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Chapter 4: Staying in the Clergy

Impaired clerics did not always have to appeal to the Church's highest authority when seeking permission to retain their role. Bishops and archbishops could also grant some authorizations. Such licenses were not dispensations in the technical sense, but they had similar effects: both episcopal and papal authority could correct the irregularity of a cleric. It could well be that impaired applicants, or their superiors, preferred to settle things at the local level first, even hiding the precise nature of their impairment to the Popes, with the plan to appeal to the Curia later if needed. The pontifical institution would then intervene either to confirm legally the plan for adjustments that the local hierarchy had already decided upon, or, if the situation were particularly dire, to sort the matter once and for all.

This chapter expands on issues raised in earlier chapters, to consider in depth the accommodations offered and/or authorized by the pontifical institution that allowed impaired clerics to remain in the clergy. Through the supplication process, the Curia facilitated the inclusion of disabled petitioners, by adapting regulations to their personal situations.¹ Successful petitions, those that led to grants of pontifical grace, reveal that both supplicants and Church authorities were willing to make efforts to adapt. The relative degree of flexibility demonstrated by the parties involved in the petition process depended upon the specific context in which the supplicant's case was embedded, and the cleric's unique circumstances.² Petitioners were obliged to establish their continued usefulness to the Church, providing evidence of their ability to overcome the limitations imposed by their impairment(s) and/or their broader skillset. In return, the Papal Chancery offered modifications to the supplicant's existing role or transferred them to a new post which was more suitable for their current capacities. In both cases, the retention of impaired clerics within the Church community required the adaptation of canonical statutes by the Curia.

Permission to adapt canonical legislation to respond to individual cases depended upon three main factors. The first consideration was the supplicant's ability to perform clerical work, the core duties associated with a given role. The Papal Chancery was particularly concerned about supplicants' job performance in benefits with *cura animarum*. Generally, in such situations, the typical ecclesiastical workload stipulated in canonical law was modified, and the supplicant was appointed an assistant. The latter, termed a 'coadjutor', assumed responsibility for the tasks that the impaired cleric could not perform – usually, all priestly duties. The second consideration pertained to monastic rules, strict regulations governing the institutional 'home' life of monastics. Close study of the lives of disabled monks, abbots, nuns, and abbesses reveals the ways in which it was possible to soften the rigours of monastic life. The study of papal letters reveals that the enclosure did not, in fact, equate to a hermetic separation of monastics from the outside world. Rather, it operated as a symbolic barrier that was fundamentally permeable. The third consideration was supplicants' mobility, or lack thereof. The Church compromised

¹ Kuttner, *Harmony from Dissonance*, 1960.

² Mellor and Shilling, *Re-forming the Body*, p. 70.

on this issue more than on any other. The ability to move around with relative ease was, it seems, a prerequisite for the professional clerical life. Indeed, they need to be able to attend to the administrative business in their benefit(s) and to the many ecclesiastical gatherings. After careful analysis of these three factors, the pontifical institution formulated modifications to allow petitioners to circumvent canonical law, according to their degree of physical or mental disability.

The Nomination of Coadjutors

Secular and regular clerics, from monks to priests, were all responsible for the salvation of Christian souls. It could be assumed that they had the dogmatic or liturgical knowledge, alongside the requisite physical and mental capacity, to fulfill their mission. After all, clerics undertook a long period of training in which they were prepared for the role and demonstrated their comprehensive suitability for the urgent task at hand. Clerics were thus highly qualified ecclesiastical specialists, irreplaceable in their mastery of the office and in the management of their benefice. It is for this reason, then, that the Church sought to offer adaptations in response to clerical impairment: clerics, even impaired men, were a valuable resource.³ Moreover, the pontifical institution could not force clerics to resign (or could not make them redundant).⁴ Thus, when impaired clerics wished to remain in office, the Church was obliged to offer appropriate accommodations. Impaired clerics were routinely assigned additional support, with the appointment of procurators, coadjutors, or vicars – individuals who assumed responsibility for tasks that impaired clerics could not perform. Indeed, some 25% of the cases in the corpus contain such a dispensation. On the one hand, this process allowed impaired clerics to maintain their professional and social identity.⁵ Yet, such procedures equally diminished their authority: as core functions of their office were re-allocated, they risked being progressively side-lined. Such professional marginalization rendered clerics' existing need more visible, institutionally.

The appointment of auxiliaries

The pontifical institution relieved impaired clerics – secular and regular alike – of tasks they could no longer perform in order to ensure the fulfilment of daily pastoral duties.⁶ Impaired clerics were authorized to hire an assistant to carry out certain well-defined tasks in the name of the 'public good' (*publica utilitas*).⁷ Such appointments were permitted in canon law. Gratian's *Decree* notes, for example:

³ Williams, "Understanding Incapacity".

⁴ Rodes, *Ecclesiastical Administration*, pp. 97-98. On the issue of resignation and redundancy, see Chapter 5.

⁵ Cochelin, "*In senectute bona*".

⁶ Metzler, *A Social History*, p. 142.

⁷ Parlopiano, "*Propter Deformatatem*".

Moreover, when someone, burdened by old age or impairment, is unable to administer his own office, and if he can ask a substitute to do so, let him do so in a rational manner.⁸

The clerical profession could be exhausting, both morally and physically. It required ceaseless rigour and a constant, high degree of preparedness which could cause various impairments, not the least (extreme) fatigue.⁹ In theory, the decision to appoint an assistant depended on the cleric's relative ability to perform specific tasks. For example, a blind bishop could not perform Mass because he could not read. In practice, however, both physical and mental illnesses affected the administration of benefices in diffuse ways. For example, a bishop who could not walk without sticks was prevented to perform Mass in a non-obvious way, because of his image on the flock. Impairment of any kind could thus be cause for the reduction of clerical duties and responsibilities, triggering the assignment of a coadjutor to take up the slack. The acceptance of such outside support was non-negotiable, if the impaired cleric wished to remain in post.

In a letter dated 9 May 1217, for example, Honorius III authorized the bishop of Segovia to retain his office, despite his intermittent insanity, on the condition that another cleric take over certain duties:

Our venerable brother the archbishop of Toledo has informed us that, while our venerable bishop of Segovia is recovering the revenues of the canonical house known to belong to the treasurer of Segovia, although he has long been afflicted by a serious illness to the point that his mind is delirious, except during intervals of lucidity, he has been authorized, following our action, to have the revenues recovered in full by one of his clerics, master M. de Torrogano. In this regard, the archbishop humbly begs us to allow the aforementioned master to do this, if nothing prevents it, which we authorize out of paternal solicitude.¹⁰

The archbishop of Toledo, the bishop of Segovia's superior, had initiated the supplication process on the bishop's behalf, by sending a petition to the Chancery to address the situation. The bishop's intermittent delirium was evidently causing problems. Honorius, in turn, addressed his letter to the deacon of Toledo and the archdeacon of Talavera de la Reina, probably the two people in charge of the follow-up of the file and the application of the papal grace. According to the letter, the bishop of Segovia had previously been responsible for the management of local financial affairs, including the recovery of revenues owed

⁸ *Decretum Gratiani*, second part, causa 7, chapter 11.

⁹ Montford, *Health, Sickness, Medicine*, p. 28.

¹⁰ RV 9, f. 105 V – Honorius III to the deacon of Toledo and the archdeacon of Talavera de la Reina (Toledo), 9 May 1217. Letter analysed by Pressutti (ed.), *I registri del pontefice Onorio III*, n° 567, which we transcribe from the register: “*Venerabili fratre nostro archiepiscopo Toletano accepimus exponente quod cum venerabili nostro Segobiensis episcopis gravi dudum esset infirmitate detentus ita quod mentis alienatione absque intervallis dilucidis incurrisset canoniam mansionariam quas S. quondam Thesaurarius Segobiensis ecclesie habuisse dinoscitur, cum eiusdem ecclesie provisio sibi a nobis plenarie commissa fuisset magistro M. de Torrogano, clerico archiepiscopi memorati, duxit integre concedendam. Unde nobis idem archiepiscopus humiliter supplicavit ut ne idem magister supra ipsa canoniam possit ab aliquo impediri providere sibi paterna sollicitudine dignaremus.*”

by the canonry. His impairment, however, now makes this impossible. As such, the Pope authorizes master M. de Torrogano, the archbishop of Toledo's clerk, to act in the bishop's stead. It is noteworthy that the bishop was not deposed, but rather a replacement was installed for the performance of a highly specific task, the management of the canonry. The bishop of Segovia's mental impairment fluctuates; the kind of support he required would likely vary, according to the nature and frequency of his episodic symptoms. Similarly, epilepsy is an illness structured by periods of lucidity and moments of complete incapacity during seizures. For this reason, cases featuring epileptic clerics are particularly illustrative in terms of the complexity of mandates to accommodate clerical impairment. Such cases necessitated the appointment of an assistant with a carefully defined remit, who was called upon only in certain prescribed circumstances.

A letter from Alexander II, addressed to Gebonardus, the Archbishop of Salzburg, discusses epilepsy and its consequences for the care of souls:

One of the clerics presents himself to the presbyterate; but, as he suffers from the sickness languor (*caducus morbus*), as he has been recognised in our presence, we have decided not to allow him to celebrate Mass. It is true that this illness (*languor*) is not his fault, so we will have to deliberate on this matter in order to issue a decree with our authority. We therefore decide that, if the illness (*morbus*) strikes him frequently, he may not become an oblate and be prevented by all means from celebrating Mass. For he is considered unworthy, and it is dangerous that he should fall during the consecration of the Eucharist, a victim of an epileptic fit (*morbus epilepticus*). If God's mercy really allows him to recover (*convalesce*), as long as he is not guilty of his illness, but that it is indeed an illness (*infirmitas*), we do not forbid that he can offer sacrifices.¹¹

The frequency of the episodic seizures that form epilepsy's primary symptomatic presentation are a central concern for the pope, especially in terms of potential disruption to sacramental worship. The risk was simply too great. Epileptic men who experienced frequent seizures were prohibited from assuming an active role in the divine service. In the same letter, Alexander sketches protocols for epileptic clerics who had been allowed to become priests due to the relative mildness of their symptoms, yet later suffer seizures during the consecration of the Eucharist. If the priestly server drops Christ's body, the wafer, whilst seizing, he bears no fault: his illness is to blame. Although he is prohibited from the performance of sacramental rites thereafter, he can resume such duties if God cures his epilepsy. Is the epileptic priest strictly forbidden from serving Mass altogether, or does the injunction stand only when his symptoms are most severe? The temporal rhythm of seizures can vary widely; the time between episodes is not

¹¹ *Decretum Gratiani*, second part, causa 7, question 2, chapter 1.

fixed. How, then, can Church authorities be sure that the priest is wholly cured and able to officiate once more, rather than experiencing a prolonged period of stability in between seizure episodes?¹²

According to the Council of Orange of 411, a bishop who is physically limited (*'infirmitas'*, bodily defect), or suffering from a dullness of the senses (*'hebetudo sensus'*, defect of the mind), must delegate his role in the administration of the rites.¹³ This statute is re-capitulated in the 1094 *Decree* of Yvo of Chartres, and sets a baseline of expectation regarding the obligatory transferral of clerical duties in cases of impairment. It does not, however, take into account variable or episodic impairment. Herein lies the utility of the supplications and papal letters. They offer the means to handle practical issues relating to real-world examples of clerical impairment: the temporary exclusion of variably impaired clerics from certain aspects of their role in order to ensure the appropriate governance of Church affairs. In cases of fluctuating impairment, the Papal Chancery typically allowed priests to appoint a coadjutor to perform some of their duties on their behalf. However, the Curia did not wrest all responsibility away from such petitioners. Rather, it permitted supplicants to continue to undertake tasks within their capacity, likely adjusting their role to take into account the periods in which their impairment was more severe. The fact that such supplicants retained the requisite physical and mental capacities at certain times meant that the Church could grant graces for the allocation of support as and when necessary, as opposed to suggesting clerics' resignation. Coadjutors could be appointed on a strictly time-limited basis. Indeed, a quarter of the authorizations for the appointment of a coadjutor in the corpus are issued only for a fixed term, granted on average for a period of three years. Such measures allowed the Chancery to keep track of the replacements installed to support impaired clerics, and facilitated its management of ecclesiastical benefits. The need for accommodations was nullified if the impaired cleric died or was cured. For this reason, the Chancery carefully monitored its files to verify the case for exemptions.

