

**Chapter 3 – Joining the clergy .....1**

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## Chapter 3 – Joining the clergy

	Letters from 13th c.	Letters from 14th c.	Petitions from 1342-1366	Total
<b>With <i>cura</i></b>	9	34	7	50
<b>Without <i>cura</i></b>	20	19	11	50
<b>Major orders</b>	3	41	4	48
<b>Minor orders</b>	8	12	6	26
<b>Total promotions</b>	32	94	22	148

Table 1: Promotions granted for major and minor orders, with or without *cura*.

The Papal Chancery routinely blocked the entry of disabled clerics into minor and major orders, alongside preventing their receipt of a benefice attached to the care of souls (*cura animarum*). Restrictions of grace of this kind were more prevalent in the thirteenth century, when the number of such promotions granted to disabled churchmen remained low.<sup>1</sup> Analysis of the relevant petitions addressed to the Papal Chancery by the disabled clerics and papal letters sent in response suggests, however, an openness to the inclusion of disabled clerics within major orders in the following century. While the thirteenth century saw a large proportion of resignations by disabled secular clerics (51% of letters to 15% in the fourteenth century, see Chapter 5) the pontifical institution received significantly more requests for secular promotions during the fourteenth century, with the topic figuring in 33% (94) of letters and 26% (22) petitions in the latter period, compared to just 17% of thirteenth-century letters (32) (see table 1).

These numbers show that the pontifical institution granted graces to receive a benefice with the care of souls and/or a promotion to the major orders to disabled clerics more willingly during the fourteenth century. Indeed, the Papal Chancery authorized the request of 64% of petitioners seeking to accede to a pastoral role, i.e. benefices *cum cura* (vs. 31% in the thirteenth century), and 77% of those wishing to join major orders (vs. 27% in the previous century). The results for petitions to join the minor orders are in line with letters of the thirteenth century, with most petitioners prohibited from joining major orders (four out of six cases), alongside fewer spontaneous requests to enter minor orders (two cases out of six). However, if we read carefully the content of the petitions and papal letters, we can understand how the dispensation process worked and we can see how disabled clerics can be integrated within the clergy following an examination.

<sup>1</sup> It is impossible, however, to compare the number of refused requests, since they are not registered by the Papal Chancery. We have access only to the records pertaining of restrictions of the grace, which sometimes include partial or even total rejections.

One hundred and twenty letters in the corpus explicitly mention the examination of the disabled clerics at the time of their entry or their promotion in the orders. Thirty of these grant dispensations enabled disabled men to join the clergy, by accessing minor order and/or without a cure of souls, whilst ninety authorized the entrance of disabled clerics to major orders and/or with a cure of souls. This disproportion in the number of cases between the access of the minor/major orders and/or the reception of a benefice with/out a cure of souls illustrates the strong pontifical control regarding who is supposedly suitable to enter in the divine service depending on whether they will have a more or less active role in it. The substantial shift evident between the thirteenth- and fourteenth-century data – from a significant proportion of resignations to an overt increase in promotions – illustrates the evolution of curial interest over the period as well as the emergence of favourable conditions.

At the end, it appears that the focus switched to the physical and/or mental, practical and social capacities of active clergy members that were needed to perform their duties, with less on those who wish, or were forced by their circumstances, to leave the clerical state. Secular clerics no longer wrote to resign due to difficulties engendered by their impairment, but rather sought accommodations: the receipt of a curial benefice or entrance into major orders.

### Examination of future clerics

Canon law stipulates that all candidates applying to enter the secular and regular orders, and all clerics wishing to receive a promotion, must be examined before their appointment. The recommendation for the time of ordination and the expected qualities of the applicant are found in the provisions of Lateran IV, taken up in the *Decretals* of Gregory IX:

The person responsible for confirming the appointment must first carefully examine the form, qualities, morals, science and age of the person elected.<sup>2</sup>

Supposedly a “quality-control” measure to guarantee the homogeneity of the clerical condition at all levels, this evaluation was required from a cleric’s first tonsure to their entrance into the priesthood, up until his election as bishop or abbot, when the pope himself, in theory at least, conducted the examination. Any free boy over seven years of age and of legitimate birth could receive the tonsure by the bishop, if he attested the requisite minimal knowledge and was accompanied by two witnesses.<sup>3</sup> The examination to enter orders took place at the diocesan level for all clerics. Although there are few pontifical letters about disability dealing with clerical entry, the examples we do have shed light on the conditions levied against people with so-called “defects” of body and/or mind concerning their access to minor benefices and regular orders, through the grant of “irregular” nominations.<sup>4</sup>

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<sup>2</sup> *Decretals of Gregory IX*, book I, title 11: “*de temporibus ordinatum et qualitate ordinandorum*” (on the time of ordination and the qualities of the ordinate).

<sup>3</sup> Tabbagh, “Effectifs et recrutement du clergé”, p. 182.

<sup>4</sup> There are many more letters regarding the age (5%) or illegitimacy (14%) of the future clerics or clerics wishing to be promoted; where letters concerning the defects of body and/or mind represent between 0.3% and 0.5% of these between 1455 and 1492. See Salonen and Schmutge, *A Sip from the “Well of Grace”*, p. 19.

*Access to benefices*

The Church has seven levels, or degrees, of holy orders. These seven degrees are defined by the precepts of the *Liber officialis*, written by Amalarius in 832. Doormen, readers, exorcists, and acolytes form the minor orders; sub-deacons, deacons, and priests compose the major orders. The bishop inhabits the highest rank, above these seven degrees entirely.<sup>5</sup> Notwithstanding this hierarchy, allocation of an individual's benefice is arguably more enlightening than their further access to minor orders in terms of developing our understanding of how disability impacted entrance into the clergy. Indeed, little is known of this crucial initiatory step: there are only few traces left in the source, no doubt illustrating the fact that the Roman Curia assigned it little importance. For example, the ministry of acolyte (the highest of the minor orders) could either be received at the same time as the tonsure, or on the same day that the supplicant entered the major orders as sub-diaconate. In total, the corpus contains seventeen letters regarding the examination for entering the clergy and obtaining a simple benefice (with an active role in the Mass, but no care of souls), alongside documents recording twenty grants of a sinecure (benefice without care of souls).

All clerics had to undergo a diocesan examination conducted by the bishop at the time their benefice was assigned. The process was fixed, unfurling according to a defined set of steps. First, a survey was launched among the relatives of the future ordained to gather information about him before his meeting with the bishop.<sup>6</sup> During this encounter, the candidate had to give the bishop several letters of recommendation, called *litterae dimissoriales*, written by other ecclesiastical authorities. These referees indicated that they supported the candidacy, and that they found the would-be cleric worthy of receiving orders.<sup>7</sup> However, these letters were not sufficient in and of themselves to verify the applicant's eligibility, according to canon law. Indeed, the supplicant must then undergo the bishop's thorough inspection few days before the ordination ceremony, which was organized by the head of the diocese.<sup>8</sup> In this, the candidate's character, qualifications and knowledge were subject to scrutiny.<sup>9</sup> In non-contentious cases, the candidate was then granted a benefice.

The process was significantly less smooth for disabled clerics, who faced dismissal during the first diocesan examination because of their physical and/or mental impairments. This was the case for Johannes Fernandus of Ruppefeldeli, a poor cleric of the diocese of Palencia, who had to appeal to the Papal Chancery. Johannes probably passed the initial exam and advanced to the next stage of the process. Yet the over-zealous bishop refused to grant him a benefice, because of his congenital impairment: Johannes was born without his left fist. By consequence, he needed pontifical grace to enter into orders and receive a benefice. In a petition addressed to Urban V registered on 25 October 1363, Johannes asked to be able to hold a sinecure, despite the bishop's opposition:

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<sup>5</sup> Barrow, *The Clergy in the Medieval World*, p. 38.

<sup>6</sup> Burger, *Bishops, Clerks, and Diocesan Governance*, p. 36.

<sup>7</sup> Dohar, "*Sufficienter literatus*", p. 307.

<sup>8</sup> Dohar, "Medieval Ordination Lists", p. 21.

<sup>9</sup> Testimonies and examinations were also used to judge the fitness of a person with dementia under curatorships in the Paris Parliament. See Ternon, *Juger les fous*, p. 56.

Blessed Father, it is with great devotion that your *Johannes Fernandus of Ruppefideli*, a poor cleric of the diocese of Palencia in the province of Toledo in Spain, was examined *in forma communi pauperum* for an ecclesiastical benefit, that he obtained *in forma communi*, by the examiners that your holiness deputized, and was recognized as suitable and sufficient to receive the titles, since he obtained the grade of “*bene*” in all the examinations. He is authorized to receive these benefices even if he had been refused [by the diocesan examination] since he was born missing his left fist. That is why we beg your holiness that the same *Johannes*, through your compassionate paternal affection, may dedicate all his days to study and work for science, and, if he studies skilful and docilely, and if he does not soil the clerical honour by being forced to beg, that he may receive a benefit notwithstanding the above-mentioned defect, and be considered worthy to receive the benefices already requested above *in forma pauperum*, and that he can be dispensed *in forma dispensamus* for the grace of receiving a benefit without *cura*.

[In the margin] Add on the original letter. B. It is pleasing to admit the grace of an sinecure, B. May 10, 1364.<sup>10</sup>

The interest of this case lies in the existence of a *second* examination conducted by several examiners at the pope’s request, offering additional testing before Johannes is permitted to collect his benefice. This verification is *in forma communi pauperum*, because the petitioner was a poor clerk without income. A candidate’s success in terms of overturning the earlier ruling *in forma pauperum* depended entirely on his moral and intellectual qualities.<sup>11</sup> The applicant had to pass examinations in reading and singing, unless he was a graduate of a university, in which case the knowledge test was deemed unnecessary and thus waived. The candidate had to therefore pass an oral and a written examination in front of adjudicators appointed by the Holy See. There are few sources that directly report on this secondary evaluation, however.<sup>12</sup> Theoretically, judges limited themselves to checking the applicant’s fluency in Latin and his ability to sing choral music, essential skills for a serving priest, but even cases to determine sinecure benefices entailed rigorous interrogation.<sup>13</sup> The petition reports that, during the evaluation carried out by the papal investigators, Johannes was considered suitable to receive the tonsure, as well as a benefice without

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<sup>10</sup> RS 40 fol. 209 V – *Johannes Fernandus of Ruppefideli*, poor cleric of the diocese of Palencia, province of Toledo to Urban V, October 25, 1363. Text analysis by Hayez, Mathieu and Yvan (eds.), *Urbain V*, n° 1 647. The transcript according to the register: “*Beatissime pater cum nuper devotus vester Johannes Fernandi de Ruppefideli pauper clericus Palentinensis diocesis, provincie Toletanensis, in Hispania, fuerit examinatus in forma communi pauperum ad beneficium ecclesiasticum in forma communi obtinendum per s. v. deputatos et repertus fuerit idoneus sufficientesque titulos habuit quia videlicet “bene” per omnia verum ab assignatione collationis eidem, fiende dictus Johanni fuit repulsus ex eo quod pugno manus sinistre caret a nativitate, unde supplicat e. v. s. quatenus eidem Johanne paterno compatiens affectu cum desideret pro scientia laborare diesque suos in studio consumere sitque habilis et docibilis ad illa et ne in cleri opprobrium mendicare cogatur ut beneficium sine cura obtinere valeat predicto defectu non obstante secum dignemini seu ad assignationem collationis in predicta forma pauperum mandare admitti, cum eodem nunc dispensatur et alia in forma dispensamus ut admittatur ad gracia ad beneficium sine cura. [Additis in originali. B. Placet quod admittatur ad gratiam ad beneficium sine cura, B. Datum Avinione sexto id. maii anno secundo.]”*. **All English translation throughout are my own.**

<sup>11</sup> Montaubin, “L’administration pontificale de la grâce”, p. 339.

<sup>12</sup> Dohar, “*Sufficienter litteratus*”, p. 306.

<sup>13</sup> Telliez, *Les institutions de la France*, p. 207.

the care of souls. He was deemed to possess sufficient knowledge as he received the best rating (“*bene*”) in all subjects.<sup>14</sup> Subsequently, Johannes obtained a *cedula super hujusmodi examines cum secreto examinatorum* (statement about the private review by examiners), as did all clerics who passed the evaluation with flying colours. He was then authorized to receive a simple benefice from Urban V, as indicated by the marginal notion added by the Papal Chancery, confirming that the appeal request had been granted. Johannes was personally informed of this decision in a letter dated 25 October, 1363.<sup>15</sup>

The core purpose of clerics, secular and regular alike, was to enable lay people to save their souls.<sup>16</sup> This function was advantageous, placing clerics in the highest ranks of medieval society, but also required them to fulfil certain responsibilities and duties.<sup>17</sup> Clerical obligations were more or less burdensome, dependent on two key criteria: if the cleric was a member of major orders (subdeacons, deacons, priests), and if he held a benefice with care of souls (*cum cura*). Clerics in other roles were less constrained by strictures relating to physical and/or mental perfection, though they remained subject to the same rules concerning access to the clergy, under the pretext that all orders can, in theory, lead to the priesthood and then to a benefice with cure of souls.<sup>18</sup> Thus, disabled men granted a benefice without care of souls (sinecures) were required to obtain a pontifical dispensation, even though their impairment may not be directly relevant in terms of their capacity to undertake the desired role. This was the case, for instance, with Petrus Blasii of Boemia, a student of the diocese of Prague, whose right ear had been amputated by an angry nobleman. A letter from Nicholas IV, sent by the Papal Chancery on the 13<sup>th</sup> of June, 1291, attests:

The wise petition you sent us reports that, while you were fishing with fellow schoolchildren by the water’s edge, a horse ridden by a nobleman approaching you became scared, though you did not do anything to provoke him, and ran away. However, this noble, thinking that you had annoyed his horse, cruelly amputated your right ear, even though you had not committed any fault. That is why you humbly ask us to be able to receive the minor orders that are a prerequisite to join the military orders as is your wish. Thus, your supplications incline us to dispense you, by apostolic authority, notwithstanding the above-mentioned defect of your little finger, so that you may be promoted to minor orders and obtain an ecclesiastical benefit, provided that it is not with care of souls.<sup>19</sup>

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<sup>14</sup> Berlière, “Épaves d’archives pontificales”, p. 46. The scores given by the examiners for each subject are, from the better to the worst grade: *bene*, *competenter*, or *male*.

<sup>15</sup> RV 252, f. 157 V (RA 154, f. 644 V) – Urbain V to *Johannus Fernandus of Ruffefideli*, poor cleric of the diocese of Palencia, province of Toledo in Spain, on October 25, 1363. Text analysed by Avril, Botineau, Gaborit, Gaborit-Chopin, Hayez, Hayez and Laurent (eds.), *Urbain V*, n° 5738.

<sup>16</sup> Bishops and priests could also provide manual work, as recommended by the councils, especially that of Orléans in 511. See Le Goff, “Travail, techniques et artisans”.

<sup>17</sup> Lis and Soly, *Worthy Efforts*, p. 127.

<sup>18</sup> Guaydier, “Les irrégularités”, p. 89. Other rules fluctuated depending on whether the cleric was a member of minor or major orders. For example, celibacy was only imposed from the sub-diaconate degree onwards.

