium*] is derived "lord" [*dominus*], "dominating" and "dominator"', he explained, 'Accordingly, since it is said of Adam by himself that he dominated the beasts and birds, it follows that he was lord by himself'.⁵² Thus the Franciscans are exiles, because they belong to more than one history. The identity of their Order is connected to the remembrance of a Christ who was perfect because he, like Adam and Eve, was free from the solicitude of property. John XXII made it a heresy to say that Christ lived without rights, and was therefore unjust, and made Adam into a lord of the Garden of Eden. This history made the Franciscans' self exile from property and right in order to reach a state of perfection nonsensical, a position that reveals the doubleness of the exilic dimension of Franciscan identity.

The Franciscans lost their ability to practice absolute poverty, but they retained their anxiety concerning property and right as part of their problematic identity. The Franciscans became symbols of exile from an alternative understanding of property and rights. They transmitted this anxiety and the symbolism of their loss throughout the early Atlantic world and acted as receptacles for the denial of possible alternative understandings of property and rights. In this way, they facilitated colonialism. Antonine Tibesar has claimed that, 'of all the orders, none was closer to the popular classes than the Franciscans'.⁵³ Tibesar interprets the Franciscans in terms of their ability to relate to the indigenous population as a consequence of their interpretation of poverty, which is a simplification of their role. James Muldoon, in contrast, describes the colonial role of the Spanish missionaries less favourably, as

51. John XXII, *Quid vir reprobus*, trans. Kilcullen and Scott, taken from:

<http://www.humanities.mq.edu.au/Ockham/wqvr.html> [accessed 1 October 2011].

52. Ibid.

53. Antonine Tibesar, *Franciscan Beginnings in Colonial Peru* (Washington: Catholic University of America Press, 1953), p. ix.

that of ‘cultural genocide’.⁵⁴ Similarly, John Leddy Phelan summarises that, ‘the friars’ conquest of the souls of the Indians was the necessary complement to his conquest of their bodies’.⁵⁵ The legacy of the Franciscans in the New World is varied and complex, yet their story of expulsion from an alternative system of property and rights resonates with the exilic experiences of the natives from their own rights and property systems. The identity of the Franciscans enabled them to facilitate colonialism at a symbolic level. The Franciscans themselves experienced colonisation and went on to play a role in another kind of colonisation. The ambiguity of this position makes them a useful case study for reflecting upon the narrative of colonisation.

Property and right became inextricably linked, and this continues to impact upon our understanding of exile. As we have seen, John XXII used the equivalence of property and rights that lay at the core of the Franciscan apostolic poverty to conclude that if the Franciscans used something with a right to its use, then they must also be possessors of that thing. John XXII’s argument made it impossible for the Franciscans to use something without rights in a just or licit way. If the Franciscans used, or consumed something without a right to do so, or an ownership of that thing, then they would be acting unjustly, in contravention of the law. This affected the condition of their exile and linked their loss of property to their loss of rights and memory. More significantly, the discourse of the Franciscan poverty dispute bound the notion of property to the nature of human will, which the Franciscans also claimed to have renounced. John XXII argued that the user is the owner of his own acts through his free choice and will, and therefore he has rights; as an act is willed by the idea of act, for any act to be just it needs a right.⁵⁶ Consequently, existing outside the hegemonic system of property and right is not only an external disposition, but also has implications regarding will and identity. Thus the Franciscan poverty dispute contributed to the modern paradox of exile, whereby a loss of possessions impacts upon rights and identity. Modernist thinking about exile

54. James Muldoon, *The Americas in the Spanish World Order* (Philadelphia: University of Pennsylvania Press, 1994), p. 2.

55. John Leddy Phelan, *The Millennial Kingdom of the Franciscans in the New World* (Berkeley: University of California Press, 1970), p. 35.

56. Makinen, *Property Rights*, p. 170.

associates the condition with a loss of possessions, and creates this as something negative. While Dante was writing in exile, he increasingly focused on the role of voluntary poverty within a vision of renewed religious and ecclesiastic order. While he wrote that ‘his own poverty was due to the misfortune of exile rather than vocational choice’, he also wrote in his *Convivio* about the ‘value of poverty’s “unrecognized wealth”’.⁵⁷ Nicholas Havely has argued that ‘concern about the Franciscans, poverty, and their relationship to ecclesiastical authority forms an important part of the *Commedia*’s political vision’.⁵⁸ According to Hans Baron, Boccaccio used the notion of the virtue of poverty to comfort his friend in exile.

In one of the usual stoic letters of consolation preaching to an exiled friend that the whole world is ‘one single city’ and that poverty arouses the forces of the intellect while riches lull them to sleep, he cites Seneca’s saying that the Roman *Imperium* was built on poverty.⁵⁹

Hans Baron uses this point to show the connection between Franciscan poverty and humanism, but it also demonstrates how Franciscan poverty contributed to a positive construction of exile. Prior to the Franciscan poverty dispute, poverty, which was associated with exile, could be constructed as a virtue. The legacy of the Franciscan poverty dispute was that the challenge posed by the virtue of poverty had been conquered, and that loss of property and rights became linked and constructed as something negative.

In conclusion, understanding the doubleness of Franciscan exile—their exile from exile—helps us to gain a critical perspective on the hegemonic meta-narrative of modernity, and its historical projection of property and rights. Mignolo has argued that ‘the colonisation of space and the colonisation of languages mean that dominant views of languages, of recording the past, and of charting territories become synonymous with the real by obstructing possible alternatives’.⁶⁰ Modernity’s

57. Nicholas Havely, *Dante and the Franciscans: Poverty and Papacy in the Commedia* (Cambridge: Cambridge University Press, 2004), pp. 2- 4.

58. *Ibid.*, p. 2.

59. H. Baron, ‘Franciscan Poverty and Civic Wealth’, p. 15.

60. Mignolo, *The Darker Side of the Renaissance*, p. 5.

hegemonic nature thus creates modernity as a place of exile, a place where alternative understandings become the suppressed subaltern. The Franciscans represent an important example of the suppression of alternative understandings in order to construct a hegemonic modernity. Historians can utilise the exilic identity of the Franciscans by writing a 'hidden history' of property and rights in order to enrich our understanding of the paradigm of exile. The Franciscans demonstrate that it is possible to be exiled from an idea by the colonisation of language and interpretations of history. This understanding can help us to gain a critical perspective on the exilic dimension of modernity, on the complexities of the discourse of the New World which began in the late Middle Ages, and on the paradigm of exile itself.