A series of letters studied by James R. King shows the local Church hierarchy's keen interest in the appointment of coadjutors, as a complement to the macro-level perspective offered in the papal corpus.¹⁴ The documents also allow access to a more local level of decision-making than in the corpus for the present study. These missives concern the case of Thomas Chapel, rector of Bletchington in Oxfordshire, who was suffering from intermittent dementia, clearly linked to an illness. The Bishop of Sutton intervenes in order to arrange appropriate accommodations, initiating correspondence with Thomas himself on 22 January 1292 to direct him to employ a coadjutor. On 29 October of the same year, Thomas is reported missing, though he is later found, according to a letter dating to almost a year later (22 October 1293). Upon his return, the rector's illness appears to be in remission, and he returns home. The Bishop writes to Thomas once more, ordering the cleric to appear before him and prove that he remains capable of performing his office. The matter ends on 8 February 1297, however, when the Bishop formally appoints coadjutors for Thomas, as his illness had returned in full force (*antiquus*) and he was once again

¹² Guaydier, *Les irrégularités*, p. 15. See also *Decretum Gratiani*, second part, causa 23, question 4, chapter 37.

¹³ *Decretum* of Yvo of Chartres, book 5, chapter 306, quoting canon 29 of the Council of Orange in 441. See Diez and Rodríguez (eds.), *Colección canónica hispana*, p. 95.

¹⁴ King, "The Mysterious Case of the 'Mad' Rector". The letters were published by Hill (ed.), *The Rolls and Register of Bishop Oliver Sutton*, vol. 3, p. 181; vol. 4, p. 42 and p. 124; and vol. 5, p. 206.

of unsound mind. From that point onwards, the rector was prohibited from the performance of certain tasks associated with his role, and these responsibilities were entrusted to a coadjutor. Nevertheless, Thomas retains his title and continues to carry out the tasks of which he is capable. The allocation of an assistant appears to afford Thomas a partial ‘retirement’, before the severity of his impairment – or his death – necessitates his full retirement.

The protection of Church affairs

Benefice-holding clerics might be assigned a coadjutor as part of the petition process. This was a proactive measure to ensure that Church affairs were taken care of promptly. An assessor could be installed at the beginning of the pontifical investigation regarding a given case, to determine whether the supplicant was capable of managing his benefice. The assessor’s main task was to oversee the care of souls (*cura animarum*). This entitled him to receive a portion of the assessed supplicant’s benefice in order to live comfortably. A statute in Gregory IX’s *Decretals* is clear on this issue.¹⁵ If a priest cannot carry out his ministry – if he is leprous, or unable to speak, for example – he must be replaced by a coadjutor. In recognition of his work, the latter receives a share of the parish income, in a similar fashion to the sharing of assets with vicars.¹⁶ The specific financial arrangements put in place varied, however. The petitions and papal letters reveal a distinction in how cases were treated, according to petitioners’ relative wealth. Whilst subordinates of archbishops and bishops had to pay their assessors themselves, if their supplication were successful, the institution paid for the assistance granted to archbishops and bishops.¹⁷ Then, withdrawal from active service depended upon relatively prosperous finances, as clerics had to employ their replacements from their own salary.¹⁸

Income disparity amongst the clergy impacted the consequences, and then, conceptualization of impairment itself. Indeed, for lower ranked clerics, that might be difficult to pay for coadjutors on their low incomes. They might then prefer to leave the clergy to find another salary. However, for members of the high clergy with a substantial income, it was better to remain in office and continue to receive pensions. The case of Johannes, the elderly bishop of Dol, is illustrative here. In a letter written by John XXII on 26 February 1322, we learn that the bishop lives with severe illness, alongside a variety of other ‘perpetual impediments’, including blindness:

A short time ago, the dear sons of the chapter of the Church of Dol informed us by their special letters and nuncios that you, your body broken by the disease of old age,

¹⁵ *Decretales of Gregory IX*, book III, title 6, “About weak and infirm clerics” (“*De clerico aegrotante vel debilitato*”), chapitre 5, letter from Innocent III to the archbishop of Arles concerning the bishop of Orange and letter from Honorius III to the bishop of Aversano.

¹⁶ Fossier, *Le travail au Moyen Âge*, p. 44: from Latin *vicarius*, ‘who is in the place of’. Only three letters studied use this word, preferring ‘*coadjutor*’ (coadjutor), the indefinite ‘*alium*’ (another) or the vague formulation ‘*aliquam seu aliquas personas idoneas*’ (another or other suitable persons).

¹⁷ Shahar, *Growing Old*, p. 109.

¹⁸ Rosenthal, “Retirement and the Life Cycle”.

are suffering from a serious incurable illness and, notoriously, from blindness and other perpetual impediments. Your body is so ill from the aggressive properties of old age that you are incapable and useless in the exercise of the pastoral office. It is therefore permissible for you or the bishops and abbots around you to appoint one or more far-sighted and wise men to assume your office as coadjutors, and to care for your church which has been so neglected, through no fault of your own. The coadjutor or coadjutors are to assume the performance of both spiritual and temporal duties and assist you in the pastoral office.¹⁹

The pope explicitly sets out the qualities required of coadjutors, demonstrating the fact that such appointees were not simply an extra pair of hands. Rather, they held the fate of souls, and the reputation of the Church, in their hands. Impaired clerics endangered the salvation of their parishioners, because their distribution of the sacraments could be imperfect. Above all, they risked disappointing their parishioners and damaging the status, and security, of their parish church through sub-standard management of its affairs. Johannes is described as impotent (*impotentes*) and useless (*inutilis*), a standard comparison deployed in ecclesiastical texts, featuring often in the corpus of papal letters, miracle accounts, and canonization dossiers.²⁰ Such framing of the impaired body as a useless burden is a theme developed by both the clerical and secular elite, testifying to the shared conceptualization of non-normative embodiment at the highest echelons of medieval society.²¹ For this reason, supplications and letters routinely evoke the embarrassment of petitioners and/or their relatives at the prospect of an individual becoming burden for the Church. The appointment of an assistant offered a workaround, allowing ecclesiastics at the highest ranks to enjoy their benefits, while delegating their effective management. For the Apostolic See, the appointment of assessors and assistants was essential in order to avoid the Church falling into ruin.

For bishops and priests who were likely be unable to perform Mass due to old age, disease and/or impairment, canon law favoured the appointment of coadjutors rather than offering the clerics to resign to elect a successor.²² With support from assistants, some petitioners could feasibly remain in office until

¹⁹ RV 73, f. 203 R (RA 16, f. 360 R) – John XXII to Johannes, Bishop of Dol, 26 February 1322. Text analysed by Mollat (ed.), *Jean XXII*, n° 15 134 which we transcribe from the register: “*Dudum siquidem dilectis filiis capitulo ecclesie Dolensis significatibus nobis per eorum litteras et nuncios speciales quod tu confractus senio valitudine corporali gavatus ac incurabili morbo videlicet notoria cecitate percussus et aliis perpetuis impedimentis que patiebatur in te tam infirmis corporalis quaod infeste proprietas senectutis detentus impotentes et inutilis eras efficiens ad pastorale officium exercendum et quod licet per eos et quosdam tuos convicinos episcopos et abbates caritative hortatur fuisses unum vel duos viros providos et discretos assumeres in coadiutores tui officii memorati quare tamen hoc facere indebite recusaras carem ecclesiam propter hoc et alios defectus negligentiam et culpam tuam ut dicebant magna incomoda pertulerat et maiora preferre nisi littere hoc providere celeriter verisimiliter timebatur [...] ecclesie predicte pro facultatem tibi coadiutorem vel coadiutores assumere quatenus tam in spiritualibus quam in temporalibus circa executionem olim pastoralis assistant [...]*”

²⁰ Metzler, *Disability in Medieval Europe*, p. 162.

²¹ Kuuliala, “Nobility, Community and Physical Impairment”.

²² *Decretum Gratiani*, second part, causa 7, question 1, chapters 1 to 7 and 17-18. *Decretum* of Ivo of Chartres, book 2, chapter 124, and book 5, chapter 352.

their death, the probable goal in Johannes' case.²³ Similarly, assistants could help older bishops to retain their benefices, even if succession was on the horizon, either through the bishop's resignation or imminent death. Such arrangements were not just advantageous for the impaired bishops. Indeed, the pope may well have preferred to keep a trusted advisor in place in the episcopal see, or at the head of an abbey, even if he were elderly or sick, rather than appoint a strong and healthy successor whom he distrusted. Coadjutors were often recruited from the supplicant's entourage, resident in his institution.²⁴ This meant that assistants had prior knowledge not just of the cleric for whom they were deputized, but the specific regional and institutional contexts at play. At the same time, such appointments functioned as on-the-job instruction for coadjutors' future career progression. Indeed, *ante mortem* (before death) appointments allowed the coadjutor to be trained in the management of a benefice which he might inherit after the resignation or death of its holder. Suffragans and popes often preferred to elect the assistant who had been legally managing the benefice as successor, rather than appoint an external party: the coadjutor was usually the most capable in fulfilling the duties associated with this specific role, and more knowledgeable about local practices. The appointment of coadjutors, then, ultimately functioned as a smooth and effective 'power transfer scheme': the transferral of office between the outgoing bishop and his experienced former assistant risked the least damage to the benefice, which could result from mismanagement by ignorant external appointees.²⁵ In the 1298 *Liber Sextus*, Boniface VIII enacted major revisions to the law concerning the succession of coadjutors to the episcopal office. From then on, assistants had to be selected by the cathedral chapter, and authority for their appointment rested exclusively with the pope.²⁶ Notwithstanding such changes, petitioners who wished neither to resign nor fully retire retained the option to enter a period of 'semi-retirement', by appointing an assistant to help them in the daily management of their church.²⁷

Breaking Monastic Rules²⁸

Conventual enclosure was a founding principle of institutional life for monks and nuns in the Middle Ages.²⁹ Perpetual confinement, especially for women, was recommended by several Church councils, including at the Council of Epaone in 517.³⁰ The thirteenth century appeared as the 'threshold' (*seuil*) of monastic confinement, with perpetual enclosure thenceforth remaining part of standard ecclesiastical regulations until the sixteenth-century Council of Trent.³¹ Boniface VIII's *Periculoso* decree,

²³ Orme, "Sufferings of the Clergy".