<sup>19</sup> RV 46, f. 58 R – Nicolas IV to *Petrus Blasii of Boemia*, student of the Diocese of Prague, June 13, 1291. Text analysed by Langlois (ed.), *Les registres de Nicolas IV*, n° 5 389. The transcript according to the register: “*Sane petitio tua nobis exhibita continebat, quod cum tu olim cum quibusdam scolaribus sociis tuis spatiatum ivisses, tandem eisdem sociis in quadam aqua piscantibus, tu existens in litore dicte aque, et aspiciens quendam nobilem versus te venientem in equo propter timorem eius licet eum nullatenus offendisses fugam arripere procurasti. Sed*

This is an elucidating example of the pontifical institution's handling of the requests of disabled men: joining the clergy was permissible, though the cleric should preferably join minor orders, and avoid pastoral and sacramental duties entirely. Indeed, when the Chancery refused such requests, it centred the need, above all, to prevent disabled clerics from accessing the altar, performing rites. The integral sacredness, or perfection, of the clergy could not be called into question by any cleric's putative moral weakness, or his obvious physical "defect".

The case of Johannes of Sancto Quintino is particularly revealing. The cleric wrote to Pope Clement VI on May 21, 1349 folding his request into the *rotulus* (a gathering of several papal requests collated by an institution) sent by the University of Medicine in Paris.

Idem, the Master *Johannes of Sancto Quintino*, from the diocese of Tournai, master of arts and medicine, having obtained no ecclesiastical benefit, because of his birth defect, from which he suffers to have only one eye, because of which he has been previously granted by your holiness the right to be promoted to the orders of sub-deacon and deacon and to obtain a benefit without *cura* [following a letter dated June 20, 1342]. He now asks to be recognized as capable and worthy of being promoted to the priesthood and to be able to obtain an ecclesiastical office or benefit *cum cura*, or to entrust to him a canon's office that would be exempted that the bishop or the chapter of the church of Thérouanne could entrust to him; notwithstanding that the St. Donatian of Bruges's canon obtains his expected prebend. We cannot dispense in this way, but he can have the prebend of provost of the Church of Beata Maria in Bruges, diocese of Tournai, in order to dedicate himself to a benefice without care of souls.<sup>20</sup>

Whilst acknowledging Johannes' situation, Clement VI closed his letter by refusing to grant him any dispensation; Johannes had to be satisfied with a sinecure. The Pope issued a counter-offer: the position of Provost Marshal at the Church of St. Mary in Bruges, in the same diocese. The invocation of his new diploma and the support of his university, which interceded on his behalf, were not enough for Johannes to obtain a benefice *cum cura*. Active participation in worship was, indeed, a crucial issue for the ecclesiastical institution. The papacy strongly preferred to prohibit

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*idem nobilis te cum eodem equo insequens importune tibi quem violenter cepit dextram auriculam sine aliqua culpa tua inhumaniter amputavit. Quare nobis humiliter supplicasti, ut cum tu sicut asseris ascribi desideres militie clericali et ex hoc minus habilis habearis, providere sibi super hoc paterna diligentia curaremus. Nos itaque tibi supplicationibus inclinati, quod defectu auricule huiusmodi non obstante possis libere ad minores dumtaxat ordines promoveri, et ecclesiasticum beneficium obtinere cum cura non imineat animarum, tecum auctoritate apostolica dispensamus*". This letter is also sent to the Bishop of Prague, according to *ibid.*, n° 7 584 (in the appendix of the Nicolas IV's register, unknown folio).

<sup>20</sup> RS 19, f. 123 V – *Johannes of Sancto Quintino* of Bruges, cleric of Tournai, master of arts and master of medicine to Clement VI, May 21, 1349. Text edited by Berlière (ed.), *Suppliques de Clément VI*, n° 1588, p. 428: "*Item, magistro Johanni de Sancto Quintino, Tornacensis diocesis, in artibus et medicus magistro, nullum beneficio ecclesie assecuto, super defectu natalium quem patitur unicum oculum a nativitate sua habenti, super quo [ut] ad subdiaconatus et diaconatus ordines promoveri possit et beneficio sine cura obtinere alias Sanctitas Vestra dispensavit, ut ad presbiteratus ordinem promoveri valeat et dignitas personatum vel officium aut beneficium ecclesie cum cura, si sibi canonicè conferatur, obtinere, dignemini dispensare ac de beneficio ad collatio episcopi et capituli ecclesie Morinensis providere ; non obstantibus quod canonicus ecclesie Sancto Donatiani Brugensis, dicte diocese, obtineat sub expectatione prebenda. Non possumus ita dispensare, sed habeat ad collatio prepositi Beata Maria in Brugis, Tornacensis diocesis, ad beneficia que habet conferre sine cura*". Johannes refers to his earlier petition: RV 151, f. 229 R (RA 61, f. 267) – Clement VI to *Johannes of Sancto Quintino* of Bruges, June 20, 1342. Text analysed by Berlière and Van Isacker (eds.), *Lettres de Clément VI*, n° 166.

disabled clerics from celebrating masses and performing other tasks comprising the *cura animarum*. After all, there was a lot at stake: the holy purity of the altar, the sacraments' honour, and even the reputation of the Church itself.<sup>21</sup>

Nevertheless, Johannes de Sancto Quintino tried assiduously to negotiate with the Church, petitioning to receive pontifical grace by acceding to a canon's office. Canonical prebends were generally an appropriate solution for disabled clerics: they were attractive benefices, especially because not all canons participated in worship. This is further evidenced by a petition sent by Petrus Karaszim, rector of the Church of St. John the Baptist in Beren, in the diocese of Veszprém (Hungary) to Urban V, on July 2, 1363.

Your holiness is informed by your devoted *Petrus Karaszim*, rector of the church of St. John the Baptist in Beren, diocese of Veszprém, that, as he was walking towards his parish with another priest from the city of Segesd, he found himself facing bandits who, incited by the devil, shouted enormous insults at them, stole all their property and then, drawing their sword, deprived him of two fingers of his right hand, before letting him flee, half dead, afflicted by many evils and in shock. Then, it is true, Holy Father, that he continued to celebrate the divine services in his church with his two missing fingers when he was no longer suitable. The said Petrus begs your holiness to receive a special grace to be judged worthy to receive a canonical prebend from the church of St. Peter's church in Old Buda, diocese of Veszprém, vacant or soon to be vacant, notwithstanding that said parish church of St. John is abandoned at the time of writing this letter.<sup>22</sup>

No longer able to fulfil this clerical duty because of this tragic accident, Petrus had to resign or, alternatively, find another more suitable position in the Church. It is for this reason, then, that Petrus, fully aware of his recent rule-breaking, asked for a canonical prebend without *cura* at St. Peter's Church in Old Buda, Hungary. The objective was certainly to increase his quality of life: a canon's benefice was more profitable than the type of sinecure that he would have likely received because of his disability – if only in terms of the income from masses and alms that he would have lost from his original position.<sup>23</sup>

The pontifical institution used the minor orders and benefices *sine cura* to authorize otherwise unsuitable people to join the Church's ranks, without risking the salvation of Christians. The

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<sup>21</sup> Montford, "Fit to Preach and Pray", p. 99.

<sup>22</sup> RS 39, f. 161 R – *Petrus Karaszim*, rector of the Church of St. John the Baptist of Beren, in the diocese of Veszprém to Urban V, on July 2, 1363. Text analysed by Hayez, Mathieu and Yvan (eds.), *Grégoire XI*, n° 1 530. The transcript according to the register: "*Significat s. v. devotus vester Petrus Karaszim, presbiter rector parrochiale ecclesie Sancti Johannis Baptiste de Berensis, Vesprimiensis diocesis, quod cum olim ipse cum alio presbitero de Villa Segusdiensis ad parrochiam propriam pergeret, accedit quod quidam latrones eundem obviantes, diabolo instigante, multis verbis enormibus ipsum vituperaverunt et omnia bona sua abstulerunt, tandem, gladio evaginato, duobus digitis manus sue dextre privaverunt et, multis plagis et verberibus eundem affligendo, semivivum dimittentes, abierunt, vero sanctissime pater, cum pro digitorum suorum perditione dictam suam ecclesiam deserviendo divina officia celebrare super quo meretur non valet. Supplicat e. v. s. idem Petrus quatenus sibi gratiam facientes specialem de canonicatu sub expectatione prebende ecclesie Sancti Petri de Veteribuda, Vesprimiensis diocesis, vacante vel vacaturo eidem dignemini nunc providere, cum acceptus etc, non obstante dicta parrochiali ecclesia Sancti Johannis presentis supplicatione signata paratus est dimittere*".

<sup>23</sup> The income from masses and alms can be an important complementary income. For Franciscans see, for example, the study of Lenoble, *L'exercice de la pauvreté*, p. 226-238.



Apostolic See sought to strictly control the care of souls, an issue which caused great apprehension. Similarly, the inclusion of disabled churchmen in monasteries was a topic of much concern for the papacy.

### *Access to regular orders*

The social role of regular clerics was close to that of secular clerics: both embodied a model of Christianity.<sup>24</sup> Whilst secular clerics remained in the world, however, monks left their earthly families to join a spiritual community when they entered a monastery as novices and ultimately made their vows.<sup>25</sup> They abandoned, in theory, their lay identity in order to adopt monastic garb and comply with monastic rules.<sup>26</sup> Although the status of monks diverged according to certain characteristics – for example, if they were juvenile or late converts to religious life – all inhabitants of a monastery nevertheless were united according to a common set of criteria. Entering the community was an essential step, setting male and female monastics clearly apart from the wider lay community, since both monks and nuns renounced the expected roles of husband and wife, father and mother.<sup>27</sup> The process comprised a conversion ritual, entailing scrupulous preparations, ceremonies, etc., which allowed the future monk to prepare adequately, and thoughtfully, for their newly sworn religious way of life. The reception of an oblate (a person given to the monastery during his or her childhood) similarly functioned as a rite of passage, an initiation following symbolic steps for an individual's entrance into their new community.<sup>28</sup>

Following such ritualized initiation processes, people who joined orders adopted a particular mode of identity and behaviour. Shared values held by all monks contributed to the formation of a unifying social identity grounded upon imitation of a worthy model.<sup>29</sup> Indeed, monastic rules encouraged brothers to imitate the life of Christ in prayer, preaching and penance, alongside adopting an ascetic way of life.<sup>30</sup> Uniformity was key: each member of the community must acquire, or attempt to acquire, the same exemplary spiritual, moral, and social qualities.<sup>31</sup> This posed a significant challenge for disabled clerics, whose group identity was called into question by the “difference” of their impairment. In such cases, according to the pontifical letters, some clerics could no longer follow the rules to which they were subject, nor work for the monastery as they were supposed to do.<sup>32</sup> For example, ordinances regarding the observance of canonical hours and the ban on eating meat were commonly followed by all regular clerics – derogating from them was, thus, tantamount to abandoning a part of one's monastic identity (see chapter 4).

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<sup>24</sup> Swanson, “Angel Incarnate”, p. 160.

<sup>25</sup> Trexler, “Introduction”, p. 11.

<sup>26</sup> Murray, “Masculinizing Religious Life”, p. 29.

<sup>27</sup> Thibodeaux, “Introduction”.

<sup>28</sup> The comparison between the rite of conversion and the rite of passage is done by Miramon, *Les “donnés” au Moyen Âge*, p. 24, quoting Turner, *The Ritual Process*.

<sup>29</sup> Buser, *L'inconscient aux mille visages*, p. 182.

<sup>30</sup> Coon, *Dark Age Bodies*, p. 89.

<sup>31</sup> Pansters, “Norm and Form”, p. 100.

<sup>32</sup> The debate between monks and canons on the superiority of the active or the contemplative life became heated at the beginning of the twelfth century. See Le Goff, *Pour un autre Moyen Âge*, “Travail et système de valeur”, p. 167.

The petitions and pontifical letters additionally testify to the supreme importance of suitability (whether an individual conforms to set criteria, as established by an order, a community, an individual monastery even) when accepting monastics into an order (See chapter 1). This imperative is found in the rules of community life and in the prescriptions followed variously by each order, even to each monastery; and this is the case for male and female entrants alike. The Papal Chancery was certainly aware of the constitutions, customs and statutes specific to individual religious houses. Yet the popes rarely took them into account when granting grace. Indeed, the popes relied above all on canon law, and the rule followed by the given order, to adjudicate the matters at hand. The omission of hyper-local specificities allowed the Popes to unify the clergy through common rules, imposing a general definition of suitability on regular entrants, both men and women.

Historians have long been interested in the entry of young disabled people into the orders through the mechanism of oblation.<sup>33</sup> This practice was viewed negatively by legislators from as early as the twelfth century, whose views were exemplified by Peter the Venerable in his *Statuta* around 1122. Peter proclaims that one must “abhor and fear deformity” when recruiting future monks, especially during childhood, if one did not want to hire “lame, contracted, one-eyed, squinting, blind or maimed” people.<sup>34</sup> In reality, however, many children with disabilities were given to monasteries. Nevertheless, oblation was definitively prohibited in canon law by an undated papal bull written by Alexander III (1159-1181), setting the age of entry of boys at 14 years or over, and by another act of Clement III (1187-1191), proscribing the donation of girls under 12 years old to convents.<sup>35</sup> Various religious orders adopted age-based restrictions. The Cistercians, for example, fixed the lower-bound for entering convents at 15 years old in 1134, rising to 18 years old in 1157.<sup>36</sup> The Abbot of Cluny, acknowledging that some monasteries accepted the “infirm and the useless”, ordered in his *Statutes* that such controls must be strengthened so that only individuals deemed “useful” for community life were accepted.<sup>37</sup> However, the practice of oblation of disabled persons persisted. In his reports of pastoral visits dated from 1248-1269, Bishop Eudes Rigaud, for instance, noted the existence of two nuns with mental deficiencies (*fatue*) in the Cistercian monastery of Bondeville, alongside three disabled monks at the Benedictine abbey of St. Marie of Valmont.<sup>38</sup> Oblation was in decline from the eleventh century onwards, more or less disappearing during the twelfth century. Yet the practice did not die out entirely, with instances recorded in the fourteenth century, and recurring in following centuries.<sup>39</sup>

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<sup>33</sup> On oblation, see Lemesle, *La société aristocratique*, p. 92 on familial strategy.

<sup>34</sup> Peter the venerable, “Statuta Petri Venerabilis”, chapter 35, p. 70. Quotation found in Lynch, *Simoniacal Entry*, p. 44-45: “[...] abhorruit et expavit deformitatem gregis. Quidam enim claudi, quidam contracti, quidam monoculi, quidam strabones, quidam ceci, quidam vero manci inter eo apparebant [...]” My translation.

<sup>35</sup> *Decretales of Gregory IX*, book III, title 31, chapters 11 and 12. Some have traced this condemnation back to the *Decretum Gratiani*, quoting its more liberal attitude towards oblation. See Metz, “L’entrée des mineurs”, p. 200.

<sup>36</sup> Peters, “Offering Sons to God”.

<sup>37</sup> Charvin (ed.), *Statuts, chapitres généraux*, p. 42: “et quoniam ex susceptione debilium et inutilium personarum, ista precipue pestis irrepit, precipimus, ut nonnisi tales recipiantur in monachos qui apti sint servitio Dei et non onerosi fratribus, et utiles monasterio”, quoted by Peters, *A Companion to Priesthood*, p. 281.

<sup>38</sup> Peters, *A Companion to Priesthood*, p. 283.

<sup>39</sup> Berend, “La subversion invisible”, p. 125.

The corpus of petitions and pontifical letters contains the cases of fifteen disabled people who asked to enter a monastery. Of these, five wished to join an institution without having previously belonged to the secular clergy; ten others made their request after resigning from their secular office. Possession of a papal letter of authorization was theoretically mandatory for disabled applicants attempting to enter a monastery. The priest *Ulricus*, canon of the old chapel of Regensburg and chaplain of the Archbishop of Mainz, explained to the Pope that, since he currently “suffered from illness until he despaired of life”, he promised to enter the Order of Preachers, if they accepted him. However, the prior and brothers of the order refused to let him join their ranks, because they were unable to receive a sick person. They decided that he would be welcomed only when he was deemed to be entirely healthy again. So, *Ulricus* is writing to get a papal letter to force the Order to let him join in his current state of sickness and exempt him to follow the rules.

The dear son priest *Ulricus* canon of the old chapel of Regensburg, chaplain of the Archbishop of Mainz, explained to us that, since he has been suffering from a serious infirmity, and, because he was desperate for life, he promised that he would enter the order of friars preachers at the suggestion of one of them. However, the prior and brothers of this order deny being able to receive him while he is still sick, swearing that they cannot receive him until he is in good health according to the rules of their order. They say that if he enters before he is healthy, he will not be able to observe the rules. That is why he humbly begs us to provide on this subject so that we can force his detractors with paternal foresight. Thus, according to the circumstances of which we have become aware, we mandate that, after having initiated an investigation to establish the truth, and if things turn out to be so, *Ulricus* should not force himself to obey the monastic rules.<sup>40</sup>

Disability could indeed constitute an obstacle to acceding to the monastic state, even in cases of late or *ad succurrendum* vows.<sup>41</sup> The Council of Trent (1545-1563) strictly regulated admission to convents with its decree “on regulars and nuns”. Even before this edict, though, entrance to orders was already subject to canon law, and the specific rules of the various religious orders, in the thirteenth and fourteenth centuries.<sup>42</sup> Access to mendicant orders followed the same rules as for traditional orders, perhaps even more strictly because of their rigorous lifestyle. Entry into monastic or mendicant orders was subject to several precepts, defined at various levels, from local conventions to the higher-level regulations of the Church.

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<sup>40</sup> RV 22, f. 41 R – Innocent IV to *Hermannus*, bishop of Wurtzbourg, February 9, 1251. Text edited by Berger (ed.), *Les registres d’Innocent IV*, n° 5033: “*Dilectus filius Ulricus presbyter, canonicus Veteris Capelle Ratisponensis, capellanus bone memorie .. archiepiscopi Maguntini, nobis exposuit quod ipse olim, gravi infirmitate detentus, cum de vita desperaretur ipsius, ad suggestionem quorundam fratrum de ordine Predicatorum promisit quod ordinem eorum intraret, sed .. prior et fratres ipsius ordinis ei adhuc in infirmitate posito dare habitum ejusdem ordinis denegarunt, asserentes quod ipsi aliquem nisi sit in sanitate positus non possunt recipere secundum ipsius ordinis instituta. Cum autem idem canonicus esset sanitati pristinae restitutus, ipse affectum non applicavit observantie regulari. Quare nobis humiliter supplicavit ut providere sibi super hoc, ne [quid] quis emulus in ipsum detractionis impingat, paterna providentia curaremus. Quia vero de facto et facti circumstantiis habere poteris notitiam pleniorum, mandamus quatinus, inquisita super hiis diligentius veritate, si rem inveneris ita esse, denunties eundem canonicum propter hoc ad regularem observantiam non teneri*”.

<sup>41</sup> On *ad succurrendum* vows, see chapter 5.

<sup>42</sup> Waterworth (trans.), “The Council of Trent”, “on regulars and nuns”, p. 236.

In the letter addressed to Ulricus, the Pope asked that an investigation be carried out to determine if the applicant had regained health or not, and if not, if he might thus be able to follow the monastic rules. For this type of evaluation, the brothers gathered in committee to examine rigorously the candidate's fitness for monastic life. Directly after his tonsure, the future ascetic entered his novitiate, a probationary period. This step allowed time for supervisors to assess the apprentice's physical fitness for work and his adaptation to community life.<sup>43</sup> If successful, the applicant was authorized to progress, taking their vows to join the order formally. However, because it is a papal grace, if the examiners find that Ulricus can not obey the rules, he will be accepted in the order anyway.

The various religious orders of the thirteenth century used the novitiate system in order to identify, and ultimately incorporate, future brothers and sisters that were “capable and useful” to the monastic community. As the Master General of the Order of Preachers, Humbert of Romans, explained in his *Work of Regular Life*, brothers must possess great physical strength to carry out the work for which they were responsible.<sup>44</sup> These responsibilities were determined by the separate provisions for each house, adapted to a given institution's way of life. Rules were set down in customary laws which were fixed and normalized in the twelfth and thirteenth centuries, or in institutional statutes adopting specific provisions.<sup>45</sup> In an article on the reception of friars, the *Constitutions of the Friars Preachers* (valid from 1256 to 1375) required that three suitable Dominicans be elected from the chapter to examine those who wished to commit themselves to the order.<sup>46</sup> This restricted council, composed of mature and wise men, evaluated the morals and knowledge of the applicant. Examiners had to verify, additionally, that the candidate was not hiding any infirmity or illness that would prevent him from wearing the monastic habit.<sup>47</sup> Following this high-level interrogation, brothers at the local level took care of the applicant's recruitment, in order to integrate people that were beneficial for their community, able to follow the novitiate and conform to their way of life.<sup>48</sup>

Whilst monks were subject to the assessment of an individual house and to other ecclesiastical regulations specific to the order they wished to join, their highest authority remained the pope. Letters written by Innocent IV between 1245-1254 and by Alexander IV in 1261 testify to the

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<sup>43</sup> Rost, Inauen, Osterloh and Frey, “The Corporate Governance”, p. 94.

<sup>44</sup> Montford, “Fit to Preach and Pray”, p. 96, quoting Humbert of Romans, *Work of Regular Life*, volume 2, p. 407: “[...] expedit eum habere vires corporales, ut possit vigilas in studendo, clamorem in praedicando, labores in discurrendo, penuriam in indigentis et huiusmodi multa sustinere sicut fecerunt Apostoli”.

<sup>45</sup> Vauchez and Caby, *L'histoire des moines*, p. 75-76. See, for Clunisian order: Charvin, *Statuts, chapitres généraux et visites*, volumes I to IV, or Canivez (ed.), *Statuta capitulorum generalium*, volumes 9, 10 and 11.

<sup>46</sup> These provisions are preceded by an amendment promulgated in 1239, according to Montford, “Fit to Preach and Pray”, p. 103, quoting Cenci (ed.), “De Fratrum”, p. 76: “[...] si infirmitate aliquem habeat vel praevam corporis qualitatem propter quam foret postea onerosus si membrum aliquod mutilatum habeat vel inefficax quoquomodo [...]”.

<sup>47</sup> Istituto storico domenicano S. Sabina (eds.), *Constitutiones et acta*, chapter 13: “In quolibet conventu tres ydonei fratres eligantur de comuni consilio capituli qui recipiendos in moribus et sciencia diligenter examinent, et examinationem priori et capitulo referant, eorum iudicio an recepti debeant relinquentes. [...] Lectio. Nullus recipiatur nisi requisitus an sit coniugatus an servus an raciociniis obligatus an alterius professionis vel occultam habeat infirmitatem”.

<sup>48</sup> For a full presentation of the formation of Dominican novices, see Mulchahey, “First the Bow is Bent in Study ...”, chapter 2. According to the author, these provisions are part of the first constitutions of 1225 and 1231.

crucial role that popes played in such entrance examinations. The two popes addressed the Abbot of Cîteaux, the head of the Cistercian order, and his co-abbots, as well as all Cistercian convents. They were obliged to act as it was well known that some Benedictine monks had been ordained without first passing any tests as to their suitability.

Thus, as your petition read out to all states, the monks of your order are promoted to the institution without recommendation of ecclesiastical prelates and without having undergone any examination. We ask you on this subject, since some monks of this order who should be excluded from it are vitiated by notorious crimes or vitiated bodies, we decree by our apostolic authority that they be systematically examined by a prelate.<sup>49</sup>

Those two popes used their letters to point out the intolerable consequences of the lack of supervision in the recruitment of future monks, and to remind all Cistercians of the rules. It was the Church's duty to ensure that criteria regarding physical perfection were respected, even in monasteries and convents.<sup>50</sup> The petitions and papal letters evidence the multiple mechanisms of control at play, from examinations by local commissions to delegations appointed by the Apostolic See, in the verification of an individual's suitability for entrance into an order. What becomes clear, as with Innocent IV and Alexander IV's interventions, is that the papacy exerted a staunch influence in defining the suitability of monks and nuns, and the processes by which institutional "fit" was determined.

The popes had the authority to adapt the rules of each house by means of letters of grace, in particular by mediating between the various local authorities. Thus, Clement VI wrote on October 5, 1344 to the abbots of the monasteries of Saint-Thibéry (diocese of Agde), Florac (Orléans) and Bonne-Aigue (Limoges) to intercede in the case of Heliades, daughter of the noble Geraldus Dalvernh ("of Auvergne") of the diocese of Tulle who wished to join the Benedictine convent of Brageac (Clermont-Ferrand) as a nun, despite the "stains" (*macula*) on her eyes:

The dear daughter *Heliades*, born of the noble *Geraldus Dalvernh*, a literate girl from the diocese of Tulle, wishes to join the ranks of the abbess and daughters of the convent of the monastery of Brageac, of the order of St. Benedict in the diocese of Clermont and live under the habit and in the service of God in this same place, which is what we accept to comfort the praiseworthy wishes of this young girl. That is why we ask that you or

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<sup>49</sup> Innocent IV, May 2, 1245, L 244, n° 73 (olim n° 72), RV 21, f. 180 (text edited by Berger, *Les registres d'Innocent IV*, p. 189, n° 1223) ; Innocent IV, October 12, 1245, L 245, n° 100 (olim n° 99) (text edited by Bernard Barbiche, *Les actes pontificaux originaux des archives nationales de Paris 1, 1198-1261*, Vatican, Biblioteca Apostolica Vaticana, 1975, n° 552, p. 212) ; Innocent IV, March 19, 1254, L 248, n° 245 (text edited by *Ibid.* n° 736, p. 280) ; Alexander IV, March 28, 1261, L 966, n° 49 (olim L 1146 (9)) (text edited by *Ibid.* n° 1080, p. 416): "[...] *Cum itaque sicut lecta coram nobis universitatis vestre petitio continebat monachi ordinis vestri ab institutione ipsius soliti sint a prelatibus ecclesiarum sine aliqua examinatione ad ordines promoveri, nos devotionis vestre precibus inclinati ut hoc ipsum circa monachos eiusdem ordinis eis dumtaxat exceptis in quibus fuerit notorum crimen vel enorme corporis vitium a prelatibus eisdem perpetuis temporibus observetur, auctoritate presentium duximus statuendum[...]*".

<sup>50</sup> Bishops and archbishops were also taking up the issue, as Dominicans were often called to order by provincial chapters. They seemed not to respect the rules, and admitted into the clergy people who were too young, uneducated or afflicted with physical "defects". See Mulchahey, "*First the Bow is Bent in Study ...*", p. 84. For examples, prioresses who thus received unsuitable candidates were deprived of the right to admit new candidates into the order.

two of you or someone else, check that, as it is said, this young girl has a stain in one of her eyes and see if she is suitable to enter the monastery, notwithstanding any canon and, provided that it has room for her [...].<sup>51</sup>

The pope tasked the abbots to determine whether Heliades could be received in the monastery – a proposition he broadly supported – despite her visible disability. Admission would be permissible if there were room available in the convent for her, and if the committee of appointed experts decided that it were appropriate. If so, Heliades could become a nun at Brageac, regardless of her ocular impairment and of Brageac’s specific statutes and customs, or those of the Benedictine order itself.<sup>52</sup> According to canon law, physical “defects” – encompassing illness, old age, and even more diffuse bodily “weakness” – constituted “impediments”, in a legal sense, to joining orders. Papal letters were necessary in order to authorize any contravention of such legislation (see chapter 1). A pontifical favour was therefore necessary to allow Heliades to enter the monastery despite her disability. The name of the applicant’s father, Geraldus Dalvernh, was given in the letter, certainly as a guarantee of the quality of her lineage and her upbringing, given the fact she was a nobleman from the Tulle area. He sought to admit his daughter to the convent by using his *patria potestas*, probably with the help of a substantial dowry.<sup>53</sup>

It is likely that Heliades’ impairment represented a decisive factor in her family’s, and her own, resolve for her to enter a convent: she did not correspond to the perfect physical image prized by the noble elite.<sup>54</sup> This “solution” could be part of a family strategy, more or less agreed upon by the applicant, facilitated by a financial transaction with a convent, one that was less expensive than marriage.<sup>55</sup> A father might, for example, prefer to entrust his daughter to God’s care rather than to see her fail at her socially defined function of finding a husband and having children. The Dalvernh family seem to be part of the (probably lesser) nobility, and obviously have enough resources to pay for Heliades to join a monastic community, and thus overcome her disability to some degree. Moreover, it remains quite possible that the literate Heliades spearheaded her entrance into Brageac, preferring to dedicate herself to intellectual work than the marriage market.<sup>56</sup> As a nun, she would obtain more independence than in an earthly marriage.<sup>57</sup> She might also be motivated to become a nun to withdraw from the earthly world and thereby to avoid (further) social ostracism

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<sup>51</sup> RV 138, f. 98 V – Clement VI to the abbots of the monasteries of Saint-Thibéry (diocese of Agde), Florac (Orléans) and Bonne-Aigue (Limoges), October 5, 1344. Text edited by Déprez, Glénisson and Mollat (eds.), *Clément VI*, n° 1 150: “*Cum itaque dilecta in Christo filia Heliadis, nata dilecti filii nobilis viri Geraldi Dalvernh puella litterata, Tutellensis diocesis, cupiat, sicut accepimus, una cum dilectis in Christo filiabus... abbatissa et conventu monasterii de Bragiaco, ordinis Sancti Benedicti, Claromontensis diocesis, in eodem monasterio sub regulari habitu virtutum domino famulari, nos volentes eandem puellam in hujusmodi suo laudabili proposito confovere, mandamus quatenus vos vel duo aut unus vestrum per vos vel alium seu alios, si predicta puella que, sicut asseritur, habet in altero suorum oculorum maculam, alias sit ydonea, et aliud canonicum non obsistat, in dicto monasterio, si in eo certus monialium numerus non habetur [...]*”.

<sup>52</sup> Cygler, ““unité des cœurs””, p. 174-175.

<sup>53</sup> Neiske, “Les enfants dans les monastères”, p. 231.

<sup>54</sup> The noble elite celebrated beauty and physical perfection, but, nonetheless, other qualities can be proven equally important, as education or value in combat. See Kuuliala, “Nobility, Community and Physical Impairment”.

<sup>55</sup> On family strategies, see Kuuliala, “Infirmity in Monastic Rules”.

<sup>56</sup> On nun’s choices to leave a freer life, away from the gendered violence of earthly life, see Von Tippelskirch, “Spiritualité en captivité”

<sup>57</sup> Donahue, *Law, Marriage, and Society*, p. 86.

rooted in the putative shame her impairment caused her family, and herself.<sup>58</sup> In any case, the result of the abbots' review remains unknown: no petition subsequently mentions it. What is clear, nevertheless, is that the pontifical institution established, and managed, a stringent framework by which to measure the physical and moral perfection of those wishing to enter religious orders, in order to include only men and women deemed worthy of belonging to the superior monastics.