²⁴ The popes settled the question of the resignation of benefice-holding clerics in much the same way as for regulars.

²⁵ Cochelin, "*In senectute bona*".

²⁶ Jedin and Dolan, *History of the Church*, p. 229-231. The author mentions the *Sexte* of Boniface VIII, especially book 2, title 19, *De procuratoribus*.

²⁷ Cummins, "Attitudes to Old Age", p. 224.

²⁸ Monasteries are used for masculine religious enclosure while convent are used for feminine communities.

²⁹ Heullant-Donat, Claustre and Lusset (eds.), *Enfermements I – II – III*.

³⁰ Maassen (ed.), *Concilia aevi merovingici*, p. 28 (article 38).

³¹ Dortel-Claudot, "La clôture des moniales".

promulgated in 1298, generalized statutes on enclosure, re-articulating and further concretizing earlier Council rulings. The decree proclaims that entering a convent is prohibited, unless authorization has been secured by the institution's competent superior and a legitimate reason has been provided.³² From this point onwards, enclosure fell under the purview of general canon law, obliging all monastic communities to close their doors to outsiders and withdraw from the world. The universal application of legislation allowed the ecclesiastical institution to standardize practices across the entire Church, thereby solidifying its centralized authority. Grants of pontifical grace offered something of a loophole, however. Petitioners could receive permission to contravene religious vows, including those mandating enclosure, in cases in which, as Thomas Aquinas put it, 'the thing [vow] would become absolutely bad or useless' (*in aliquo casu sit vel simpliciter malum, vel inutile*).³³ Only the Church's highest authority, the pope, could take up the question of breaking such vows. Indeed, in these cases, so-called 'common' dispensations, permissions, and licenses granted by lower-ranking prelates, were insufficient. Impairment, old age, or illness could provide a legitimate rationale for breaking vows (including enclosure), if the action was undertaken in order to avoid generating scandal or to remove the disabled supplicant from a dangerous situation. Such dispensations relate to around 15% of cases in the corpus.

The contours of the monastic boundary, and the tensions catalyzed by its socio-cultural and spatial demarcation, are rendered in particularly fine detail in discussions of monastics' physical and mental impairment. Some impaired clerics might have been hidden from the gaze of their contemporaries. On the one hand, this functioned as a kind of ostracization. Yet, enclosure could also serve as a protective measure, safeguarding impaired monastics in institutions which supported their material needs. Impaired monks and nuns adapted to the demands of the pontifical institution, but also put in place strategies to facilitate their life as cenobites. The documents attest to the permeability of enclosure, for those in receipt of papal grace at least. 'Things from outside' (*exteriora*) were allowed to enter enclosed monastic institutions and encloistered monastics were permitted to re-enter the world for health reasons, either temporarily or permanently.³⁴ The Church could be surprisingly flexible in offering accommodations to the vow of enclosure. Ecclesiastical texts and the various rules, customs and statutes of the orders themselves demonstrate the relative porosity of conventual enclosure.³⁵

The relaxation of rigorous demands

For conventual institutions, accommodations were a fact of life. The monastic lifestyle was harsh: deprivation, confinement, and communal living could, and did, lead to physical and mental impairments. As a practical measure, institutions had to provide accommodations for community members' physical weakness, to facilitate the smooth running of the facility whilst also making space for monastics with

³² Makowski, *Canon Law and Cloistered Women*, p. 1.

³³ Thomas Aquinas, *Summa Theologiae II-II*, q. 88, article 10: Whether a vow is subject to dispensation or commutation? 11: Whether a dispensation can be granted in a solemn vow of continence? 12: Whether the authority of a superior is required in a dispensation from a vow?

³⁴ Lauwers and Bottazzi, "*Interiora et exteriora*".

³⁵ Lehfeldt, *Religious Women in Golden Age Spain*.

weaker health.³⁶ Monastic rules and instructions issued by Church councils routinely emphasized the need to lighten the workload allocated to weak or sick monastics. For example, the ninth-century Council of Chalons II, recommended a less rigorous lifestyle for the weakest, elderly or sick nuns:

The nuns gathered in the monastery must study reading and singing, and celebrate the canonical hours together, and all of them, except those who suffer from an impairment (*infirmitas*), sleep in the dormitory, and come every day to the chapter and meeting and observe the rule affectionately drawn up by the Holy Fathers for them.³⁷

Such guidance provided the grounds for monastics to petition for accommodations tailored to their needs. Following the Council's exhortations, the sisters of the Clarissan Convent of Montello in Beauvais, for example, received a dispensation from Clement VI in a letter dated 3 May 1345 to be excused from following all the canonical hours on account of their physical impairments.³⁸ Divided into eight offices, the canonical hours structured monastic time, with worship punctuating the monastic day in a ceaseless, unforgiving rhythm. Following the hours assiduously could, thus, be difficult for weak or elderly nuns, even putting their health at risk. For this reason, Clement VI released old or senile nuns of this convent, monastics 'broken by impairment and old age', from the attendance of all daily Masses.

From as early as the eighth century, customary documents (specific to each monastery) were modified to add special provisions to monastic rules to take into account an institution's specific contexts, geographical and otherwise, and the risks it faced. Though first introduced in an informal manner, such tailored statutes were taken as official regulations from the eleventh century onwards.³⁹ The 'Rules of Life', or 'Rules', governing monastic institutions illustrate the prevailing knowledge about the body and health in the Middle Ages. Notably, such texts eschew vocabulary linking ill health with sin, opting instead for metaphorical language.⁴⁰ These documents demonstrate the will of both Church authorities and monastic communities to care for impaired clerics, treating them with dignity and respect. The petition process allowed impaired monastics to request more specific, and more substantive, accommodations, through the relaxation of ecclesiastical legislation. For example, on 15 May 1289, Nicholas IV grants permission to the abbot and convent of Lindors in the diocese of St Andrew in Scotland for monks to be equipped with bonnets. Typically, the monks wore white silk vestments without hoods during processions. Without head coverings, they were left unprotected from the elements, a driver of illness in the community. The bonnets were a sensible prophylactic measure to fend off long-term

³⁶ Montford, "Fit to Preach and Pray".

³⁷ *Decretum* of Yvo of Chartres, book 7, chapter 95 (my translation).

³⁸ RV 165, f. 253 V – Clement VI to the abbess and sisters of the convent of Montello, order of St. Clare (diocese of Beauvais), 3 May 1345: "*moniales antiqua adeo senio et debilitate confracte quod ordines suum et horas canonicas dicere nequeunt*" (text of which we give the transcription according to the register).

³⁹ Cygler, "Règles, coutumiers et statuts".

⁴⁰ Studies reveal that medical language is used to deal with sins in general, and more specifically with rule breaking and the "infection" of sins as disease spreading. See Crisciani, "The Semantic Range of Medical Language".

sickness (*infirmitas longissimus*).⁴¹ Similarly, sick monks and nuns were allowed dietary accommodations as a therapeutic intervention, with the aim of balancing their complexion.⁴² For example, an undated letter from Alexander IV authorizes monks and friars languishing with sickness (*infirmitas*) in the infirmary to eat meat while they weren't allowed to eat any normally.⁴³ In addition, sick monastics were effectively exempted from hygienic prescriptions (as the right to bath more frequently), as testified in the statutes and customs of religious orders.⁴⁴

Monasteries and convent required external help for the specialist task of caring for their weakest members, and thus invited certain individuals from outside the community to traverse the 'permeable border' of enclosure.⁴⁵ Doctors and confessors, members of monastics' *familia*, servants, and visitors offering companionate support could all therefore enter institutions as helpers.⁴⁶ Individuals offering assistance of this kind tended to gravitate towards monasteries. Depending on the circumstances at hand, visitors might be granted permanent or temporary permission to enter the monastery for shorter or longer periods of time as it will be advocate below. With papal letters, the Chancery authorized and supervised the transgression of conventual enclosure. The infirmary was the locus of care-giving in the medieval monastery, and could be situated either outside of or within the bounds of enclosure. Even when nominally within enclosed space, the infirmary was a more explicitly inclusive space. In this site, monastic therapeutic knowledge was dispensed to the lay sick who passed through the region, as well as to suffering or elderly clerics and community members. Traditional monastic orders initiated the custom of employing physicians during the fourteenth century, as medicine became more professionalized, a move followed later by the mendicants. This was not necessarily a radical move; monastic rules already allowed a certain freedom when it came to medical treatment.⁴⁷ The Augustinian Rule, for example, allowed religious to break their vow of poverty and hire a doctor when the situation required.⁴⁸ Papal letters broadened such permissions, even allowing some convents to hire several physicians and surgeons. For example, a missive from Innocent IV dated 21 October 1252 allows the master and brothers of the hospital in Jerusalem to employ five doctors and three surgeons. These medics were hired to tend to sick clerics who came to the hospital seeking treatment, despite the fact that the presence of such 'interlopers' was in direct contravention of the institution's governance, the Augustinian Rule.⁴⁹

⁴¹ RV 44, f. 132 R – Nicholas IV to the abbot and convent of Lindors (diocese of St Andrew), 15 May 1289. Text edited by Bliss (ed.), *Calendar of Entries*, p. 528, and by Theiner (ed.), *Vetera monumenta*, letter n° 310, p. 142).

⁴² Coon, *Dark Age Bodies*, p. 89.

⁴³ RV 24, f. 44 R – Alexander IV to the abbot and Cistercian convent of St. Anastasius in Rome. Text edited by Bourel de La Roncière, Loye, Canival and Coulon (eds.), *Les registres d'Alexandre IV*, n° 357.

⁴⁴ Yearl, "Medieval Monastic Customaries".

⁴⁵ Makowski, "L'enfermement des moniales".

⁴⁶ Miramon, *Les "donnés"*, p. 72.

⁴⁷ Montford, *Health, Sickness, Medicine*, p..

⁴⁸ Verheijen (transl.), *La Règle de saint Augustin*, p. 35, chapter 5, article 35: If a sister declares herself ill, she must be believed; but if there is any doubt as to the remedies to be taken, a doctor must be consulted (my translation).

⁴⁹ AN, L 248, n° 215 (olim n° 216) – Innocent IV to the Master and the friars of the Hospital of Jerusalem, 21 October 1252. Text analysed by Barbiche, *Les actes pontificaux*, n° 704, p. 268, which we transcribe from the original letter.