Once authorized to settle in a diocese or religious house (whether by usual examination or dispensation), newly tonsured clerics were placed on an ordination list. Other additional information was recorded, such as the date and place of their enthronement ceremony, the identity of the bishop who presided at it, their regular (order and house) or secular (diocese of origin) status, and the title for which they were ordained.<sup>59</sup> Such details became useful if any irregularities were found following an individual's admission. If a case of fraud was proven, for example, it was possible to take action against overly lax examiners. Indeed, canon law, including the Council of Lateran IV (canon 27), ruled that bishops who committed such fraudulent acts would lose the authorization to confer orders, and would have to leave their own office:

If in the future they presume to ordain ignorant and unformed men (a defect that can easily be discovered), we decree that both those ordaining and those ordained be subject to severe punishment. In the ordination of priests especially, it is better to have a few good ministers than many who are no good, for if the blind lead the blind both will fall into the pit (Matt. 15:14).<sup>60</sup>

Notwithstanding such strict regulations, the improper receipt of benefices without *cura* or admission to regular orders were not the Curia's foremost concern in terms of controlling the clergy. "Unsuitable" individuals' elevation to major orders, as we shall see, aroused extensive attention from all quarters, local superiors and popes alike.

## Promotions and elections

The promotions of secular (and, on occasion, regular) clerics to major orders and benefits with *cura* represent 13% of the cases found in the thirteenth- and fourteenth-century letters, and 10.5% of the petitions sent to the Pontifical Curia between 1342 and 1366. Of the 90 clerics for whom the question of access to major orders arose: eighteen were authorized to say mass (receiving a simple benefice) while fifty were permitted to join the full major orders (receiving a cure of souls) despite their disability; however, fourteen disabled clerics were barred from sacramental worship, and a further eight were blocked from joining major orders entirely. Promotion to the priesthood was a crucial issue for the pontifical institution. The Church sought to drastically restrict elections, as evidenced in particular by the Investiture Controversy, during which the papacy reasserted its right to install senior church officials by undercutting secular (mainly imperial) powers. Eventually, the

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<sup>58</sup> Metzler, *A Social History of Disability*, p. 31. The author recounts, for example, the case of Anna, from the diocese of Basel. In 1455, she refused to remain cloistered, after being locked away by her parents because she was missing a hand, a fact they wished to hide. The difficulty in getting married when disabled is also addressed by Von Tippelskirch, "Spiritualités en captivité".

<sup>59</sup> Dohar, "Medieval Ordination Lists", p. 18.

<sup>60</sup> The Canons of the Fourth Lateran Council, 1215, trans. from the *Internet Medieval Sourcebook*, canon 27 (<https://sourcebooks.fordham.edu/basis/lateran4.asp>).

Church succeeded in imposing pontifical theocracy as a mode of governance: the popes functioned as monarchs ruling over the territory of all Christianity. From the twelfth century onwards, the papacy – and not secular elites – exerted its power by appointing members of the high clergy and influencing the recruitment policies of major clergy at the diocesan level.

### *Access to major orders*

Bishops and archbishops were theoretically authorized to grant petitioners grace in terms of contravening institutions' admission policy, as they were delegates of the pope's ordinary power over the relevant jurisdiction. However, their power was largely circumscribed in practice: they could only overturn a ruling they themselves (or their predecessors) have made previously, or those promulgated in a diocesan council in their own territories. They were, thus, only empowered to offer pardons (exemptions) in minor cases within their own diocese. The clarification, and strengthening, of pontifical prerogatives first begun in the twelfth century led steadily to a reduction of the archbishops' and bishops' powers (see introduction). They could no longer go against canon law. Towards the end of the thirteenth century and during the fourteenth century, the popes assumed control over several prerogatives that had, until that point, been the exclusive purview of regional ecclesiastical prelates. Gradually, then, local and institutionally specific hierarchies were being weakened, and ultimately displaced, by pontifical authority.

In contrast to the limited powers of bishops and archbishops, the pope had the full range of ecclesiastical laws at his disposal, whether universal – regional and ecumenical councils – or particular (i.e. local statutes and institutional conventions), due to his supreme authority. Indeed, Christ conferred on the apostle Peter, and thus on all popes, the power to exempt individuals from canon law.<sup>61</sup> Owing to the primacy of his dominion, the pope functionally concentrated jurisdictional power: he was the repository for all Christian law, following the model of a bishop in charge of his diocese.<sup>62</sup> The Apostolic See therefore reserved for itself the most complex questions of canon law, in particular cases pertaining to clerical exemptions from altar service.<sup>63</sup> This is evidenced in the eleventh-century *Dictatus Papae*, written (but never published) by Gregory VII, which established the Pope as the sole authority governing all churches in Christendom, to whom all important cases (*major causae*) should be referred, thereby centralizing ecclesiastical powers (chapter 21).<sup>64</sup>

The popes' increasing role in the management of the clergy after the Gregorian Reform prevented bishops from governing their own dioceses as they saw fit, including putting a stop to bishops ignoring the prerogatives of canon law. As the papacy tightened its grip, becoming more present in regional administration, the authority of the head over its members became ever stronger. In this way, St. Peter's successors claimed the fullness of the papacy's power, to the detriment of local ecclesiastical elites. This is amply illustrated by the case of Master Guillelmus of Sayssac, whose promotion was refused by the canons of the cathedral of Puy-en-Velay following false

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<sup>61</sup> Besson, "Dispensation".

<sup>62</sup> Benson, *Bishop-Elect*, p. 173.

<sup>63</sup> Parlopiano, "*Propter Deformatatem*", p. 94.

<sup>64</sup> On the rights reserved to the Pope resulting from the *plenitudo potestatis*, see HERGHELEGIU, *Reservatio Papalis*, p. 27.



accusations that he had only one disabled hand, whose circumstances were considered by Boniface VIII on June 18, 1302:

We have supported your candidacy because you are worthy of it, a scholar of letters, honest morals, commendable conversation and life among other virtues, and we therefore wish to freely give you a special grace. You recently personally disclosed to us that, in the past, when you were examined in civil law, you were recognized as suitable and you could receive an ecclesiastical benefit [...] since then, some people continue to say, sowing wrongly and mistakenly, that you are suffering from a defect of body [*corpore vitiatum*], that you have only one hand and that you therefore cannot conveniently or properly celebrate the divine offices, and that in addition, you suffer from an incurable and deforming disease in your other hand at that moment which has since passed, and for which you have been helped, in the same way as it would have been decreed for a one-eyed person, these people have called several times to the Apostolic See so that you cannot celebrate the divine services.<sup>65</sup>

The letter informs us that Guillelmus was first recognized as suitable for the clergy during his civil-law examination. The evaluation, which he passed with top marks, was a precursor to obtaining a benefice with care of souls, because membership of major orders carried with it the possibility of celebrating mass. As with any ecclesiastical promotion, the entrance exam for major orders was carried out by the bishop, or his delegate. However, examiners in these cases had to be even more rigorous when it came to the ordination of a person in receipt of a benefice *cum cura*.<sup>66</sup>

Entering major orders symbolized a point of rupture between simple clerics (relegated to minor orders), and those who fulfilled a higher mission of preaching and giving the sacraments. This line of demarcation had been constituted long before the medieval era, and formed the rationale for ecclesiastical examinations. In his book *Laws* (written between 358 and 356 BC), the ancient-Greek philosopher Plato maintains that all would-be priests must be subject to an assessment of their physical and mental capacities, in order to exclude the disabled from the ranks of the clergy. Regulations regarding the purchase of priestly roles in Cos, moreover, stated that Greek priests must be both healthy (*hugies*) and “unmutilated” (*holokanos*) to be able to lead worship.<sup>67</sup> Ecclesiastical legislation prohibited disabled and/or ill people from acceding to the priesthood or taking on core priestly duties, with the aim of preserving the purity of ministerial functions, not to

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<sup>65</sup> RV 50, f. 218 V – Boniface VIII to *Guillelmus of Sayssac*, Canon of Le Puy-En-Velay, June 18, 1302. Text published by Digard, Fawtier, Faucon and Thomas (eds.), *Les registres de Boniface VIII*, n° 4770: “*Quia igitur litterarum scientiam, honestatem morum, conversationem vite laudabilis et aliarum virtutum merita tibi accepimus suffragari, personam tuam libenter prosequimur favore gratie specialis. Nuper siquidem in nostra proposuisti presentia constitutus, quod nos olim pro te, quem in iure civili examinari fecimus quique per examinationem huiusmodi fuisti repertus idoneus ad ecclesiasticum beneficium obtinendum [...] dicitur postmodum adhesisse, falso ac mendaciter asserentes te fore in proprio corpore vitiatum, quod unicum tantum manum habebas, cum qua comode ac congrue posses divina officia celebrare, pro eo quod in altera manu morbum incurabilem et deformitatem patiebaris tunc, et passus fueras ante, nec te juvare poteris de eadem, ac ex eo etiam quod luscus fueras et eras taliter, quod discernere, ut decebat, divina officia non valebas, ad Sedem Apostolicam semel et iterum appellaverunt*”.

<sup>66</sup> Hanska and Salonen, *Entering a Clerical Career*, p. 14.

<sup>67</sup> Wilgaux, ““Υγιής και ὁλόκληρος””, p. 232-233, quoting Plato, *Laws*, tome VI, 759 b-c.

mention of the ministry itself.<sup>68</sup> The conditions for access to major orders are much more stringent than those pertaining to minor orders for this reason (see chapter 1). To reinforce the solemnity of the entry in major orders, it was only possible for a bishop to give the permission to celebrate mass to one of his cleric four times a year.<sup>69</sup> It was mandatory for the head of the diocese to refuse this promotion to a disabled cleric in order to receive only suitable priests, then bringing the case before the popes to get a pontifical grace.

Following his first examination in civil law, Guillelmus was authorized by his superiors – thanks to his education and moral virtues – to receive a canonical benefit in the cathedral of Le Puy-en-Velay or in another collegiate church. After securing this permission, he sought the prebend of the late Dalmatius of Gorsia, Canon of Le Puy-en-Velay. The other canons, however, refused to let Guillelmus enter the cathedral chapter, because of his supposed physical impairment: he had only one hand, which, according to his detractors, did not allow him to properly perform divine services, especially since it was wracked by an incurable and deforming disease. Guillelmus was therefore considered insufficiently pure to touch the objects used during worship. Whilst minor and major orders shared the same conditions for entry in theory, suitability was more fraught for clerics with *cura animarum*, who must be exemplary and above reproach.

Faced with the canons' resistance, Guillelmus appealed to Boniface VIII, making a case for a papal grant of grace. Guillelmus's rejection, he testified, was orchestrated by Bertrandus of Sereis and three other canons, one of whom was Bertrandus' brother, and further supported by the Bishop of Le Puy-en-Velay, who refused to allow his promotion to canon for the same reason. In Guillelmus' appeal, his reputation, tainted by these slanderers, is foregrounded as to why the decision should be overruled. No clarification is given regarding his physical state, whether he actually was disabled or not. Nevertheless, the pope confirmed Guillelmus' appointment. According to canon law, "infirmity" does not prevent promotion to the sacred orders: limb loss, ocular conditions, congenital impairment, emasculation, and missing nails are all conditions that were eligible for papal graces allowing a supplicant to enter major orders, as set out in Gregory IX's *Decretals* – a precedent to which the Papal Chancery alludes in its response, with a reference to the figure of the one-eyed cleric.<sup>70</sup>

Whilst the Papal Chancery could look favourably on disabled supplicants, it was essential that they were informed of the situation at hand, including the specificities of an individual's impairment, a responsibility borne by the disabled clerics themselves. In Guillelmus' case as in most cases, it is impossible to know if he did, in fact, live with a disease ravaging his remaining hand: the Pope did not request a full examination, even if the cleric requested one in order to clear himself of all accusations once and for all. To clear his name, the Pope addressed his letter – that stands as an equivalent, basically, to a successful examination – to the Bishop of Le Puy-en-Velay, the Abbot of the Monastery of Saint-Chaffrey and the Master Uguitonus of Vercellis, chaplain of the Pope, canon of the dioceses of Bruges, Le Puy-en-Velay and Tournai. These individuals may

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<sup>68</sup> Thomas Aquinas, *Summa contra gentiles*, Q. 39, Q. 82; *Decretum Gratiani*, distinctio 55; *Decretals of Gregory IX*, book I, title 20, chapter 3.

<sup>69</sup> Tabbagh, "Effectifs et recrutement du clergé", p. 183.

<sup>70</sup> *Decretals of Gregory IX*, book I, title 20: "De corpore vitiatis ordinandis vel non" (On the bodily defects that make it possible to be ordained or not).

well have subsequently initiated an investigation into Guillelmus' impairment. Unfortunately, we will never know. Nevertheless, the rumoured condition of his remaining, "diseased" hand, did not prevent Guillelmus from becoming a canon, an outcome entirely dependent on his receipt of a papal dispensation.

Sub-deacons, deacons, and priests all participated in the celebration of mass; as members of major orders, they were authorized to touch holy objects during worship. Within the remit of a benefice with care of souls, priests could also administer the sacraments and issue penance. This obligatory roster of duties allowed the pontifical institution to limit access to major orders, especially in the case of clerics with physical and/or mental disabilities. The petitions and pontifical letters demonstrate that restrictions from those clerical duties were commonly levied in the thirteenth century, but became rarer during the fourteenth century, though this latter period may well have witnessed more rejections that were simply not recorded. In any case, the granting of a papal exemption remained subject to the two criteria enshrined in canon law in determining the suitability of disabled individuals: their physical capacity and their unimpeachable image on the flock (see chapter 1). Suitability was formally assessed when promotion took place. However, the suitability of a priest with *cura animarum* was, practically speaking, tested every day in terms of his ability to celebrate worship.

A letter from Pope Alexander III, dated 1168-1169, addressed to Desiderius, Provost of Lille, regarding a seriously ill priest from the same city, reveals how the pontifical institution handled situations in which priests could not say mass daily:

We have been informed that a priest voluntarily dedicates himself to a prebend in your communal church, in such a way that he is supposed to celebrate the Mass of Saint Mary daily despite the fact that his body is weighed down by illness. Your church is not only common but also provostal, i.e. the consensus of the chapter can resign or assign the prebend each year. Until we confirmed the practice, the priest who previously held the prebend, prevented by the illness of his body, could not perform his divine service diligently, even if, when he was sometimes able to do so in cases of solemn masses, he celebrated them honestly and devoutly. Because this is forbidden, he has to be transferred to another church or he has to retire for a good cause. By ordering this, we ensure that no man can violate or go against our confirmation in any way.<sup>71</sup>

Whilst the unnamed cleric was unable to lead worship regularly due to his ill health, he was nonetheless able to offer solemn masses on occasion, and with exemplary conduct. Yet this

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<sup>71</sup> Archive of Lille, Saint Pierre's cartulary, 89, D.3. 11 fol. 40 and Library of Lille, collegiate church of Saint Pierre's cartulary, D.3. 8, fol. 12 – Alexander III to *Desiderius*, provost and canon of Lille, 13 January 1168-1169. Text edited by Von Pflugk-Harttung (ed.), *Acta pontificum Romanorum*, n° 261: "*Significatum est nobis, quod cuidam sacerdoti prebendam unam in ecclesia vestra communi voluntate dedistis, ita quidem, ut missam de sancta Maria, nisi corporis sit infirmitate gravatus, debeat cotidie celebrare. Qui ecclesiam vestram non nisi communi tam prepositi, quam capituli consensu potest dimittere, nec cuiquam prebende illius anniversarium delegare. Quam siquidem institutionem eatenus confirmamus, ut predictus sacerdos ecclesie memorate, nisi infirmitate corporis fuerit impeditus, assidue debeat obsequium suum impedere, et quanto frequentius potest, salva honestate sua et debita devotione, missarum sollempnia celebrare. Nec liceat sibi, hoc illi se ad aliam ecclesiam transferendo, aut voluptatis causa, subtrahere. Decernimus ergo, ut nulli omnino hominum liceat, hanc paginam nostre confirmationis infringere vel ei aliquatenus contrarie. [...]*".

fluctuating capacity was not sufficient in terms of allowing the priest to keep his office without accommodation. In the end, the Pope authorized his transfer to another church, likely removing the care of souls from his responsibilities, or even withdrawing him permanently from divine service. Since the initiating petition wrote by unnamed priest has not been preserved, we cannot know whether this decision came from the Pope directly, or whether the matter was submitted for his sign-off by Desiderius (acting in his role of the priest’s superior), or if the unknown priest himself lodged the case. In any case, the letter indicates that clerics must be able to celebrate mass daily, for a lengthy period of time, as part of their duties. Clerics were allowed no “half measures” – e.g. occasionally leading worship – in terms of accommodating their disability within the remit of the *cura animarum*.

Logically, for a cleric to be suitable for his role, he must be able to fulfil his duties, however the ecclesiastical powers define them. A letter written by Nicholas IV on August 1, 1290 to Hugonus (surnamed Galant), rector of the church of Loberge in the diocese of Thérouanne, highlights the issue of priests’ representation in worship rites. According to the summary contained in the first lines of the Pope’s letter, Hugonus was authorized to join the orders of sub-deacon and deacon by the Bishop of Thérouanne, despite a “defect” in his left eye. The Bishop of Arras later sanctioned his promotion to the priesthood, a decision to which the Bishop of Thérouanne now objected. According to the latter, Hugonus was obliged to secure a pontifical dispensation in order to celebrate the Divine Office. Even if he retained some vision, his impairment was nevertheless an issue to be adjudicated by the pontifical institution. Thus, the future priest appealed to Nicholas IV to receive his grace. The pope responded:

It is true that you have stated before the Bishop of Thérouanne about your deformity – that you have a slight stain of your left eye, present since your youth, even if it does not completely deprive it of light – and you have asked to be dispensed by the Apostolic See to serve in the [major] orders: this petition that you were asking for has been provided by the grace of the Apostolic See. Yet we will ensure, provided that your deformity does not cause scandal, and because a reliable and esteemed witness has testified to your good morals and honest life, we respond favorably to your requests by the use of special grace, so that you may be promoted to the priesthood despite the deformity or defect from which you suffer: we consent by the authority of this letter, notwithstanding that you may join the divine service freely and lawfully.<sup>72</sup>

The Pope’s grace is conditional: it holds only if Hugonus’ ocular impairment does not cause scandal among the people. Hugonus is only partially blind, and thus able to read, fulfilling an essential task of the priesthood and rendering him suitable for the role from this perspective. The question of

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<sup>72</sup> RV 45, f. 64 R – Nicolas IV to Hugonus said Galant, rector of the church of Loberge (Thérouanne), on August 1, 1290. Text analysis by Langlois (ed.), *Les registres de Nicolas IV*, n° 3 031. The transcript according to the register: [...] *Verum dictus episcopus Morinensis pretendens tecum non esse super deformitate quadam quam tenuis macula inducta a tui pueritia in sinistro oculo quamquam non existas illius totali lumine destitutus, per Sedem apostolicam dispensatum te non patitur in susceptis ordinibus ministrare: super quo supplicatus petiisti tibi per ipsius Sedis gratiam provideri. Nos igitur attendentes quod huius deformitas scandalum non inducit, ac volentes tibi cui de bonis moribus et honesta vita a fidedignis laudabile testimonium prohibetur, gratiam facere specialem tuis supplicationibus inclinati, ut deformitate seu defectu huius quod te talem fecisti taliter in presbiterum promoveri, nequaquam obstante possis in susceptis ordinibus libere ac licite ministrare devotioni tue auctoritate presentium indulgemus”*.

capacity is linked here to that of social representation: is the disability hidden enough to permit Hugonus to become a priest?<sup>73</sup> The problem for the Papal Chancery laid mainly in the way in which the supplicant may damage the clergy's public image (see Chapter 1). Initially, although in a situation of irregularity, Hugonus was authorized to serve and listen to the confessions of the faithful as deacon, sub-deacon or minor cleric by the authority of his superior, the bishop of Thérouanne. In this period, his partial blindness and the visible stain on his eye were not an issue. A priest, however, must be physically capable of essential clerical work: reading, consecrating the host, and so on. His impairment must be minimal enough, functionally invisible or thereabouts, not to be noticed by congregants, so that he may freely perform divine services without sullyng the reputation of the clergy. Thus, it is implied that Hugonus' infirmity must remain hidden from the flock in order for the grace licensing his priesthood to remain valid.

Pontifical letters could erase the apparent irregularity of a priest, in terms of their access to ecclesiastical benefices. In Hugonus' case, the Bishop of Thérouanne was circumspect: he did not wish to bear the responsibility for a potentially contested decision – and even accusations of fraud associated with the promotion. He chose instead to oppose another prelate, and thereby leave the last word to the pope. The Pope granted the favour, we learn, because of the positive testimony he had received (perhaps from one of the two bishops) regarding Hugonus' honest morals and lifestyle. In theory, the Papal Chancery could not afford to grant undeserved favours. The words of supplicants, their superiors, and any supporters had to be verified. The version of accounts offered by interested parties to the pope might not be objective, or could be false, exaggerated. For this reason, the Papal Chancery often added to letters an injunctive clause ordering one or more ecclesiastical officers to ensure that the measures being sanctioned were justified. Letter writers similarly inserted hedging asides such as “*si est ita*” (“if this is how it is”), “*si verum esset*” (“if this is true”) or “*si preces veritate nitantur*” (“if your pleas are well-founded”), which make it clear that all exemptions are voided if the supplicant has lied.<sup>74</sup> The objective here was to prevent any grace being issued as a result of fraudulent appeals, but such phrases also functioned as control mechanisms more generally: to specify restrictions to, or issue conditions upon, pontifical sentences.<sup>75</sup>

The extreme control exercised by the papacy was not limited to the Church's lower ranks, but rather intensified for appointments to higher orders which could be subject to pontifical examinations, though they were not always mandatory. The rationale for such supplementary assessment is found in canon law, notably in Gregory IX's *Decretals*. This text observes that an exemption to the assessment criteria might be ratified by a bishop following the receipt of a pontifical letter, so that a solicitor could join the orders and become a minister of God without having to undergo any examination. Taken from a letter written by Alexander III to the Archbishop of Salerno, the following passage from the *Decretals* ensured that the bishops played a key role in granting exemptions even if this is the popes that makes the final decision:

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<sup>73</sup> Dubourg, “Hidden disability?”

<sup>74</sup> Zutshi, “Petitioners, Popes, Proctors”, p. 286.

<sup>75</sup> Hayez, “La personnalité d'Urban V”, p. 8. For example, Urban V restricted its grace by this process in more than a quarter of cases.

About the priest of Campania, who spontaneously and consciously participated in a battle during which he loses a part of his finger, we reply that if this is the true then and now, as we see it now, he has not lost so much of his finger that he cannot celebrate solemn masses without scandal, not enough so that he cannot, after having done penance by acting mercifully, serve in his order despite the existing unhealthy excess.<sup>76</sup>

This exchange between the bishop (the superior of the priest in question) and the Pope aimed to determine whether a cleric's visible bodily difference could be the source of scandal – and thus disqualify an individual from the priestly role – according to the prominence of any deformity and its impact upon an individual's capacity to fulfil essential clerical tasks. To gauge such effects, the Apostolic See typically referred the case to third parties, called *commissarii*, who were then responsible for certifying the veracity of the supplicant's statement on occasions in which an evaluation could not be carried out in person at the Curia. In the case under discussion here, we can not be sure whether the priest come to the Pope to undergo the examination or if the Pope saying that he saw the mutilation is not only a discursive stylistic. Indeed, the inclusion of the phrase “*si est ita*” in papal documents did not necessarily suggests that the supplicant appear at the Apostolic See to undergo the examination.<sup>77</sup> Probably that, in most of cases, the *commissarius* certify the veracity to the Pope who, then, write to the disabled cleric and his superior. Moreover, the executors of pontifical grace appointed by the pope were generally the supplicant's bishop or one of his officials, facilitating the conduct of the examination.<sup>78</sup> Yet there were no specific legal considerations governing the choice of such executors, and a decision regarding suitable examiners was effectively made on a case-by-case basis. Typically, the (successful) proceedings ran as follows: the bishop applied the sentence set out in the papal bull – e.g. examining the supplicant, and if he successfully passes –, conferred the ecclesiastical office to the supplicant (*collaudatio*), and received him in his church.<sup>79</sup> The letters from Gregory IX's *Decretals* discussing the unnamed priest in Campania indicate that both the bishop and the Pope acknowledged the supplicant's partial limb loss. Nevertheless, they both testified as to the priest's suitability for Divine Offices despite his condition, not the least because his limb loss occurred on the battlefield, through no “fault” of his own. As such, he could receive papal grace via the bishop.

The phrase “*si est ita*” thus constituted an effective diplomatic guarantee in the Curia's administrative and governmental system.<sup>80</sup> It signified the imposition of additional checks and balances upon petitioners: supplementary assessment of supplicants' physical and/or mental capacity, carried out by the Apostolic See or its official deputies, depending upon the circumstances of the specific case. Unfortunately, historians only have access to part of the overarching audit structure in which such examinations were embedded. We do not know, for example, the selection

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<sup>76</sup> *Decretals of Gregory IX*, book I, title 20: *De corpore vitiatis ordinandis vel non*, chapter 1: “*Presbyter, qui in duello digiti partem amisit, ex dispensatione sui episcopi potest in suo ordine ministrare: De presbytero autem Campaniae, qui duellum sponte obtulit, et oblatum suscepit, et in eo partem digiti amisit, sicut olim, ita et nunc prudentiae tuae respondemus, quod, quum ipse, sicut etiam nos videmus, non perdiderit tantum de digito, quin ipse sine scandalo possit sollemniter celebrare, satis potes post peractam poenitentiam cum eo misericorditer agere, et permittere ipsum in suo ordine ministrare, licet eius excessus gravis admodum exstitisset*”.

<sup>77</sup> Kuras and Sulkowska-Kuras, “Supplices, brouillons, lettres et registres”.

<sup>78</sup> Clarke and Zutshi, *Supplications from England and Wales*, p. xvi.

<sup>79</sup> De Collenberg, “Le choix des exécuteurs”, p. 394.

<sup>80</sup> Smith, “Papal Executors and the Veracity of Petitions”, p. 682.

criteria for papal executors nor the identity of the person appointing them.<sup>81</sup> Nevertheless, without the approval of the addressee (i.e. the deputized executor), the pontifical authority contained in the document became null and void. The executor might refuse to follow through with the papal exemption, if he considered an impairment to be too severe, for instance, or if the applicant proved to be unworthy in other respects. In this case, the petitioner was authorized to call upon the pope and request another *comissarius* to conduct the investigation, alleging bias or excessive severity on the part of his first evaluator.<sup>82</sup> The “*si est ita*” clause reveals that, in certain situations, clerics at the local level were invested by the Apostolic See with real decision-making power, in terms of appointing appropriate individuals to benefits for which the local cleric was responsible.<sup>83</sup> Nonetheless, bishops and their officials tended to accept the initial ruling on a case from the Papal Chancery and perform examination only under pressure, with the aim of maintaining a good relationship with the Apostolic See.<sup>84</sup>

In the most complex cases, the Papal Chancery used a “double-dispatch” system to have their orders executed by third parties. This process allowed the papal authorities to verify that the local hierarchy complied with their requests.<sup>85</sup> Several letters were thus sent: one gracious missive to the supplicant or a third-party addressee; and another communiqué, containing the mandate to apply the exemption, sent to executors.<sup>86</sup> Letters sent by the Chancery could thus have many interlocutors in the form of named executors to whom the relevant additional letter was sent. The two documents have strictly the same content; the only variance comprises an additional execution order appended to the letters to executors.<sup>87</sup> Papal registers record this method of dispatch with the following notation: the letters are followed by as many “*in eodem modo*” (“in the same way”) entries as necessary, according to the number of executory recipients.<sup>88</sup> 57% of the letters dating to the thirteenth century (8 out of 14) and 81% of fourteenth-century examples (62 out of 76) containing an *in eodem modo* clause (“in. e. m.” letters) were sent at first to the supplicants (see Tables 2 and 3 in the Appendix below). De facto, there were many more executors than supplicants, at a rate of almost three to one; “in. e. m.” letters were sent, on average, to 2.8 and 2.9 recipients in the thirteenth and fourteenth century respectively.<sup>89</sup>

Recipients of “in. e. m.” letters were, by and large, powerful people, whether active in the lay or ecclesiastical community. They were responsible for enforcing the pontifical sentence

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<sup>81</sup> Hitzbleck, *Exekutoren*, p. 553.

<sup>82</sup> Clarke and Zutshi, *Supplications from England and Wales*, p. xvi—xvii.

<sup>83</sup> Smith, “Papal Executors and the Veracity of Petitions”, p. 675.

<sup>84</sup> Morris, *The Papal Monarchy*, p. 549.

<sup>85</sup> De Collenberg, “Le choix des exécuteurs”, p. 395.

<sup>86</sup> Maillard-Luyvaert and Cauchies, *Papauté, clercs et laïcs*, p. 192.

<sup>87</sup> The pontifical letters containing the “in.e.m.” clause represent only 5% of the total corpus of documents discussing physical and mental disability in the thirteenth century (14 out of 276), and 12% of those in the fourteenth century (76 out of 624). All of them contains an additional execution order.

<sup>88</sup> Gasnault, “L’élaboration des lettres secretes”, p. 212: this formula opens with a shorter copy of the letter, usually the first three words, until the duties of these recipients appear.

<sup>89</sup> The total of executors is 40 for 14 supplicants in the thirteenth century (or 2.8 per supplicant), and 220 for 76 applicants in the fourteenth century (or 2.9 per supplicant).

themselves, or for delegating its enforcement to one or more agents.<sup>90</sup> They formed a committee established to adjudicate matters of benefices under discussion. This typically comprised a senior member of the secular clergy (generally from the province in which the petitioner resided, but from a different bishopric) or an abbot from a different diocese, a representative of the Pontifical Curia, and a person chosen by the petitioner.<sup>91</sup> In both the thirteenth and fourteenth centuries, the composition of the committee varied according to the ecclesiastical rank of the petitioner. Secular clerics from the major or minor orders and regular clerics played an almost equal role in the granting of pontifical grace (see Tables 2 and 3 in the Appendix below). Nevertheless, the controls put in place to examine the validity of papal grants of grace were integrally hierarchical. Indeed, for a bishop or an archbishop, the initial executors were often abbots, priors and/or archbishops or bishops. The canons of the relevant diocese also took part in the process, probably for informative or even coercive purposes. For a monk or abbot, the executory committee was usually composed of another abbot and/or a bishop, and representatives of the institutional community to which the supplicant belonged. The makeup of the committee was not left to chance. Indeed, it was precisely strategic for all involved. On the one hand, the supplicant was permitted to engage his supporters in order to sway things in his favour. At the same time, the Apostolic See stacked the committee with intermediaries in order to control the process. The corpus reveals that the committees were compiled on a case-by-case basis to optimize supervision. Whilst the pope delegated certain powers to the recipients *in eodem modo*, they were not independent actors, but instead traditional relays of pontifical authority. Deputized by the papacy, these executors, in fact, ensured that edicts issued at the top of the ecclesiastical hierarchy flowed down to, and were respected at, the local level.