The issue of enclosure, and its transgression, was particularly acute for convents. Female communities had been subject to stricter mandates regarding the impenetrability of institutional space since the advent of monasticism itself.⁵⁰ It was essential that convents remained closed spaces. Hence the longstanding preoccupation of the pontifical institution with the division of the sexes in monastic communities, even if ecclesiastical regulations were only partially applied in practice. The Church sought to prevent men from traversing the boundary of conventual confinement in order to protect women.⁵¹ Nevertheless, papal letters might allow men to enter the cloister for therapeutic reasons.⁵² For example, a missive dated 29 October 1327 from John XXII allowed men, confessors and doctors, to enter a convent of women. The letter confirms that doctors and friars of the Order of Preachers are permitted to enter the Dominican monastery of Saint-Louis de Pissiacco to tend to seriously ill, bedbound nuns, both medically and spiritually:

Consequently, this king [of France] has humbly begged us to respond favourably to your prayers, that doctors be sent to visit the sick sisters and also that the friars of the order of preachers be assigned to go and hear the confessions of the sisters of your monastery of Pissiacco, in the diocese of Chartres, in order to hear the confessions of the sisters of this monastery who are so ill that they cannot leave their beds to go to the confessional, and that the said doctors may enter the said monastery in a licit manner to visit the sisters and the confessors to hear their confession.⁵³

The contravention of strict enclosure was legitimate in this case, as following the normal rules would grossly endanger the nuns: they would be unshriven and go without medical treatment. The missive insists, however, that the male visitors should take every care to avoid causing scandal. In this way, it follows the canon 38 of Epaone already quoted before, that mandated that only older individuals of proven virtue could enter a female monastery, and only if they had a valid reason.⁵⁴ Moreover, John XXII also endorse the *Apostolic Constitutions* laid down by his predecessor Boniface VIII, more specifically the bull *Periculoso* issued by Boniface in 1298 that was subsequently incorporated into canon law in the *Liber Sextus*. It ordered strict enclosure for all nuns under penalty of scandal and excommunication, except in the case of serious illness.⁵⁵ In order to reinforce this control over the nuns, further clarifications were made by later canonists. It added stipulations regarding, for example, which

⁵⁰ Elliott, "Tertullian".

⁵¹ Lett, "Conclusions".

⁵² Soulard, "Le personnel masculine".

⁵³ RV 85, ep. 369 – John XXII to the prioress and the convent of the Augustinian monastery of sisters of St. Louis of Pissiacco (Chartres), 29 October 1327. Text analysed by Mollat (ed.), *Jean XXII*, n° 30 224, which we transcribe from the register: "[...] *Ipsius igitur regis, nobis super hoc humiliter supplicantis et vestris precibus favorabiliter annuentes ut medici ad visitandum egrotas sorores necnon et fratres ordinis predicatorum ad audiendum confessiones sororum monasterii vestri de Pissiacco Carnotensis diocesis deputati seu etiam deputandi pro audiendis confessionibus a sororibus eiusdem monasterii graviter egrotantibus que tamen in lectis propter egritudinem decumbentes accedere nequeant ad loca ad audiendas confessiones huiusmodi deputata, prefatum monasterium intrare licite dictique medici ipsas visitare sorores et confessores predicti ipsarum confessiones audire de licentia [...]*".

⁵⁴ Maassen (ed.), *Concilia aevi merovingici*, p. 28 (article 38).

⁵⁵ *Liber sextus* from Boniface VIII, col. 1053-1054, article 16.

professions – such as barbers and doctors – could enter the monastery, then pursuing the protection of the ill people.⁵⁶ As demonstrated by the case of the nuns of Saint-Louis de Pissiac, the Chancery contravened the standard canonical, monastic and local rules, by allowing to put in place the foreseen exemptions, despite its broader distrust of unenclosed female monastics. In care-giving and therapeutic (monastic) spaces, men and women cohabited in order to guarantee effective treatment and secure good health, albeit with variations according to rank.⁵⁷ Papal favours licensing the mixing of the sexes were layered on top of monastic rules that already provided special facilities for people with impairments, the elderly and the sick.

Beyond more formalized medical treatment, monastics could request the assistance of servants, intended as daily helpmates to improve their quality of life, from their direct superiors or the pope. Servants likely hailed from the institution's *familia*, i.e., the group of lay people materially and/or spiritually close to the monastic, fraternal or clerical community.⁵⁸ They worked alongside the *conversi* (lay brothers) on agricultural, craft and household tasks.⁵⁹ Servants remained part of the laity, and often lived outside enclosure, despite contributing directly to clerical and community life, and often being appointed by the papal institution. Arnulfus, former abbot and canon of the Augustinian abbey of Sainte-Geneviève in Paris, takes advantage of his resignation to secure the right to additional help from Martin IV. The Pope's response is elucidating on the topic of servants and their typical duties:

Thinking for a long time to take into account what is favourable for your health and after attention to the praiseworthy study of your consideration that, you, in the monastery of Sainte-Geneviève in Paris, of the order of Saint Augustine, under the immediate privilege of the church of Rome, exercising the government which you occupy, because of a heavy and troublesome illness which occurs, leaving you impotent, and unable to carry out the work and numerous cares which the office of government requires, then presumably you fear that the monastery will suffer from your impotence thus occasioned [...] therefore you spontaneously and freely resign the government of the monastery into our hands [...] and that, in the said monastery of St. Genevieve you are permitted to have a suitable companion, taken from within the monastery, and two domestic servants in your house, and that you be given the necessities of human life, and in accordance with the harmony of the condition of your body, so that the aforementioned companions and familiars, like the other canons and servants, shall participate in the daily administration of the monastery, and, furthermore, in

⁵⁶ Makowski, *Canon Law and Cloistered Women*, pp. 124-126.

⁵⁷ Hasquenoph, *Histoire des orders*, p. 450.

⁵⁸ *Ibid*, p. 149.

⁵⁹ Some decisions of the Carthusian chapter dated 1129 decreed that knights, damsels, old people or invalids could not be given to the monasteries of the order. See Miramon, *Les "donnés"*, p. 249.

addition to this, you shall receive each year one hundred Parisian pounds taken from the revenues of the monastery that you will recover on the day of St. Remi.⁶⁰

At heart, Arnulfus' request for the appointment of helpers is a question of dignity. Faced with 'many worries' as a result of his ailing body, he can no longer cope by himself. Outside support, in the form of servants, will allow him to end his life with dignity. The Pope is receptive, topping up the financial compensation of his pension with more practical support, the permission to employ a suitable companion (*socius*) from the monastery of Sainte-Geneviève and two lay familiars (*famuli*) as assistants.⁶¹ The latter are essentially domestic carers, responsible for servicing his accommodation and providing him with necessary daily support. Arnulfus' companion, by contrast, is to be selected from amongst the monks of his own community. All three auxiliaries must, however, substantively contribute to the smooth-running of the monastery, like the other clerics and servants, on a daily basis. It is clear, then, that the *famuli* did not just assist Arnulfus, but they served the entire monastery of which they were now a quasi-member. In this way, they were situated similarly to *conversi*, and often adopted the same functions. The presence of *famuli* at the monastery was required daily. They were thus likely to live in a neighbouring village, or, as with Arnulf, to remain at their master's side to provide round-the-clock care. In cases like Arnulf's, the monastic's body was no longer 'delegated to the use of the community', to quote Humbert of Romans, but instead relegated to the infirmary or his bed.⁶² This move was both isolating and supportive. Though the monk could no longer contribute productively to his institution, he was not entirely excluded from his community, and indeed received care from its members and within its bounds.

Transferral to another monastery or order

Gratian insisted on the absolute necessity of enclosure for monks. Borrowing the metaphorical image of the 'monk-fish' from the *Life of Anthony* (written by Athanasius around 370), the canonist contended that, like a fish out of water, a monk cannot survive if displaced from his natural habitat, the monastery.⁶³ In this formulation, monastic living conditions – including enclosure – are a key component underpinning

⁶⁰ RV 41, f. 38 V – Martin IV to Arnoulf, canon of the monastery of Saint Geneviève of Paris, 15 March 1282. Text edited by Olivier-Martin (ed.), *Les registres de Martin IV*, n° 127: “*Dudum siquidem salubri meditatione recogitans et studio laudando considerationis attendens quod tu ad monasterium Sancte Genovefe Parisiensis ad Romanam ecclesiam immediate spectantis, ordinis sancti Augustini, exercendum regimen cui preeras ob graves tibi supervenientis infirmitatis molestias impotens factus eras nec poteris labores et sollicitudines plurimas quas ejusdem cura regiminis exigit tolerare, ac verisimiliter metuens ut monasterium ipsum incommoda perpeti occasione hujusmodi tue impotentie cogeretur, [...] predicti monasterii regimen sponte ac libere in nostris manibus resignasti. [...] ut in predicto monasterio Sancte Genovefe congruam pro te ac uno socio ydoneo de ipsius monasterii gremio assumendo et duobus famulis cameram habeas sive domum, ac ea que sustentationi humane vite necessaria esse noscuntur, pro te secundum tui conditionem corporis tibi competentia, et eisdem socio et famulis prout aliis canonicis et servientibus ipsius monasterii diebus singulis ministrantur, ac insuper centum libras parisiensium de proventibus ejusdem monasterii tibi in festo beati Remigii persolvendas quoad viscera (sic) percipias annuatim*”.

⁶¹ A companion (*socius*) is obligatorily appointed for each beggar when an exit from the convent is required. See Hourlier and Le Bras, *Histoire du droit et des institutions*, p. 232.

⁶² Berthier, (ed.), *Opera De vita regulari*, p. 391.

⁶³ *Decretum Gratiani*, causa 16, chapter 1, question 8, 11, and 12.

the identity of religious, who must aspire to *mansio quieta* (tranquillity at home).⁶⁴ The validity, and necessity, of enclosure is anchored in the three vows sworn upon the adoption of the religious lifestyle: chastity, poverty, and obedience. Enclosure cut monastics off from the outside world and its temptations, and thus facilitated chastity and poverty. At the same time, monks demonstrated their obedience by following the Rule to which their home institution was subject. Compliance with the strict regulations regarding enclosure could be difficult, and thus claustration itself proved a useful means to test, and prove, one's obedience.⁶⁵ The solemn and definitive monastic vow constituted a sacred contract 'made between God, the novice and the members of the chapter of the religious community'.⁶⁶ As such, the vow of obedience structured the relationship between a monastic and the specific order and house they joined. The supplication process, however, allowed for petitioners to secure permission from a higher authority – the pope himself – to break the vow of obedience and transfer to another monastery or even another order.⁶⁷ The corpus demonstrates, for example, that the Papal Chancery permitted monastics to leave enclosure to transfer location, and thereby contravene the vow of *stabilitas loci* (stability of location), for reasons relating to ill health and incapacity (4 cases pertaining to religious communities; 13 cases relating to individuals). For similar reasons, the Chancery authorized a number of supplicants (41 cases) in the corpus to break their vows and transfer to another order.