Supplicants who wanted to join major orders could bypass local authorities, true. But, ultimately, they had to respect the theoretical standards of suitability – physical and/or mental ability and unimpeachable image – found in canon law and adjudicated by the papacy. Indeed, permission to bend regulations as to physical and/or mental “defects” was the sole purview of the pope. Disabled clerics who wanted to enter major orders, or their superiors, had to contact the Papal Chancery. The election of a disabled sub-diaconate, diaconate, priest or canon was under strict papal control. And the process became even more stringent when ascending the ecclesiastical hierarchy, when disabled clerics petitioned to become bishops or abbots.

#### *Access to the bishopric and the abbacy*

The election of a bishop or an abbot entailed a rigorous adjudication process. The manner in which the election procedure was being conducted could be subject to assessment, as the individual standing for election himself. Once more, an applicant’s superiors judged his physical and/or mental capacities, despite any previous examinations in this vein. Access to the priesthood already represented a key stage in the ecclesiastical career, but in the case of bishops or abbots – directly under the authority of the Holy See, and thus with a hotline to power themselves – the need to strictly control membership became even more urgent. Promotion to the higher echelons of the

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<sup>90</sup> Giry, *Manuel de diplomatique*, p. 688: This obligation is signified in the deeds by the formula “*quocirca mandamus, quatenus vos vel duo aut unus vestrum per vos vel alium seu alios*”. The final protocol is also summarized in the registers, since it is similar to the body of the letter.

<sup>91</sup> De Collenberg, “Le choix des exécuteurs”, p. 397-398.



Church required applicants to journey to the Roman or Avignonese Curia and pay tribute to the pope, alongside undergoing another assessment of their skills and physical suitability to their new role, one which came with substantively increased visibility and responsibility. With these measures, the pontifical institution sought to guarantee the suitability of clergy at the highest level of the organization's hierarchy, with the aim of admitting only those who could best fulfil the diverse requirements of the office.

Clerics with disabilities were not barred from seeking promotion to the bishopric or abbacy. Nevertheless, if they pursued such a promotion, they were required to request a pontifical dispensation for their eventual election to be authorized. Whilst a successful appeal to the pope was mandatory, making such a request was only permissible, however, after the recognition of their promotion at the local level. This is the case, for example, with the cleric Nicolaus. After his promotion to the bishopric by the superintendent, deacon and chapter of the cathedral of Verdun, Nicolaus was obliged to submit himself to an examination of conformity, because, according to the relevant papal source, it was well-known that he suffered from a “stain” (*macula*) on his eye. In his letter dated August 27, 1310, the Pope Clement V summarized the various stages in the recognition of Nicolaus' election:

The petition you bring to our attention contends that, when *Thomas*, the former Bishop of Verdun had just died, the Superintendent, the Deacon and the chapter of that church – following the custom of choosing the future suitable pastor all together – unanimously elected you as Bishop of Verdun. Then, the prosecutors of the said superintendent, deacon and chapter met with your metropolitan, of good memory *Ditherius*, Archbishop of Trier, to inform him of this election, which he immediately confirmed. The same Archbishop has proposed in his general letters that a proclamation be issued in your church in Verdun so that, if some people wish to oppose your election, they can appear before the Archbishop in a given time. However, no one appeared during the delay to complain about your election. The same Archbishop has carefully examined your merits and dedication in a diligent investigation of your person and the form of your election. He recognizes by his learned opinion that you are an appropriate person, able to celebrate according to the precepts of the Church notwithstanding the stain from which you suffered and from which you still suffer now in your eye with which you were able to see and you are still able to see. Then, this metropolitan authority confirms that you may serve as bishop and consecrates you according to your election by the Superintendent, Deacon and chapter mentioned above, confirming and consecrating the above election by the letters of the said Archbishop, bearing seals called complete. Consequently, we respond favourably to your requests, confirming and consecrating your election, notwithstanding the stain above-mentioned [...].<sup>92</sup>

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<sup>92</sup> RV 57, f. 142 R – Clement V to *Nicolaus*, Bishop of Verdun, August 27, 1310. Text analysed by BENEDICTIN MONKS (eds.), *Registres de Clément V*, n° 5670. The transcript according to the register: “[...] *Sane petitio tua nobis exhibita continebat quod dudum ecclesia tua Viridunensis per obitum bone memorie Thomae Viridunensis episcopi predicti tui pastoris regimine destituta dilectus filius .. primicerius .. decanus et capitulum eiusdem pro futuri substitutione pastoris, ut moris est, convenientes in unum, te in Viridunensis episcopum concorditer elegerunt. Demum vero procuratoribus eorumdem primicerii, decani et capituli ad hoc specialiter constitutis ad bone memorie Ditherii archiepiscopi Treverensis, metropolitani tui, tunc viventis presentiam accedentibus et dictam electionem petentibus ab eo cum instantia confirmari. Idem archiepiscopus in dicta tua ecclesia Viridunensi per suas litteras generale citationis proponi fecit edictum, ut si qui huiusmodi electioni se vellent opponere, coram*

Nicolaus' case is emblematic of the stringent regulations to which elections to the bishopric were subject, grounded in canon law with examinations "*in forma electionis*". The *Decretals* of Gregory IX observed, for example, that a bishop must be questioned in depth before being confirmed.<sup>93</sup> In Nicolaus' case, the investigation, conducted *in forma electionis* by the archbishop, established that the would-be bishop was an appropriate individual, despite the stain on his eye, especially because his disability did not affect his vision.

Clement's letter details the examination of Nicolaus' moral and intellectual qualities in its latter portion. Its opening section sheds further light, however, on the way in which the relative visibility of an individual's disability impacted their supposed suitability for serving in the clergy. It chronicles a rather extraordinary decision undertaken, it seems, due to the fact that Nicolaus' impairment was so well known. Ditherius, the archbishop responsible for the investigation, issued a decree in the church of Verdun, allowing those opposed to Nicolaus' appointment to make themselves, and their objections, known. This was certainly not a standard part of the promotion process, even for disabled clerics because there's no other letter that mentions it. Ditherius' invitation to the faithful to weigh in on the election, itself a means of "warning" them of Nicolaus' potential installation as bishop, proves that a senior cleric's reputation and decency, including their "reputation" for disability (i.e. the visibility thereof), was of fundamental importance for the ecclesiastical institution.

The local ecclesiastical hierarchy to which Nicolaus reported presumably already knew about his disability. He had, after all, undergone several compulsory examinations, administered by local authorities, to progress in the seven degrees of minor and major orders, necessary steps to becoming a bishop.<sup>94</sup> We can also assume that parishioners were informed of his disability, since they were called upon to give their opinion on his election to the bishopric. In any case, it is clear that the archbishop was especially concerned about congregants' reaction to Nicolaus' election, evidenced by his decision to draw attention to this issue in his response to the Apostolic See. Ditherius' rhetoric presents himself, thus, in an almost hagiographical light: he preferred to seek the opinion of the common laity before settling on his own decision, in order to satisfy his own political (and pontifical) ambitions, and protect himself against any potential objection to Nicolaus' appointment on the basis of his putative lack of decency. Nicolaus' election was, in fact, uncontested; he was eventually confirmed as bishop by Ditherius himself. Canon law, it seems, considered suitability as one of the principal condition that had to be satisfied in the appointment of a bishop. Ocular

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*eadem archiepiscopo certo peremptorio ad hoc in eisdem litteris termino constituto legitime comparerent. Et quia nullus ad hoc comparuit coram ipso in termino supradicto. Idem archiepiscopus de tuis meritis et eligentium studiis ac electionis forma diligentius inquisita ac persona tua et forma electionis ipsius examinatis sollicitè electionem ipsam, quia illam de te persona idonea invenit canonice celebratam de consilio sapientum non obstante macula, quam tunc patiebaris sicut adhuc pateris, in altero oculorum, de quo tunc videbas et etiam adhuc vides auctoritate metropolitana confirmavit tibi postmodum servatis in hoc statutis a iure temporibus propriis manibus munus consecrationis impendit, prout de electione huiusmodi per decretum super hoc confectum primicerii, decani et capituli predictorum et confirmatione ac consecratione predictis per litteras eiusdem archiepiscopi sigillo munitas huiusmodi, non obstante macula supradicta [...]*".

<sup>93</sup> *Decretals of Gregory IX*, book I, title 12: "*De scrutinio in ordine faciundo*".

<sup>94</sup> Barrow, *The Clergy in the Medieval World*, p. 38.

stains or limb loss did not always constitute prohibitive impediments to acceding to the bishopric, as long as such impairments did not impact clerics' decency.<sup>95</sup>

Awareness of the potential rejection of disabled clerics by lay worshippers prompted the Papal Chancery to compel all high-ranking clergy, such as archbishops, bishops or abbots, to visit the Apostolic See for confirmation of their appointment. The pope, their ultimate hierarchical superior, must meet newly elected members in person in order to enthrone them, but also – and more importantly – to verify personally their moral and intellectual qualities. This rule is found in particular in canon 26 of Lateran IV:

Those who are immediately subject to the Roman pontiff, must appear personally before him for confirmation if this can be done conveniently, otherwise they may send suitable persons from whom may be ascertained the necessary information regarding the process of the election and the person of the one elected; so that only after a thorough investigation by the pope will those elected obtain the plenitude of their office, provided, of course, there be no canonical obstruction. Those who live at a great distance, that is outside of Italy, if they have been elected unanimously, may in the meantime and by way of exception (dispensative), on account of the needs of the churches, administer the respective offices in matters spiritual and temporal, so, however that they alienate absolutely nothing belonging to the churches. The consecration or benediction let them receive as has so far been the custom.<sup>96</sup>

Despite Ditherius' anxiety surrounding congregants' potentially negative reaction to Nicolaus, the requirement for an audience with the pope was waived for the new bishop, as he was elected unanimously and resided far from the Curia. In other words: clerics' disability did not automatically compel greater face-to-face interaction with, and surveillance by, the papacy.

Notwithstanding Nicolaus' situation, meeting the pope in person was not simply a bureaucratic "box-ticking" exercise for disabled clerics. Indeed, decisions made by local authorities in clerics' favour could be overturned, and disabilities that were deemed prohibitive for clerics acceding to more senior roles within the ecclesiastical hierarchy could be "discovered" during this supplementary assessment stage. A letter from John XXII, concerning Galterus of Fournis, monk of the Benedictine Abbey of La Trinità della Cava in the diocese of Salerno, allows us to address this question:

In recent times, the Benedictine monastery of St. Nicholas and St. Cataldo in Lecce no longer has a pastoral guide because of the abbot *Petrus*'s death. The brothers of the convent of this monastery called all those who wanted, needed and could easily be present to discuss the future election of the abbot, to set a suitable day for all. During this assembly, *Galterum of Fournis*, monk of the Benedictine Abbey of La Trinità della Cava in the diocese of Salerno was elected abbot of this monastery thanks to a compromise, despite the defect and deformity he notably had to his right hand. The so-

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<sup>95</sup> *Decretus Gratiani*, distinctio 55, canon 8: "*Licite ordinetur episcopus, qui per hominum insidias eunnchizatur*": "*Eunuchus, si per insidias (=ex insultus et iniuria) hominum factus est, uel si in persecutione eius sunt amputata uirilia, uel si ita natus est, et est dignus, fiat episcopus*"; *Decretales of Gregory IX*, book I, title 20, chapter 3: "*quod eunuchus, si per insidias hominum factus, uel ita natus sit, aut etiam in persecutione sint ei amputata uirilia, et dignus est, possit in episcopum promoveri*", quoting the canon of the apostles.

<sup>96</sup> The Canons of the Fourth Lateran Council, 1215.

called elected monk, as a result of this consensus, out of habit of respecting the law, personally came to the Apostolic See to confirm his election (as requested by the law promulgated at the time of our predecessor Nicholas III), placing his trust in our judgment and that of our brothers present to whom he explained the situation. We have asked our venerable brother *Berengerius*, Bishop of Portus, our dear sons *Gaucelmus*, priest of Saint Marcellin and Saint Peter, and *Raymundus*, deacon of Santa Maria Novella, to form a commission to examine this case. But, since the monk *Galterus* had exposed his deformity to us [the pope and a bishop], and his deformity being such enormous in his right hand, and the monk himself having acknowledged that his deformity cannot in any way be tolerated for an abbot, the said monk does not wish to undergo further examinations at the Roman Curia by the above-mentioned bishops and cardinal since he cannot receive a licence from us on this subject.<sup>97</sup>

Galterus had been elected abbot of the monastery of St. Nicholas and St. Cataldo in Lecce, after the death of his abbatial predecessor, Petrus. Galterus' election was a "compromise", as his impairment meant that he was not an ideal candidate. Unlike Nicolaus, he was not elected unanimously but by consensus. For this reason, and following an earlier decree made by Nicholas III, Galterus was obliged to visit the Apostolic See to have his appointment ratified.

This case demonstrates the logistical minutiae of the episcopal appointment procedure, including conventional standards and exemptions therefrom. As a general rule, monks gathered in chapter to choose their next abbot. Then, in cases where the abbot was subject to diocesan authority, the appointment had to be ratified by the bishop. The latter blessed the newly elected official in a ceremony, during which he verified that the monastic community had taken part in the election.<sup>98</sup> In the event of a dispute, however, the pope or archbishop might consecrate the abbot in the bishop's stead. Abbots were, at times, impelled to pledge their obedience to the pope alone, especially if they were appointed to head a house otherwise exempted from episcopal authority.

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<sup>97</sup> RV 74, f. 50 V (RA 18, f. 58 V) – John XXII to *Christophorus*, provost of the Benedictine monastery of San Angelo de Valleregia (Diocese of Valva), October 6, 1322. Text analysed by Mollat (ed.), *Jean XXII*, n° 16 393. The transcript according to the register: "[...] *Dudum siquidem monasterio sanctorum Nicolai et Cataldi Liciensis ad dictam Romanam ecclesiam nullo medio pertinente ordinis sancti Benedicti per obitum quondam Petri, abbatis ipsi pastoris regimine destituto dilecti filii conventus eiusdem monasterio vocatis omnibus qui voluerunt, debuerunt et potuerunt comode interesse ad tractandum de futuri substitutione abbatis die ad hoc prefixa convenientes in unum, Galterum de Fournis, monachum monasterio Cavensis dicti ordinis, Salernitansis diocesis, quamvis in dextera manu deformitatis defectum notabiliter pateretur, per viam compromissi in abbatem elegerunt dicti monasterio Liciensis. Cumque idem monachus post consensum electioni huiusmodi per eum sui superioris habita super hoc licentia prestitum ad Sedem apostolicam pro confirmatione electionis huiusmodi personaliter accessisset, seque etiam niteretur in nostra et fratrum nostrorum constitutus presentia excusare quod in veniendo ad dictam Sedem iuxta formam constitutionis felicis recordationis Nicolai pape III predecessoris nostri super hoc edite tempora non servante, nos huiusmodi negotium venerabili fratri nostro Berengario episcopo Portuensis, et dilectis filiis nostris Gaucelmo, titulo sanctorum Marcellini et Petri, presbitero, ac Raimundo sancte Marie Nove diacono, cardinalibus examinandum commissimus et nobis postmodum referendum et cum idem episcopus cui idem Galterius dictam deformitatem ostendit nobis exposuisset quod ipse sic enormem deformitatem in dicta manu dextera monachi eiusdem conspexerat quod huiusmodi deformitas non erat in abbate aliquatenus toleranda, idem monachus nolens eiusdem episcopi et dictorum cardinalium ulterius examen subire de Romanam curia sine licentia nostra huiusmodi negotio sic pendente, recessit [...]*".