Through a series of reforms, the popes gradually redefined the regular clergy during the twelfth, thirteenth, and fourteenth centuries. They sought to promote the idea that monks should be dedicated solely to religion and, above all, follow the conventions of the monastic rule which governed their home monastery, including enclosure regulations.⁶⁸ This is evidenced by a letter of Urban II written in 1099 to the abbot of Saint-Rufin, regarding the behaviour of regular canons – a bull that was later compiled up by Yves of Chartres in his *Decretum*.⁶⁹ In his *Decree*, Gratian subsequently broadened the focus of such earlier regulations, which had previously applied only to canons. He maintained that monks were also subject to enclosure.⁷⁰ In this way, the principle of *stabilitas loci* – the clerical obligation to remain in the institution in which, and to which, one had sworn vows – began to take shape. The petition process offered a means for supplicants to disobey this mandate. Petitioners wrote to the Chancery as individuals or in groups, requesting permission to transfer from one monastery to another. In certain instances, papal letters allowed the wholesale relocation of an entire congregation, an outcome much more likely if petitioners grounded their request in terms of a necessary intervention to preserve health. The Augustinian friars of Santa Eulalia del Campo, for example, resided outside of the city of Barcelona, in

⁶⁴ Caby, "Comme un poisson dans l'eau".

⁶⁵ In the mendicant orders, the monks were not bound to the enclosure, but they must take a vow of poverty before they could take the habit permanently. In addition, unlike the traditional orders, they must be able to preach, and therefore they must be more subject to idoneity since they must be able to give the sacraments and say Masses.

⁶⁶ Hasquenoph, *Histoire des ordres*, p. 95 (my translation).

⁶⁷ Impairment is also a "just cause" (see chapter 2) for transferring from one monastery or order to another in petitions handled by the Apostolic Penitentiary. Fossier, *Le bureau des âmes*, p. 350-355.

⁶⁸ Maccarrone, "I Papi del secolo 12".

⁶⁹ Migne, *Patrologia*, vol. 151, column 546 – Urban II to the abbot of Saint Rufin in 1099. *Decretum* of Yvo of Chartres, book VI, chapter 411.

⁷⁰ *Decretum Gratiani*, causa 3, chapter 19, question 3.

a marshy area next to the Nou Gate. Indeed, the stale air makes them sick, according to the practical medical considerations mobilised in this missive. On 15 February 1295, Boniface VIII granted the friars permission to move into the city proper, transferring to a building formerly occupied by the Order of the Penance of Jesus Christ, which had been dissolved in 1274.⁷¹ Similarly, a female community from St. Mary Vallis-Flogi (diocese of Nucera Umbria) in the Order of St. Damian was allowed to move location, as their present living conditions were deemed unhealthy, and they wished to build a convent within the city walls.⁷² Such examples also illustrate monastic communities' attraction to urban centres during the thirteenth and fourteenth centuries.⁷³

Individual petitioners could also invoke health reasons and the deleterious conditions in which they were living to obtain the right to move. For example, the monk Neukinus, born Arnaldus le Breissereal de Hodege, began his monastic career in the monastery of Saint-Jacques in Liège. He later petitions the pope to authorize his transfer to another institution, however:

It was brought to our attention by the petition of the said Neukinus which contained that, residing in the aforementioned monastery [Saint-Jacques of Liège], his complexion does not agree with the air of this place, as long as his body is sick and cannot regain health. He therefore wishes to transfer himself from the said monastery in the diocese of Liège to the monastery of Saint-Hubert in the Ardennes, which belongs to the same diocese and the same order. We wish to respond favourably to this request of Neukinus, and therefore we ask by apostolic writings at your discretion, that you or someone else accept Neukinus in the monastery, if it is so and notwithstanding the other canons.⁷⁴

The letter emphasizes that Neukinus' desire for a transfer lies not in any dissatisfaction with his current institution or his order, but his chronic illness. Whilst the environment at the monastery of Saint-Jacques is not beneficial to his constitution, he has no qualms with the Benedictine Order of which he is a member. For this reason, he does not seek to secure a transfer of order, only institution, wishing to join a monastery in the mountainous Ardennes region. Neukinus seems to believe that the mountain air would be purer, and thus this change of environment would help him to regain his health (*sanitas*). With such a move,

⁷¹ RV 47, f. 22 V – Boniface VIII to the Bishop of Barcelona, 15 February 1295. Text edited by Digard, Fawtier, Faucon and Thomas (eds.), *Les registres de Boniface VIII*, n° 93. On this ancient monastery, see Feliu, “El monestir de frares”.

⁷² *Autographo Conventu S. Francisci civitatis Nuceriae in Umbria* – Alexander IV to the nuns and the abbess of the convent of St. Mary Vallis-Flogis, Order of St. Damian (diocese of Nucera), 15 May 1256. Text edited by Sbaraglia, *Bullarium Franciscanum*, Tomus 2, letter 190, p. 132.

⁷³ Gilli, *Villes et sociétés urbaines*, p. 235-239.

⁷⁴ RA 180, f. 308 V – Gregory XI to Neukinus, monk of the monastery of Saint James in Liège, 17 December 1371. Text analysed by Hayez, Mathieu and Yvan (eds.), *Grégoire XI*, n° 15 136, which we transcribe from the register: “*Cum itaque sicut exhibita nobis pro parte dicti Neukinum petitio continebat ipso in monasterio antedicto residendo tam propter aerem illius loci sue complexionis nullatenus congruentem quam corporis sui debilitate nequeat sanitate gaudere cupiatque propterea de dicto monasterio ad monasterium sancti Huberti in Ardenia dicti ordinis Leodiensis diocesis se transfere, nos volentes ipsius Neukinum votis annuere favorabiliter in hac parte, discretioni vestre, per apostolica scripta mandamus quatenus, vos vel duo aut unus vestrum per vos vel alium seu alios eundem Neukinum, si est ita, et aliud canonici non obstante [...].*”

Neukinus intended to violate his vow of *stabilitas loci*, and thereby break the juridical bond between a monk and his monastery that was supposedly permanent. Indeed, theoretically, ‘the religious was professed in one and only monastery, to which he belongs wherever he may be’.⁷⁵ Nevertheless, permission to transfer between houses in the same order, if necessitated by ill health and other legitimate circumstances, was easy enough to obtain, if the petitioner had the good fortune of belonging to an order with several monasteries. In such cases, vows of *stabilitas loci* could, in practice, be broken without any negative consequences, as long as the abbots of the two communities had come to prior agreement on the transfer. Institutional transfers were sometimes even expressly permitted, as in the Rule of St. Benedict from the sixth century (chapter 61) or explicitly anticipated, as in the *Carta Caritatis* (Charter of Charity and Unanimity) written in the twelfth century for the Cistercian Order.⁷⁶ Neukinus, however, had to seek the pope’s consent: the question is, why? His petition speaks, perhaps, to a conflict between the monk and his superiors, who either refused to let him leave or wanted to send him elsewhere. Tellingly, Neukinus’ direct superior, the abbot of the monastery of Saint-Jacques, does not figure as an intermediary in, or direct addressee of, the correspondence, as would be typical.⁷⁷ Rather, the monk’s request was forwarded to the Curia by three deacons from the Liégeois churches of St. Paul, St. Martin, and the Holy Cross.

If transferal between houses in the same order was relatively easy, changing order entirely was another story, and more difficult. The issue emerged in the tenth century, with the foundation of monastic orders that were intended to be more severe than pre-existing offerings (Cistercian, Dominican and Franciscan Orders). Instances of *transitus*, i.e., a monk’s transfer to another religious congregation, became ever more frequent in the eleventh century, particularly in the context of the so-called Gregorian reform as monks moved to the new orders. In fact, in a letter preserved in the *Decretals*, Innocent III authorized all requests for transfer to stricter orders, even without the consent of the supplicant’s superior.⁷⁸ Nevertheless, Thomas Aquinas maintained that switching order was not praiseworthy, and the person who attempted it risked exposing himself to scandal. Aquinas allowed only three scenarios in which changing orders could, on the contrary, be deemed an honourable act: in the search for a more perfect religious life; to join a more strict order; or because of impairment or ill health.⁷⁹ Ordinal transfers (*transitus*) became so commonplace in the thirteenth and fourteenth century that the papacy felt compelled to intervene to ensure that they were carried out in accordance with the rules.⁸⁰ Transferring to a more severe order was usually not a problem. Yet impaired petitioners desired the reverse trajectory, transferal to an order with a more flexible, or lenient, rule. For this reason, many Cistercian, Dominican

⁷⁵ Hourlier and Le Bras, *Histoire du droit*, p. 215 (my translation).

⁷⁶ *Ibid.*, p. 244.

⁷⁷ It appears that of the thirteen individual requests for a change of house, eight were issued by a third party (61%), seven of which were foreign to the monastery to which the monk belongs at the time of his petition. This proportion appears to be much higher than the average (see introduction), revealing that external intercession plays a crucial role in breaking the vow of *stabilitas loci*. On standard protocols for correspondence, including choice of intermediary and addressee, see Chapter 1.

⁷⁸ *Decretals of Gregory IX*, book III, title 31, chapter 18.

⁷⁹ Thomas Aquinas, *Summa Theologiae II-II*, q. 189, article 8.

⁸⁰ Hasquenoph, *Histoire des ordres*, p. 50.

and Franciscan religious in the corpus wished to join Benedictine monasteries. Such transfers were, however, viewed in a dim light, at best. Not only did such requests require weighty justification, according to Aquinas, they also had to be authorized both by the petitioner's superior and the pope himself.

The case of Robertus Belagent, a friar of the Order of Preachers, is exemplary. The friar seeks permission from Clement VI to be transferred to a Benedictine monastery, as his impairment renders him unable to abide by the harsh precepts of the Dominican Rule any longer:

Read to us, your petition contains that, while you have persevered in the order of friars preachers for many years, you have always been accustomed to read as a lector and have always been recognized for your good and honest life, reputation and conversation. But, nevertheless and for rational causes, among which is the serious illness from which you have long suffered and which has persevered in this order for years, you desire to be transferred to the order of St. Benedict and to wear the regular vestments of that order, for the safety of your life and mind. You therefore humbly beg us to provide for your request by giving you a gracious dispensation with mercy. We therefore authorize you, according to your requests, to move from the Order of Preachers to the Order of St. Benedict, into which you must be received voluntarily and, after being received, you may have a voice and take part in the chapter and be admitted to all the legitimate acts of that Order, contrary to what was decided by Pope Clement V at the Council of Vienna, notwithstanding all the apostolic constitutions and the statutes and customs of the aforementioned orders and monasteries, we dispense by apostolic authority by giving a special grace.⁸¹

Robertus' decision to transfer to a Benedictine institution is eminently practical: the order's rule allowed elderly and/or sick monks to benefit from special consideration (such as permission to eat meat, bathe more frequently or wear warmer clothes). No matter how resolved supplicants themselves were to obey by monastic rules, the rigorous lifestyle of the mendicant orders, and the chronic nature of certain illnesses, rendered many unfit, or unable, to remain in the most ascetic cenobite communities.⁸² In much

⁸¹ RV 162, f. 106 R – Clement VI to Robertus Belagent, a monk of the preaching order, 7 November 1343. Text of which we give the transcription according to the register: "*Lecte nobis pro parte tua petitionis series continebat quod licet tu in ordine fratrum Predicatorum multis annis perseverans in pluribus facultatibus qui in dicto ordine legi solent lector extitens ac semper bone vite ac fame et conversationis honeste tamen ex certis et rationabilibus causis tam ex parte infirmitatum gravium quare alter ad persevendum ulterius in dicto ordine nequis tuum annum inclinare ac pro securitate vite et conscientie tue desideras ad ordinem sancti Benedicti transferri et ipsius ordinis viduere habitum regularem. Quare nobis humiliter supplicasti ut providere super hiis de oportune dispensationis gracia misericorditer dignemur. Nos itaque tuis supplicationibus inclinari tecum ut de dicto ordine Predicatorum ad dicti sancti Benedicti ordinem libere tansire et in illo monasterio sancti Benedicti, dicti ordini in quo inveneris voluntarium receptionem recipi et quod postquam fueris in monasterio ipsi receptis in eo et in ipso ordine sancti Benedicti vocem et locum in capitulo habere et ad omnis actus legitimos dicti ordinis sancti Benedicti admitti valeas felicis recordationis Clementis pape V, predecessoris nostri, super hoc in concilio Viennensis et qualibet alia constitutione apostolica in contrarium edita necnon quibuscumque privilegiis statutis et consuetudinibus ordinum et monasterii predictorum contrariis nequaquam obstantibus auctoritate apostolica de specialis dono graciae dispensamus*".