<sup>98</sup> Gaudemet, *Les élections dans l'Église latine*, p. 236.

Visiting the Roman or the Avignonese Curia was thus an essential step to confirm their appointment, and receive pontifical blessing.

In Galterus' case, the pope was called upon to resolve the conflict at hand. Following convention, the pontiff called upon to resolve the conflict launched an investigation to determine whether the election had been conducted properly, and whether the entrant would-be bishop was even suitable for promotion in the first place.<sup>99</sup> The examination commission organized by the Holy See in this matter for *Galterus* was composed of a trio of illustrious clerics: Berengarius, Bishop of Portus; Gaucelmus, Priest of Saint Marcellin and Saint Peter; and Raymundus, Deacon of Santa Maria Novella. These investigators were tasked to determine, as papal agents, whether Galterus' deformity was "enormous", and thus intolerable. The use of the adjective "enormous" (*ex normis*) here, a term which literally means "outside the norms", reveals that certain disabilities were potentially impossible to "forgive" because of their potential incompatibility with the highest clerical offices, which is further confirmed by the use of the formula "*aliquatenus toleranda* ("tolerable to a certain extent").<sup>100</sup> Galterus, however, decided not to wait for the commission to even be formally convened, perhaps on the understanding that their judgment was a foregone conclusion, and not in his favour. The Pope had already considered that his deformity was to be incompatible with the abbot's office, and it was his decision that held the most weight. As Galterus did not contest the sanction, he was no longer obliged to present himself before the committee, and the process of electing an alternative abbot began. Indeed, the pope asked the college of voters to appoint another abbot, and wrote directly to Christophorus, (addressee of this letter and intendant of the Benedictine monastery of St. Angela de Valleregia in the diocese of Valva), to take over the management of the community of St. Nicholas and St. Cataldo in Lecce in the interim.

Petitions and papal letters were written for clear-sighted reasons: to enable disabled clerics to contravene canon law and/or specific clerical or monastic rules concerning the entry in the minor or major orders, alongside those governing the benefices with or without cure. Exemptions were given according to the severity of the disability, judged not only in terms of individual's physical and/or mental capacity but also of his public image. But the flexibility facilitated by grants of pontifical grace could also be increased following certain favourable conditions either in terms of the supplicant desirable qualities to the time the request was made and to the ongoing needs of an institution.

### **Favourable circumstances**

The dialogue between the disabled applicant and the pontifical institution was a negotiation. Whilst the former presented his specific capabilities, the latter set the bar in terms of what role (and concomitant duties) they would allow the would-be entrant to fulfil. For disabled applicants, two major factors increased their bargaining power: their own educational prowess, and any exigent circumstances affecting the institution, or indeed the Church as a whole. Firstly, it was hard to find well-educated clerics. As such, applicants with a strong educational background potentially had an advantage over their able-bodied, less-educated peers. Secondly, moments of crisis, notably disease

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<sup>99</sup> Berlière, *Les élections abbatiales*, p. 11.

<sup>100</sup> On "enormity", see Théry, "*Atrocitas/enormitas*".

epidemics, presented opportunities for irregular candidates to enter orders as suitability criteria were relaxed. The Black Death pandemic in the second half of the fourteenth-century, for example, led to a shortfall in the number of clerics. The Church's emergency recruitment drive opened the door for disabled clerics. In this context, then, it becomes clear that the rules governing clerical bodies were more malleable than one might first expect. They could be selectively softened by the papal institution, if the needs were pressing enough.

### *Educational attainment*

The letters issued by the Papal Chancery show that disabled clerics were not dismissed out of hand by the pontifical institution. Indeed, such clerics could be extremely useful, and they often possessed rare and sought-after capacities.<sup>101</sup> In their rhetoric, disabled supplicants sought to market themselves in terms of their aptitudes according to the Curia's ongoing needs and expectations. Despite their disability, they offered solutions to some of the Church's unmet needs. The ecclesiastical profession required a bedrock of education, with future clerics achieving certain qualifications that were understood as essential to becoming an effective member of the clergy. Yet not all applicants had the same skills; the quality of education varied, often as a result of students' social background.<sup>102</sup> Educational excellence was thus a highly desirable recruitment criterion in the eyes of the ecclesiastical institution – hence the rigorous entrance examinations to ensure that only the most competent individuals were hired. As discussed above, the Pontifical Institution proposed a definition of capacity in which “being suitable” for the clergy was no longer entirely synonymous with “being able”. Clerics might have the requisite knowledge base, yet lack the physical and/or mental capacity to progress projects or works further, in practical terms. This was not a deal-breaker for the Curia, however. In the cases we have been able to study, the Papal Chancery invariably prioritized, and promoted, clerical education, rather than being swayed by concerns regarding clerical disability.<sup>103</sup> A high degree of education could functionally neutralize the “problem” of a cleric's disability. Popes managed this trade-off by, at times, limiting the expectations levied on disabled clerics in order to integrate them more easily into the fabric of the Church. This is the logic, for instance, underpinning the grant of benefices without *cura* to disabled clerics.

Lack of education amongst the clergy posed a significant challenge to the Church. Popes were frequently forced to give advice to their subordinates on how to deal with poorly educated clergymen. Such clerics put the Church and its message at an even greater risk than the potential damage wrought by their disabled counterparts. Ill-educated clergy could unwittingly spread misinformation and heretical ideas to their flock, since they were responsible for the laity's religious instruction.<sup>104</sup> To remediate this risk, the pontifical institution made instruction at the local

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<sup>101</sup> Abberley, “The Limits of Classical Social Theory”, p. 10.

<sup>102</sup> Lis and Soly, *Worthy Efforts*, p. 114. These authors point out that more and ever priests and clerics came from the poorest classes during the medieval period.

<sup>103</sup> A parallel can be drawn here with the medieval urban economy: the working population was highly knowledgeable, even if such knowledge was not always put into practice. See Chevalier, “Corporations, conflits politiques et paix sociale”.

<sup>104</sup> The contemporary study of the clergy in Castile at the end of the medieval period, carried out thanks to a pastoral visit of the Arch-diaconate of Madrid dated in 1427, reveals the extent to which the Church wished to offer clergy

level mandatory for all clerics, with the explicit aim of protecting the Christian message from distortion, as set out in canon 27 of Lateran IV.<sup>105</sup> Synods, organized for this purpose, provided a framework for the continued professional development of ecclesiastics, through the verification of their knowledge and use of Latin. Records of such meetings offer us a portrait of a typical parish priest in the thirteenth century, alongside illustrating the anguish of the Church caused by its poorly educated workforce.<sup>106</sup> Canon law was a prominent subject on the synodal curriculum, as it was difficult for village priests to understand and, in any case, remained relatively narrowly disseminated to the Church's rank and file.<sup>107</sup> Synodal statutes, moreover, aimed to strengthen the spiritual and intellectual education of clerics, thereby highlighting the evident shortcomings of the appointment system.<sup>108</sup>

Education, then, was a solid factor in gaining access to a grace. The training of clerics who wished to access major liturgical functions was becoming a priority for the Church. This is demonstrated, for example, in the case of Rigaldus of Komeffe, who lost vision in his left eye as a result of a “fortuitous” blow when he was a child:

Your petition brought to our attention mentions that, when you were a child, playing with a friend, you take a blow to the left eye, without any fault of your own and by chance, but this blow caused you to lose the vision in the left eye, even though you say you are able to read and sing and that you were received as suitable without fraud in the church of Liège. That is why you humbly ask us to do what is necessary so that, notwithstanding this defect, you can be promoted in all orders. We hereby dispense with special grace that you may assume the minor orders and the position of sub-deacon notwithstanding this defect.<sup>109</sup>

The letter notes that Rigaldus himself initiated the request, highlighting in the appeal his skills as a reader and singer. These two talents attested to his ability to pass the examinations necessary to be appointed as a cleric and thereby gain entrance to major orders. Crucially, as the letter underscores, Rigaldus proved himself without committing any fraud. For this reason, he was authorized for promotion to minor orders and the sub-diaconate.<sup>110</sup> Rigaldus' thirteenth-century

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a minimal education. See Rucquoi, “La formation culturelle du clergé”. The author relies on the number of books (especially liturgical books), their language (not necessarily in Latin) and the university education of clerics to highlight the difficulty of judging their cultural level.

<sup>105</sup> The role of the popes in local education is studied by Boyle, *Pastoral Care*.

<sup>106</sup> Rapp, “Les synodes diocésains”, p. 27.

<sup>107</sup> Belin, “Les statuts synodaux”, p. 29.

<sup>108</sup> Pontal, “Le rôle du synode diocésain”.

<sup>109</sup> RV 44, f. 143 R – Nicholas IV at *Rigaldus de Komeffe*, canon of Liege, on April 20, 1289. Text edited by Langlois (ed.), *Les registres de Nicolas IV*, n° 862: “*Exhibita siquidem nobis tua petitio continebat quod olim, in etate puerili existens, cum tuis ludendo coetaneis, ab uno ipsorum percussione, sine culpa tua, in oculo sinistro, casu fortuito, recepisti, cujus percussione occasione visum ejusdem oculi perdidisti, sed ad legendum et cantandum adeo habilis esse diceris quod Leodiensis ecclesia in te debitis obsequiis non fraudatur. Quare nobis humiliter supplicasti ut tecum quod, hujusmodi non obstante defectu, possis ad omnes ordines promoveri, dispensare misericorditer curaremus. Nos igitur... ut minore et subdiaconatus ordines assumere valeas, hujusmodi non obstante defectu, tecum auctoritate presentium de speciali gratia dispensamus [...]*”.

<sup>110</sup> See also another letter RA 169, f. 524 R – Urban V to *Martinus Roderici*, canon of the Church of Toledo and *Didacus Fernandi*, treasurer of the same church, on 9 July 1369. It addresses the case of *Alfonso Lupi*, cleric of Cordoba. The latter can neither sing, nor read, nor even speak intelligently (i.e., construct a sentence). However,

case is indicative of the increasing importance attached to education in ecclesiastical recruitment as well as the care given to the applications during the ordination exams. This trend, beginning at the end of the eleventh century, perhaps reflects the Church's desire to recruit more mature and capable servants, re-orienting the clerical career.<sup>111</sup> Clerical candidates were instructed through the observation and imitation of their betters, confirmed clerics who acted as teachers and mentors, even before this practice was mandated at the Council of Trent on May 22, 1542.<sup>112</sup> Such pedagogical relationships were sometimes formalized with an apprenticeship contract that specified the reciprocal obligations of teacher and student, an arrangement similar to that of many other professions.<sup>113</sup>

Well-educated ecclesiastics could be something of a rarity in the clergy, which explains why impairments were sometimes minimized. This provided useful leverage for disabled clerics. At the same time, the papacy could also exploit the situation to their advantage: the granting of a papal exemption was sometimes subject to the disabled supplicant obtaining certain qualifications or developing their knowledge in key areas. This is evidenced by a letter written by Boniface VIII on April 22, 1295 to the cleric Jacobus:

Your petition brought to our attention mentions that, during the time of our predecessor Pope Nicholas IV, you were exempted by apostolic authority from the defect from which you suffer, that is, you were born without a right hand, as it pleased God that you were born, but that you nevertheless devoted yourself to the study of literature and it is said that you are making notable progress, notwithstanding this defect and after having received this exemption you were able to serve as a cleric and receive the clerical tonsure. Following this, we accept that, after having studied civil law for five years with insistence, having obtained commendable results, we improve this grace, notwithstanding your defect and we dispense you by apostolic grace so that you can be promoted to minor orders and receive a benefit without cure of souls.<sup>114</sup>

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*Alfonsus* asks to be appointed Canon of Toledo, even as if he is described by the Pope as “almost totally mentally deficient”. Urban V announces that the grace will only be valid if *Alfonsus* can perform at least two of the three expected performances (singing, reading or speaking). The Pontiff therefore reduces the expectations of the canon's role so that this supplicant may one day be suitable for the position. Text analysed by Avril, Botineau, Gaborit, Gaborit-Chopin, Hayez, Hayez and Laurent (eds.), *Urbain V*, n° 24 707. The transcript according to the register: “[...] *Dictus Alfonsus legere et construere et cantare nesciebat, imo erat quasi penitus idiota, attendentes quod in statutis ipsius ecclesie aliquibus non conferantur nisi scientibus bene legere et construere ac cantare vel saltem duo ex ipsis [...]*”.

<sup>111</sup> Barrow, *The Clergy in the Medieval World*, p. 70.

<sup>112</sup> Council of Trent, Session 23, Chapter 7: “The examination that the bishop must make of those who present themselves to the Orders” quoted by Dohar, “*Sufficienter litteratus*”, p. 317.

<sup>113</sup> Bornstein, “How to Behave in Church”. The author studies an apprenticeship contract signed in 1340 in Treviso between the cleric Giovanni di Nascimbene of Monselice and the priest Pietro, rector of San Lorenzo, to allow Giovanni to stay for five years with the priest in order to learn the clerical art and function (“*ars et officium clericatus*”).

<sup>114</sup> RV 47, f. 35 R – Boniface VIII to *Jacobus*, cleric born of the noble *Johannes Judicis de Clausura*, a Roman citizen, on 22 April 1295. Text analysed by Digard, Fawtier, Faucon and Thomas (eds.), *Les registres de Boniface VIII*, n° 130. The transcript according to the register: “*Petitio tua nobis exhibita continebat quod olim felicis recordationis Nicolaus Pape IIII predecessoris nostri super defectu quem pateris ex eo quod sine manu dextera sicut Domino placuit ortus fuisti quamdiu insistens studio litterarum in grammaticalibus profecisse commendabiliter dicebaris, auctoritate apostolica dispensavit ut huiusmodi non obstante defectu posses*



The missive begins with the Pontiff pointedly reminding all parties that Jacobus was authorized by Nicholas IV, his papal predecessor, to receive the tonsure despite being born without a right hand, because of his exemplary dedication to developing his knowledge of literature and grammar. Five years later, Boniface increased the remit of his predecessor's grace, now authorizing Jacobus, who had already received the clerical tonsure thanks to Nicholas' dispensation, to be promoted to minor orders. This is a direct result of Jacobus' admirable studiousness, having diligently studied civil law for the past five years alongside achieving excellent results during his apprenticeship. Regardless of his praise, the Pope reiterated, albeit implicitly, the potential threat posed by Jacobus' impairment to the care of souls: the cleric is still prohibited from accessing major orders. Nevertheless, the fact that Jacobus secured a benefice, even one without *cura animarum*, highlights the ways in which spiritual and intellectual qualities could compensate for clerics' bodily "defects". Indeed, education appears to be a valuable commodity for disabled men wishing to join divine orders, even if an individual's disability was highly visible and prevented him from performing mass or administering the sacraments. Flexibility of this kind allowed the Papal Chancery to recruit high-calibre clerics. At the same time, it enabled the Church to recruit much-needed clerics when they were in otherwise short supply, educated or otherwise, as is apparent during epidemics of the Black Death.