⁸² Montford, "Fit to Preach and Pray".

modern scholarship, such as the work of Ursmer Berlière, there seems to be a presumption that the invocation of impairment to legitimize *transitus* was widely exploited as a means for monastics to escape ‘fraudulently’ from ordinal rules that they either considered to be overly harsh, or simply could no longer abide.⁸³ It is, of course, impossible to know for sure. But pretext or not, the criterion of invalidity was taken into account by the Chancery. Moreover, its potential use by supplicants as a ‘catch-all’ justification, if not an outright excuse, testifies to its currency in terms of successfully influencing decisions about the dispensation of papal grace. The transferral of mendicant friars to more lenient orders became strictly regulated in the fourteenth century, after widespread abuse of the *transitus* system.

Moreover, supplications and letters allowed the Curia to determine many aspects of conventual life in the petitioner’s new institution. For example, Clement VI does not just permit Robertus Belagent’s transfer to the Benedictines, but explicitly allows the newcomer to exercise his agency by having a voice in the chapter e.g., Robertus was treated as a full member of the new order. Indeed, whilst canon law suggests that you could transfer but that means you are not treated as a full member of the new order, as you don’t have a voice in chapter (i.e. agency in terms of the direction/management of the order). Then, the pope directly contravenes the provisions of the Council of Vienna in 1312 and other papal precedents, such as an ordinance of 4 July 1335 issued by Benedict XII, that prohibited the transfer of mendicant friars to more lax orders. Indeed, this proscription is found in the *Liber Septimus* written as early as 1317 by Pope Clement V, subsequently published in 1322 by his successor John XXII. Moreover, when they allow for a transfer because of illness for example, such texts prohibit the full participation of mendicant friars in their new, more lax order, denying them a voice in chapter.⁸⁴ Transfers from a strict to a more flexible order, for which the papacy, according to some historians, ‘showed great complacency’, did not survive against the affirmation of apostolic omnipotence.⁸⁵ Indeed, the Council of Trent put an end to this practice in its fourteenth session on 25 November 1551, legislating that ‘those transferred to another order shall remain under obedience in enclosure, and shall be incapable of secular benefices’.⁸⁶

Clerical Mobility

Many impairments cause, or are associated with, a reduction in mobility. About 40% of all supplications in the corpus cite mobility limitation to justify requests to disobey regulations regarding clerical travel. Mobility appears to be vital for clerics to undertake necessary ecclesiastical work, and thereby fulfill the Church’s mission to spread God’s glory and care for souls across Christendom. Members of the clergy were obliged to travel in their local region, in order to undertake pastoral duties. Secular clerics in particular had to be able to traverse their own benefices with relative ease (to visit parishioners and other clerical duties). Clerics of higher rank, tasked with more institutional management – such as bishops, abbots, and priors – were obliged to make trips throughout their entire diocese, and even visit its dependencies. Beyond such local travel, ecclesiastical business trips to distant locales were par for the

⁸³ Berlière, *Épaves d’archives pontificales*, p. 59.

⁸⁴ *Clementines* of Clément V, book III, title 9, “on the regulars”, chapter 1.

⁸⁵ Hasquenoph, *Histoire des ordres*, p. 50.

⁸⁶ Waterworth (transl.), *The canons and decrees*, p. 92-121.

course for many. For example, the most prominent clerics were called upon to travel to ecclesiastical gatherings, and/or to carry out diplomatic missions for the Apostolic See. The petition process provided both secular and regular clerics with reduced mobility the opportunity to secure exemptions to such notionally obligatory travel, albeit only in certain circumstances.

Residency and local travel requirements

Secular clerics were required to reside in the territory to which their benefice was attached, just as regular clerics were obliged to remain in their monastery.⁸⁷ Alongside ignorance, moral decay, and concubinage, disobedience of this strict residency policy topped the list of the worst ‘vices’ afflicting the secular clergy.⁸⁸ Some clerics took the liberty of entrusting small tasks to their vicars before absconding from their benefice entirely, though they continued to receive the income from the ecclesiastical office they had effectively abandoned. Typically, such clerics left their assigned homes to relocate to the Avignon court, or join the entourage of a prince or influential prelate. Popes were routinely put in the rather awkward position of ordering the departure of clerics who had turned up at their court without an invitation, stipulating a set timeframe for their return to their benefices. Timescales varied according to the individual pontiff’s tolerance, with clerics given a departure deadline a week, a fortnight, a month, and sometimes even a year hence.⁸⁹ Some clerics, however, encountered genuine difficulties in traversing the territory covered by their benefice, travelling from one prebend to another if they had several to their name, or in recovering their income from distant and/or spread-out communities (as they had to recover it sometimes in nature and did not have any vicar to do that for them). More than 150 clerics in the corpus requested permission to delegate such tasks, due to their mobility limitations.

According to canon law, clerics could not change their geographical location at will. Regulars were attached to their monastery, under a vow of enclosure; seculars could not move away from their prebend, unless they were ill, travelling, or studying. The situation was even more oppressive for secular canons, as they had to secure the agreement of the chapter for travel and study that took them away from their home institution. Notwithstanding any superficial similarity, the prohibition of free clerical movement is anchored in different concerns for seculars and regulars, and the different roles they played in the Church. Regulars lived in the stasis of enclosure, whilst seculars had to be mobile. In the *Liber Sextus*, Boniface VIII directed clerics to collect the income attached to their ecclesiastical office in person, on a daily basis. Excuses were granted only to three groups: clerics with impairments (*infirmus*); those who were rendered physically unable to undertake the task by ‘just and rational’ causes; and those who were busy elsewhere, hard at work for the benefit of their church.⁹⁰ Gregory XI revisited this provision in the *Liber Extra*, confirming that clerics would lose all financial privileges associated with their benefice, if they did not

⁸⁷ This residency requirement refers collectively to the fact that: secular clerics had to live in their benefice and that they had to undertake routine local travel.

⁸⁸ Fossier and Verger, *Histoire du Moyen Âge*, p. 145.

⁸⁹ Hayez, “La personnalité d’Urbain V”.

⁹⁰ *Liber Sextus* from Boniface VIII, book III, title 3, chapter 1.

establish residency in the territory, for a period of no less than six months. Again, exemptions were granted only to select groups: impaired clerics (*infirmus*), and those undertaking study or travel whilst in the service of the Curia.⁹¹ Sick clerics (*aegritudo*) could be not resident in the territory for a relatively short period of time, because they need to seek treatment elsewhere (for example) or unable to travel across the territory to visit all requisite local sites. In those cases, they were allowed to continue to receive the income from their benefice, provided that someone suitable (*sanus*) person could celebrate their offices in their place, at times when they were unable to do so themselves (in case of leave of absence).⁹²

Although canon law provided the means to relax residency and travel requirements for impaired clerics, papal favours could allow them even greater freedoms. With grants of papal grace, the Chancery could extend a cleric's leave of absence or release him for residency and travel requirements altogether, on a temporary or definitive notice, depending on the cases. This is demonstrated, for example, in a case in which John II, king of France, acted as an intercessor. The king petitions Innocent VI to (temporarily) waive the relevant requirements of not being able to move from one benefit to another for Johannes, canon of Senlis, without the cleric forfeiting any income:

It is considered worthy of pardon that the master Johannes, who resides in another of his ecclesiastical benefices which he has already obtained or will later obtain for his trouble in the service of the king via a temporal transaction, until his body is ill and disproportionately afflicted frequently and heavily by a large arthritic gout, in such a way that he is not able to serve faithfully by remaining personally in our service. But also after having resided personally in the aforementioned benefice, in which for his health he wishes to govern and remain residing in Paris, where there is an abundance of doctors and other experts, for which reason he asks to be exempted from having to receive daily the fruits of his aforementioned ecclesiastical benefices [of Senlis], on behalf of our benevolent generosity for his life and salvation for five years, so that he may nevertheless receive the revenues of the benefice in which he resides personally. Done for three years.⁹³

With his body weakened by arthritic gout, Johannes is no longer able to manage his multiple benefices as stipulated by regulations, visiting each every day to collect income.⁹⁴ Apparently, the canon of Senlis

⁹¹ *Decretales of Gregory IX*, book III, title 4, chapter 15.

⁹² *Decretales of Gregory IX*, book III, title 6, chapter 1.

⁹³ RS 28, f. 26 V – King John II of France to Innocent VI, 7 February 1355. Text of which we give the transcription according to the register: “[...] *Magistrer Johanni concedere dignemini, quod ipse residendo in altero beneficiorum suorum ecclesiarum que nunc obtinet vel imposterum obtinebit cum propter labores quos in serviciis regiis subire haberent transactis temporibus adeo sit iuris sui corporis debilitatus et maxime gucte arthetice, oculis, quibus graviter et frequenter affligitur, sic quod in nostris serviciis personaliter insistendo non potest amplius deservire. Sed necnon deinceps habet residere personaliter in dicta predicta sua, aut pro sanitate corporis sui procuranda et conservandi residendo Paris ubi est copia medicorum, aliorum expertorum super hoc fructus dictorum suorum beneficiorum ecclesiasticorum ex benigna largitate nostra ad eius vitam vel salutem ad quinquennium, cum ea integritate percipere possit cotidianis distributionibus dumtaxat exceptis, cum qua illos perciperet si in eisdem beneficiis personaliter resideret. Fiat ad triennium*”.

⁹⁴ Miramon, “La place d’Hugues de Saint-Cher”.

now resides in Paris and wants to remain there full-time, so asks the pope to allow him to not have to visit his other benefices himself, but still retain their income. The accumulation of prebends became an increasingly common practice during the period of the Avignon papacy. This created something of a supply problem: the Curia saw an ever-increasing number of requests from ecclesiastics in search of benefices.⁹⁵ From the thirteenth century onwards, the popes had been trying to regain control of clerical benefices that had fallen into the hands of lay collators, i.e., members of the laity who had the authority to confer benefices upon individuals of their choosing. Johannes' intercessor, the king, was a notable lay collator, and indeed had awarded the canon, or planned to award him, with a benefice under his purview.⁹⁶ This provides crucial context for the Apostolic See's response to the petition. The Church seeks to curry favour with the royal collator, by allowing Johannes to remain in Paris on the pretext that the best doctors and experts were in the city. At the same time, however, the Chancery does not agree to the request in full: Johannes is authorized to receive the income from his other benefits for three years, two years short of the term requested in the original supplication.⁹⁷ One can ask, why would they shorten the term? Is this so that, after 3 years, they can re-assign these other benefices to other clerics? Or is it because, by then, Johannes could survive on the benefice collated by the king alone – the one in Paris? Johannes case is just one of many in the corpus that demonstrate that residency and travel requirements for secular clerics were not necessarily as strict as they first appeared. They could be modified when impairment, illness, or old age were invoked in requests for grace. The pope took into account the supplicant's unique circumstances, and their physical incapacity, when making decisions as to where he should live, as long as a fixed place of residence could be established. Clerics, even ones with impairments, could not adopt a transitory lifestyle, flitting from one abode to another. Whilst the petition process offered advantages for supplicants with mobility limitations, it was equally expedient for the Church: it permitted the institution to regulate more strictly the management, and the accumulation, of benefices.

The general requirement for clerics to reside in their benefices full time was coupled, for bishops, with the mandate to undertake regular travel. Bishops were obliged to undertake annual inspections of their diocese, known as 'pastoral visits', or nominate a representative in their stead, usually an archdeacon. Initially, such tours were a privilege, and not obligatory. In Gratian's *Decree* (*Cleros* canon), bishops were accorded the 'right of visitation' to all parishes in their diocese, as part of their duty of providing pastoral care to the faithful.⁹⁸ With the sixth canon of the Fourth Lateran Council, however, this right became an annual obligation.⁹⁹ These visits served several purposes. On the one hand, they allowed Church authorities, and clerics high up in the ecclesiastical hierarchy, to solidify their power base by exerting greater control over clergy at the local level. At the same time, the visits reflected the Church's desire to promote the reformist ethics of the Fourth Lateran Council and subsequent progressive assemblies, with bishops tasked with spreading the word by preaching and training local clergy. Bishops

⁹⁵ Chevalier-Boyer, "Les sermons de Guillaume de Sauqueville", p. 158.

⁹⁶ Guillemain, *La politique bénéficiale du pape Benoît XII*, p. 21.

⁹⁷ Graces were generally granted for a limited time, ranging from two months to five years, passing through the vague mention of "as long as the illness lasts", with a median duration of two and a half years (out of 45 letters that mention it).

⁹⁸ *Decretum Gratiani*, first part, distinction 21, chapter 1.

⁹⁹ Coulet, *Les visites pastorales*.

with physical or mental impairments could, however, receive exemptions from such obligatory travel. Indeed, in his *Decree*, Gratian leveraged a decision made during the Council of Toledo IV in 633 to proclaim that a bishop prevented from visiting his diocese by illness could send another person in his place.¹⁰⁰ Whilst exemptions were thus canonically permissible, Gratian underscored that such waivers are not ‘automatic’, but must be authorized by dispensations of papal grace on a case-by-case basis. It is for this reason, then, that Helias, the bishop of Autun, writes to Clement V to ask permission for the appointment of a procurator to visit his bishopric on his behalf.

In a letter dated 15 July 1312, the pope issues his decision on Helias’ case:

Consequently, since you confirm that you are not able to exercise your office of visiting the churches, monasteries and other places, nor the ecclesiastical persons of your population and diocese, because of your own body weighed down by illness, you beg us to grant you, by the present indulgence, the possibility of freeing yourself from the custom and right of your office of visiting the churches, monasteries and other ecclesiastical places and persons, so that you may have it assumed by another or other suitable persons who may fulfil this duty of visitation for three years, provided that they recover your money in moderation, no more than a hundred currency, notwithstanding in any case the rules issued in this matter.¹⁰¹

The bishop’s ill health prevents him from undertaking the requisite inspections of ecclesiastical personnel and institutions under his governance. For Clement V, this provides ample justification for exempting Helias from his touring duties. The pope authorizes the use of a suitable proxy or proxies for a period of three years, with the procurators also permitted to recover Helias’ income. A portion of that income, however, had to be paid to the procurator. Moreover, Helias had to pay the Chancery in order to receive this letter... With the strengthening of the papal administration during the Avignon period, this kind of procuratorial arrangement became a means of funnelling money to the papacy. Such financial agreements, alongside revenue from the local taxation of benefices, meant that the Chancery was the pontificate’s biggest profit centre, generating up to three quarters of its income.¹⁰² Elderly and impaired bishops might also be excused from performing other tasks involving diocesan travel. Gout and arthritis (*podagre ac ciragre infirmitatibus*) rendered Gerardus, bishop of Soissons, frequently unable to attend the reconciliation of churches and cemeteries in his territory. John XXII formally permitted such absences

¹⁰⁰ *Decretum Gratiani*, first part, question 1, chapter 11.

¹⁰¹ RV 59, f. 103V – Clement V to Helias, Bishop of Autun, 15 July 1312. Text analysed by Benedictin monks (eds.), *Registres de Clément V*, n° 8 169, which we transcribe from the register: “[...] *Cum itaque tu sicut asseris proprii corporis debilitate gravatus nequeas in ecclesiis monasteriis locis et personis ecclesiasticis tue civitatis et diocese visitationis officium exercere, nos tuis supplicationibus inclinati tibi auctoritate presentium indulgemus ut ecclesias monasteria ceteraque loca et personas ecclesiasticas supradictas in quibus tibi visitationis officium competit de consuetudine vel de iure possis libere per aliquam seu aliquas personas idoneas quam vel quas ad hoc duxeris assumendas usque ad triennium quotiens tempus visitationis ingruerit visitare et procuraciones que centum numerum non excedunt recipere moderatas in pecunia numerata quacumque constitutione contraria super hoc edita non obstante.*”

¹⁰² Vincent, *Église et société*, p. 94.

in a letter dated 24 November 1325.¹⁰³ Similarly, Guillelmus, Cardinal of St. Stephen of Celiomonte, suffered with such physical weakness (*debilitas*) – and such a heavy workload – that, on 16 May 1353, Innocent VI authorized his nonattendance at a notionally mandatory meeting to examine heretics outside his diocese.¹⁰⁴ Canon law enshrined the right for clerics to be exempted from pastoral missions on health grounds, in theory at least. But this right was actualized only through grants of papal grace, allowing popes to regulate closely the circumstances in which exemptions were practically awarded.

Work-related travel: trips further afield

The residency requirement was not the only challenge faced by seculars with limited mobility. Business travel was a routine part of life for many secular clerics, with journeys taking them far from home. This could include, for example, trips to councils and ecclesiastical assemblies, or missions undertaken at the request of the Holy See, whether diplomatic or personal in nature. Such work-related travel was a major issue for impaired clerics. Indeed, the corpus contains petitions from more than 150 impaired clerics who were unable to make frequent trips, or who faced insurmountable barriers in undertaking the travel involved in the missions assigned to them.¹⁰⁵

Both secular and regular clerics were subject to mandatory convocation to ecclesiastical council and assemblies. The pope summoned clerics in vast numbers for such occasions. For example, Alexander III convoked more than 300 bishops for the Third Lateran Council in 1179. Similarly, the Fourth Lateran Council assembled more than 412 bishops with 800 abbots, priors, and patriarchs from all over Christendom.¹⁰⁶ Clerics who did not heed the papal summons and absented themselves from synods without informing the pope of their situation faced excommunication. Canon law explicitly provided the means to mitigate such harsh sentencing, however. Illness (*infirmitas*) offered just cause for the absence of metropolitan bishops and bishops from synods, according to Gratian's *Decree*, quoting Chapter 35 of the Council of Agde (506).¹⁰⁷ Numerous councils enacted these rules, revealing the importance that the Apostolic See attached to widespread clerical turn-out at these gatherings but also how they took illness seriously.¹⁰⁸ Diocesan assemblies followed the same rules. These were meetings that, following the Fourth Lateran Council, were scheduled annually, at least in theory.¹⁰⁹ Clerics who could not attend the synod had to present a valid excuse to the pope in advance, and send a cleric or chaplain in their place.¹¹⁰

¹⁰³ For an example, see RV 80, f. 142 V (RA 24, f. 252 V) – John XXII to Gerardus, bishop of Soissons, 24 November 1325. Text analysed by Mollat (ed.), *Jean XXII*, n° 23 908, which we transcribe from the register.

¹⁰⁴ For an example, see RV 224, f. 485 V – Innocent VI to Guillelmus, Cardinal of St. Stephen of Celiomonte, 16 May 1353. Text of which we give the transcription according to the register.

¹⁰⁵ Metzler, *A Social History*, p. 142.

¹⁰⁶ Baldwin, “Paris et Rome en 1215”.

¹⁰⁷ *Decretum Gratiani*, first part, distinction 18, canon 1.

¹⁰⁸ *Decretum* of Yvo of Chartres. The councils of Arles (chapter 18) and Orleans under Childeric (chapter 1), reported by Yves de Chartres at the end of Book IV (unnumbered chapters), and the councils of Auvergne (chapter 15), Meaux (chapter 3), Laodicea (chapter 40) or Agde (chapter 36), compiled in Book 5 of his *Decretum*, chapters 155, 156, 157 and 159, return to this dispensation for impaired clerics to go to synods or councils.

¹⁰⁹ Jedin and Alberigo (eds.), *Conciliorum oecumenicorum decreta*, Fourth Lateran Council, canon 6.

¹¹⁰ Pontal, “Le rôle du synode diocésain”, p. 340.

The Apostolic See deemed old age, ill health and impairment, or genuine danger posed by travel to be acceptable excuses for clerics' nonattendance.