### *The Black Death and its aftermath*

Public-health crises – such as the Black Death – initially led to a reduction in the number of papal dispensations granted. This decline was due to the difficulties inherent in travel, identified, for example, during the 1347-1352 Black Death outbreak and its many resurgences, in which plague became a somewhat routine part of the late fourteenth-century life. The epidemic caused mortality rates to skyrocket, thereby causing a substantial reduction in the number of clerics available, and suitable, for parish leadership. By consequence, there was an uptick in petitions and papal letters regarding a lot of different ecclesiastical matters among which irregular nominations. With a catastrophe on its hands, the Curia relaxed criteria for the receipt of papal dispensations, with the aim of recruiting and installing much-needed clergymen as soon as possible.

The Black Death, a contagious disease that swept across Europe between 1347 and 1352, arrived in Avignon in 1348 under the reign of Clement VI, later returning to the region in 1361 at the end of the reign of Innocent VI. The end of each epidemic episode marked the beginning of an increase in the number of petitions received and letters sent. Applicants took advantage of the severe shortage of clerics caused by the disease's high mortality rate: the plague killed about a third of the continent's population.<sup>115</sup> This sharp demographic decline forced ecclesiastical evaluators to become less picky, alongside the adoption of non-standard protocols. As such, a letter written on

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*clericalem tonsuram tamen recipere, et cum clericis Domino deservire tuque post dispensationem huiusmodi prefatam clericalem tonsuram te asseris recepisse. Cum autem, sicut accepimus, postmodum iuris civilis per quinquennium insistens studio, in eo laudabiliter profecisse noscaris nos volentes tibi gratiam amplioem ut defectu predicto nequaquam obstantibus possis ad omnes minores ordines promoveri et ecclesiasticum beneficium cui animarum cura non immineat obtinere auctoritate apostolica dispensamus".*

<sup>115</sup> Gottfried, *The Black Death*, p. 43-55.

December 15, 1349 by Clement VI authorized the Bishop of Uzès to accept entrants into the sacred orders during epidemic episodes, in contravention of the usual regulations:

We have heard from you that, because of the epidemic and the deadly disease, there are only a few people left capable in a little time in your city and diocese of Uzès, you are facing a shortage of priests since many died during the plague or the deadly disease, none or very few are among the surviving priests to ordain and celebrate divine services to the point that there is almost no divine worship and the devotion of the Christian people is neglected. Therefore, you beg us to allow you, for the reasons mentioned above, the right to give both minor and sacred orders in your city and diocese of Uzès, at times that are not ordinary and outside the times established by the apostolic constitutions, provincial customs and synods. For these reasons we grant by this apostolic authority and by special grace that you may lawfully and according to the rites celebrate the orders at the above-mentioned additional times and notwithstanding all the objections mentioned.<sup>116</sup>

The Pope acknowledged the Bishop's testimony as truthful: the Uzès diocese simply did not have enough priests to perform services and serve the local community. High mortality rates amongst priests impacted directly upon religious practice, threatening the souls of the laity and the Church itself. The situation needed to improve, urgently. It is for this reason, then, that Clement backed emergency measures – like this exceptional procedure – to make it easier, and faster, to ordain clerics. During the Black Death, finding enough applicants to guarantee continuous spiritual provision to the laity became especially challenging. Indeed, the number of petitions and letters authorizing clerical examinations to be held according to irregular schedules, and supporting the ordination of unqualified individuals, sharply increased.

After the Black Death, the remaining priests were not numerous enough to provide divine service properly. Checks on the suitability of clerics necessarily became less rigorous at certain times, not just during plague epidemics but in the aftermath. Even after the Black Death abated, the remaining priests were not numerous enough to provide divine services adequately, nor were they necessarily suitable for undertaking the task properly. Disabled clerics or “bastards” (i.e. individuals of illegitimate birth or the children of priests) could, thus, take advantage of the relaxed entrance requirements, rooted in the shortage of priests, to join sacred orders, from which they would previously have been rejected. A letter from Gregory XI, sent on December 3, 1371 to the Archbishop of Nidaros (now Trondheim) in Norway, describes the severe impact of the Black Death on the clergy as follows:

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<sup>116</sup> RV 187, f. 315 R – Clement VI to the Bishop of Uzès, December 15, 1348. The transcript according to the register: “*Cum itaque sicut ex parte tua accepimus tam propter epidemiam et mortalitatem plurimum personae que per non modicum tempus in tui civitatis et diocesis Uticensis vixit quam etiam propter presbiterorum carentiam qui tempore pestis seu mortalitatis huiusmodi in illis partibus obierunt nulli vel paucissimi inibi reperiuntur presbiteri qui divinis velint aut possint officia celebrare propter quod divinus cultus minuitur et devoto remittitur populi christiani nos tuis supplicationibus inclinati ut temporibus quibuscumque etiam non consuetis et extra tempora a iure constituta, omnes tam minores quam sacros ordines in tuis civitate et diocese Uticensis supradictus quibuscumque constitutionibus apostolice ac statutis et consuetudinibus provincialibus et synodalibus licet tu nuper ex parte dictis causis excessione per nos specialiter tibi facta ordines celebrari extra tempora supradicta ac aliis contariis nequaquam obstantibus semel dumtaxat alias tamen rite licite valeas celebrare tibi de speciali gracia auctoritate apostolica tenore presentium indulgemus*”.

Your petition mentions that in the city and diocese of Nidaros, there are generally about 300 priests, but because of the plague that has ravaged this region, there are only 80 priests left, almost all of them old and decrepit, so that everywhere divine worship is reduced and in the province of Nidaros little or no legitimate person wants or is suitable to be promoted to the priesthood. [...] According to your supplications we dispense by our authority that 20 persons of illegitimate birth and 10 other persons born of priests and single parents, from the aforementioned city, diocese and provinces but worthy of being clerics, may be elected notwithstanding this birth defect.<sup>117</sup>

Trondheim was affected by the Black Death later than Central Europe, with plague first erupting in c. 1349.<sup>118</sup> The epidemic arrived in several successive waves, at an interval of approximately ten years between resurgences. The third outbreak reached Trondheim with full force in 1370.<sup>119</sup> The archdiocese was home to some 300 priests before this episode; as of 1371, only about 80 remained. The surviving clerics, as observed in the letter, are all “old and decrepit”: the clergy of Trondheim is on the verge of extinction. The Pope thus authorized the archbishop to recruit a total of 30 men who would previously have been deemed unfit for clerical office. Despite their less-than-ideal parentage, these “bastards” could now be promoted to sacred orders and receive a benefit *cum cura*. However, Gregory XI underscored the fact that these irregular new recruits must, fundamentally, be worthy of entering into God’s service, suitable on all other levels. They must have good intentions, for instance, with a virtuous lifestyle and moral behaviour. It stands to reason that pious clerics with physical and/or mental disabilities could equally have benefited from a relaxation of the rules, although the letter does not mention this explicitly. The exigent circumstances of plague epidemics, and the concomitant needs of the Papal Chancery, justified the softening of canon law. Other demographic shifts, such as population growth in the laity, similarly compelled a relaxation of standards in clerical recruitment, due to the urgency of installing enough priests to serve communities adequately.<sup>120</sup>

## Conclusion

In theory, “defects” of body and/or mind rendered individuals unfit for clerical office. Yet, the corpus of petitions and letters demonstrate that the Curia could, and did, circumvent such regulations when it was in its best interest. The cases discussed above, representative of the general terrain, testify as to the value that the papal institution placed on ecclesiastical education, but above

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<sup>117</sup> RV 282, f. 92 V (RA 174, f. 380 V) – Gregory XI to the Archbishop of Nidaros (Trondheim, Norway), December 3, 1371. Text analysed by Hayez, Mathieu and Yvan (eds.), *Grégoire XI*, n° 11 032. The transcript according to the register: “[...] *Tua petitio continebat quod in tuis civitate et diocese Nidrosiense, in quibus consueverunt esse trecenti presbiteri vel circiter, propter mortalitatum pestes que in illis partibus vigerunt non sunt nunc ultra quadraginta presbiteri, qui quasi omnes antiqui et decrepiti existunt, propter quod cultus divinus est inibi non modicum diminutus et in provincia Nidrosiensa pauci vel nulli legitime nati existunt qui velint et valeant ad sacerdotium promoveri. [...] Huiusmodi supplicationibus inclinati hac vice auctoritate nostra cum viginti de solutis et decem aliis personis civitatis et diocesis ac provincie predictarum de presbiteris et solutis parentibus genitis, clericali caractere insignitis, quas duxeris eligendas ut huiusmodi natalium defectum nequaquam obstante [...]*”.

<sup>118</sup> Biraben, “Les maladies en Europe”, p. 309.

<sup>119</sup> Benedictow, *The Black Death*, p. 199-201 for the years 1371 to 1373.

<sup>120</sup> Peters, *A Companion to Priesthood*, p. 18.

all they demonstrate a staunch commitment to offering high-quality guidance to the faithful. The Black Death, and its cascading effects, created the conditions in which the Papal Chancery could reasonably and legitimately bypass canon law, making it easier for non-standard applicants, including presumably disabled men, to access divine offices. Nevertheless, it seems that disabled supplicants were more readily attributed minor benefits without *cura*; the major orders remained that much more difficult to access for disabled churchmen than for their able-bodied peers. Such difficulties notwithstanding, however, the letters show a great degree of flexibility at play regarding the entrance of disabled clerics into major orders and their access to *cura animarum*, especially during the fourteenth century.

The petition and papal letters equally highlight how the popes asserted their *plenitudo potestatis* over local clerical hierarchies. Documents sent by the Papal Chancery functioned to affirm the Curia's authority over all Christendom, including the most senior members of the clergy.<sup>121</sup> The Chancery also strengthened its control over regional churches by tasking local bishops with verifying if papal grants of grace were justified, forcing such deputies to accept favours – even if the institutional response to the requests for exemption did not match the first appeals of the petitioners, without, however, refusing them altogether. The archival evolution of the Papal Chancery is the result of the consolidation of the pontifical theocracy through *plenitudo potestatis*, a mechanism which endowed popes with the power to interfere in numerous aspects of medieval society. The pontifical institution could intervene in any and all clerical affairs, even minor issues at the local level. Consequently, petitions substantively increased access to minor and regular orders for “unsuitable” disabled clerics, who could appeal to the pontiff and thereby bypass local ecclesiastical elites. This process further entrenched the Church's control over all aspects of clerical life, but especially entrance in major orders and attribution of benefices with cure of souls. The sources show that the supplication system did not operate on a “one-size-fits-all” mandate. Rather, the individual specificities of the case at hand were taken into account; the Papal Chancery drew up categories for each type of supplicant, according to the subject of their request. And in this process, physical and/or mental disability constituted a valid criterion for requesting a papal dispensation.

Nonetheless, responsibility for the distribution of exemptions (i.e. whether granting dispensations was the purview of the pope alone, and/or under control of regional powers) had not yet been finalized by the end of the medieval period. Indeed, this distribution of authority was still being resolved during the fourteenth century.<sup>122</sup> The exclusive papal right of derogation, first dating to the Gregorian Reform, was not fully applied from the twelfth to the fourteenth century. In fact, bishops continued to grant graces to the clergy in their diocese. Supplicants thus appealed to the Apostolic See in two cases: either when the bishop opted to defer the decision entirely to the pope; or when the supplicant wished to protect themselves from episcopal bias by obtaining an unquestionable grace. Episodes in which the Papal Chancery assessed petitioners' disability echoed similar examinations conducted at the local level by representatives of the regional ecclesiastical hierarchy. The pope was only invited to intervene following a ruling made by the diocesan and/or archdiocesan authorities, when the supplicant needed a grace. Appealing to the pontiff made it

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<sup>121</sup> Montaubin, “L'opposition des clercs”, p. 229.

<sup>122</sup> See also the unpublished dissertation of Stöhr, “Körperlich versehrte Geistliche”.

possible to bypass canonical legislation in order to integrate disabled clerics into secular or regular, minor or major orders, or to grant them benefices with or without care of souls. The Apostolic See might follow the recommendations of clerics' superiors and endorse the requests contained in the petition. Alternatively, it could delegate its observer function to others less directly involved in the case than the superiors, or individuals judged to be more honest. It is likely that many entrants were able to conceal their physical and/or mental disability altogether, either acting alone or with the assistance of their investigation committee. Such cases are not, of course, captured in the Chancery's records. However, in cases that do figure in the Pontifical Registers, we gain insight into the experiences of disabled clerics: they describe their impairments, explain the consequences of their conditions in terms of their capacity to carry out clerical rights and duties, and convey their desire to receive papal grace and dedicate their life to divine service.

Papal power, initially purely consultative, gradually became coercive, as demonstrated in the examples presented in this chapter. The Chancery had the power to endorse or reject decisions taken at the local level. Rejection of this kind amounted to the Chancery overruling regional authorities, who were then tasked with enforcing the popes' decision. It is for this reason, then, that we found more and ever pontifical letters in this context, testifying of the institution's keen attention to issues of clerics' capacity and *claritas* during the thirteenth century, an interest that grew even stronger in the fourteenth century. This explains, then, why fewer secular clerics wrote to resign their role – and why more clerics asked to receive benefits with *cura animarum*, or to join major orders – during the fourteenth century. The Papal Chancery could, at times, be a powerful ally for disabled would-be clerics, and their counterparts in post.

## Appendix

These tables contain the cross-referenced data from supplicants (lines) and executors in the “in e. m.” letters (INEM, rows) in the thirteenth (table 2) and the fourteenth centuries (table 3). They group the supplicants according to their ecclesiastical statutes and put them in contact with the executors' statutes.

Table 2: Cross-referenced data from supplicants and executors “in e. m.” in the thirteenth century.

	Supplicants	INEM	Lay people (6)		Secular orders (20)			Monastic orders (14)		Total INEM
			Individuals	Groups	Major orders	Minor orders	Groups	Individuals	Groups	
<b>Lay people (0)</b>	Individuals	0								0
	Groups	0								0
<b>Secular orders (12)</b>	Major orders	9	1	4	6		5	8	2	26
	Minor orders	3			4	3		2		9
	Groups	0								0
<b>Monastic orders (2)</b>	Individuals	2		1	2			1	1	5
	Groups	0								0
	<b>Total</b>	14	1	5	12	3	5	11	3	40

\* There is only one case in which the letter “in e. m.” was sent to the supplicant himself (not explicit here).

Table 3: Cross-referenced data from supplicants and executors “in e. m.” in the fourteenth century.

	Supplicants	INEM	Lay people (9)		Secular orders (147)			Monastic orders (64)		Total INEM
			Individuals	Groups	Major orders	Minor orders	Groups	Individuals	Groups	
<b>Lay people (2)</b>	Individuals	2			1	3		2		6
	Groups	0								0
<b>Secular orders (53)</b>	Major orders	28	1	2	29	21	3	18	1	75
	Minor orders	25			32	26		21		79
	Groups	0								0
<b>Monastic orders (21)</b>	Individuals	21	1	5	25	7		15	7	60
	<b>Total</b>	76	2	7	87	57	3	56	8	220