The case of Johannes, Bishop of Lincoln exemplifies the handling of such absences. The elderly Johannes had written to Clement V to alert the pope that he was physically unable to travel to attend the Council of Vienna, scheduled to last from October 1311 to May 1312. Clement responds in July of the same year:

In truth it is permitted, as you have explained to us, that you, with your body broken by old age, are not able to come personally to the aforementioned council. Although your absence on this account is excused by a procurator or by your nuncio; nevertheless, several persons consider your proffered excuse to be untruthful and deem it to be false. You were therefore judged in absentia and declared guilty by our ecclesiastical sentence and judgment, and [we judge] that therefore you are able to attend the aforementioned council without risking your constitution or vigour, especially as it was reported that you had previously ridden in the kingdom of England; We kindly wish to be able to give you an indemnity for your absence, so that you may come or not, by special grace, and that you may not be accused or bound to the sentence and judgment given.¹¹¹

Johannes followed protocol by notifying the pope of his inability to attend to Council on account of his age. The Chancery accepts the bishop's excuse, and authorizes him to send a procurator or nuncio in his place. However, Johannes has been accused of fraud: unknown individuals have witnessed the bishop riding a horse in England.¹¹² If true, this means that he could feasibly have travelled to Vienna on horseback, without risking his health. On 3 April 1312, during the Council itself, Clement had issued the bull 'Vox in excelso' against the Templars. This decree licensed the absence of clerics who had been summoned to the meeting, if they suffered from ill health and, then, could not travel by horse.¹¹³ Subject to accusations of his equestrian prowess, Johannes thus risks the sentence of excommunication. The bishop escapes this fate, however, thanks to a pontifical grace. The letter reveals that citing a mobility impairment in itself was sufficient to grant grace and forgive nonattendance of an

¹¹¹ RV 59, f. 223 V – Clement V to Johannes, Bishop of Lincoln, 26 July 1312. Text edited by Benedictin monks, *Registres de Clément V*, n° 8 742: “*Verum licet sicut ex parte tua fuit propositum coram nobis, tu proprii corporis senectute confractus, ad concilium venire personaliter nequiveris antedictum, ac huiusmodi absentiam tuam ex premissa causa per procuratorem seu nuntium tuum nisus fueris excusare; quia tamen a pluribus dicebatur excusationem huiusmodi veritate carere, quodque ea tanquam falsa nequaquam obstante, eras contumax reputandus, ac pronuntiandus in sententias et processus per nos contra illos ex prelati eisdem, qui ad ipsum concilium, ut premittitur, venire contumaciter non curarunt latas et habitos incidisse, presertim cum per regnum Anglie equitare sicut antea dicereris; nos indemnitati tue providere salubriter intendentes, huiusmodi absentiam tuam tibi, sive venire potueris, sive non, ex speciali gratia nolumus imputari, nec te ligari sententiis vel processibus antedictis*”.

¹¹² Impaired clerics often used horses as mobility aids. This is demonstrated, for example, in the constitution of the Friars Preachers (Chapter 22), enacted between 1215 and 1237, which forbids monks and abbots to travel on horseback, except those who obtain permission or who were in great need, such as the impaired. See Thomas, *De oudste constituties van de Dominicanen*.

¹¹³ Bull *Vox in exelsio* of Pope Clement V, published in Prutz (ed.), *Geheimlehre und Geheimstatuten*, p. 175.

ecclesiastical assembly. It was not just bishops who could receive convocation waivers. The corpus also features cases relating to abbots and priors, such as Robertus Joli, a Hospitaller prior, whose attendance at the Order's assembly and general chapter was excused on account of his sickness (*infirmitas*), despite his own 'great desire' to participate.¹¹⁴

In certain cases, supplicants were called to travel in person to the Apostolic See in order to undergo examinations. Beyond the accommodations they sought in their supplications, impaired petitioners with mobility limitations could also request papal graces from such summons. Trips to the Apostolic See could be physically challenging, even dangerous, and costly for less well-off clerics. Gradually, such disadvantages were recognized, and general legal protections were introduced with the aim of supporting individuals who encountered problems related to such visits. For example, Canon 37 of the Fourth Lateran Council allowed for cases involving plaintiffs who lived more than two days' journey from the Curia to be brought in local courts, rather than in Rome.¹¹⁵ Similarly, in the *Decretals*, Gregory X confirmed that certain supplicants – the dying, the impaired (*infirmus*), the elderly, and the poor – were not obliged to go to Rome to receive their grace in person.¹¹⁶ In such cases, a representative from the Curia could be appointed to conduct the examination near to the supplicant's location.

This is the case, for example, for Witkus Hiltprandi of Eldagessen, a priest canon of the church of Bramberg in the Bavarian lands. In a petition processed by the Chancery on 25 February 1364, Witkus requests a third-party examination (*ad partes*):

Whereas recently, your holiness, Witkus Hiltprandi of Eldagessen, prebendal canon priest of the church of Bramberg, on the advice of the emperor's advocate-general in Bavaria, was judged sufficiently worthy of being examined *ad partes* by the bishop of Avignon in order to receive the canonry of the said church of Bramberg, as he suffers from a very serious foot disease, which prevents him from conveniently visiting the Roman Curia, and moreover he is not able to ride due to the severity of his illness, he must now have an examination *ad partibus* as it has been long postponed.¹¹⁷

Witkus suffers from a serious foot disease that prevents him from attending the Apostolic See, and undergoing examination there as is standard. Indeed, travel to Rome endangers his health. Consequently,

¹¹⁴ RA 191, f. 386 V – Gregory XI to Robertus Joli, prior of the Hospitaller Order in France, 13 September 1373. Text analysed by Hayez, Mathieu and Yvan (eds.), *Grégoire XI*, n° 28 201.

¹¹⁵ Jedin and Alberigo (eds.), *Conciliorum oecumenicorum decreta*, Fourth Lateran Council, canon 37. See also the *Decretum* of Yvo of Chartres, book 5, chapter 292.

¹¹⁶ *Decretales of Gregory IX*, book 5, title 39, chapter 26.

¹¹⁷ RS 42, f. 4 V – Witkus Hiltprandi of Eldagessen, priest canon of the church of Bramberg (Bavaria) to Urban V, 25 February 1364. Text analysed by Hayez, Mathieu and Yvan (eds.), *Urbain V*, n° 20, which we transcribe from the register: “*Cum nuper sanctitas vestra Witkoni Hiltprandi de Eldagessen, presbytero canonicato prebendato ecclesie Bambergense, consiliario advocato generali domini imperator terre sue in Bavaria de canonicatu eiusdem ecclesie Bambergense duxerit providendum dignetur sanctitas vestra examen ipsius committere ad partes quia sufficienter ipsius alia coram domino episcopo Avinionensis sufficienter est probata et gravissimum morbum in pedibus patitur, quod Romanam curiam commode visitare non potest, sicut etiam in partibus tam eiusdem morbi in equis ambulare nequivit iam multe tempore retroacto*”.

the examination must take place *ad partes*, outside the Curia, and be conducted by individuals delegated by the pope, Urban V. The corpus contains other examples demonstrating the different ways requests to disobey papal summons were handled. For example, the archbishop of Brindisi, Peregrinus, received a letter dated 4 August 1273, for which the *vidimus* (the “we have seen (implicitly: the act to be certified)”) is preserved. Gregory X had launched an enquiry procedure against the archbishop, summoning him to the Curia. Peregrinus, however, cites ill health as a justification for his inability to attend.¹¹⁸ In contrast to Witkus’ supplication, Peregrinus’ letter contains a medical certificate. It was drawn up by a panel of two royal judges and two abbots at the archbishop’s own request, and he presented the document to the pope to evidence his inability travel to the Apostolic See. The certificate states that the bishop has long suffered from asthma and strangury and is now senile, and thus cannot journey to the Curia on horseback. Despite the pontificate’s immense authority, such documents demonstrate that illness, impairment, and old age were seen as valid reasons for disobeying a papal summons.

Bouts of sickness and accidents were impossible to avoid, even for clerics invested with papal authority as delegates on diplomatic missions. These papal proxies could find themselves unable to continue their journey, or even embark upon it in the first place. The majority of missions preserved in the pontifical registers were peace delegations, dispatched to calm relations between France and England. Diplomatic assignments were fairly routine in the period, as the Church frequently sent out missions. On occasion, impaired clerics were permitted to decline outright the mission they had been assigned, or otherwise they were authorized to return to the Curia before planned due to exigent circumstances.

For instance, John XXII had commissioned a trio of delegates – Hugues Aimery, the bishop of Orange, Willelmus, the archbishop of Vienna, and Johannes of Grandisson – to undertake a diplomatic mission, for the French king, Charles IV, by visiting England a few days before the abdication of King Edward II. Hugues, however, was struck down with a terrible illness, and obliged to turn back:

Not without great compassion, knowing that you are so weighed down by a serious and interminable illness, that you are not even be able to travel to England without peril to your body, we do not wish to expose you to any danger of this kind. Moreover, we do not wish that you remain in vain and inconveniently in France, so we want and command that only, and fully once you have recovered your vigour through a moderate diet, you can return without detours to the Curia, and the meantime, that you may have one or other of your colleagues as a substitute to undertake this mission. Therefore, may our dear and illustrious son in Christ Charles, King of France and Navarre, by favourable letters, give you the right to return to the Curia.¹¹⁹

¹¹⁸ DE LEO and MONTI (eds.), *Codice diplomatico Brindisino*, p. 169-172, traducted in French by THÉRY and GILLI, “Le Siège apostolique”, doc. 38, p. 411.

¹¹⁹ RV 114, f. 107 V – John XXII to Hugonus, Bishop of Orange, Apostolic Nuncio, 23 December 1326. Text analysed by COULON and CLEMENCET (eds.), *Lettres secrètes et curiales du pape Jean XXII*, n° 3 105, which we transcribe from the register: “*Non sine magna compassione, percepto adeo te gravi et diutina infirmitate gravatum quod absque tui corporis periculo nequires in Angliam transfretare, nos nolentes ne huiusmodi periculis te exponas nec etiam quod in partibus*

In this letter, dated 23 December 1326, the pope relieves Hugues from his mission, and authorizes his slow return to the Apostolic See in a series of smaller trips, as his chronic illness prevents a sea-crossing. At the same time, the pope writes to the French king, Charles IV, for which Hugues was traveling to advise him of the situation and to ask him to release the petitioner from his duty.¹²⁰ Hugues Aimory was subsequently replaced in his mission by Hugh de Angoulême, archdeacon of Canterbury, allowing the bishop time to rest and recover from his illness.¹²¹ The role of papal legate proved risky: it obliged clerics to cross warring territories, to travel long distances and, in Hugues' case, to cross the English Channel. It is clear that the prospect of the Channel-crossing prompted the bishop to abort his mission, signaled by Hugues' reference to his inability to visit England, as it is explained specifically later in the letter. The bishop's ill health placed the entire diplomatic mission in jeopardy. The Chancery had to act quickly to appoint another nuncio in Hugues' stead to ensure the delegation's continued viability and contact the French king directly to smooth things over. The care with which delegates, and their replacements, were selected demonstrates that these clerics were not merely letter carriers, but rather genuine diplomats, skillful negotiators who were authorized to plead for peace on behalf of the Apostolic See.

Conclusion

The pontifical institution demonstrated great capacity and notable commitment in adapting its underlying structures and regulations to adapt to clerics' physical and mental disabilities. Canonical legislation laid the groundwork for the personal difficulties encountered by impaired petitioners to be taken into account in pontifical judgments on their requests. The Chancery went even further, granting pardons that were more expansive in their remit than the established canonical provisions. In this way, the petition process was a mechanism by which the Church could selectively implement or soften the rules to which all clerics were subject, offering adaptations tailored to the ability and disability of each individual supplicant.

The Apostolic See permitted impaired supplicants to remain in office, providing the means to mitigate the negative impact of impairments on their job performance. Leveraging various pieces of ecclesiastical legislations and the dispensation of papal grace, the Curia allowed clerics to appoint a coadjutor as a proxy, to whom all activities they themselves could not carry out were delegated. This arrangement meant that impaired supplicants retained their function, their income and social status, even if they no longer undertook the routine duties associated with a particular clerical role and now occupied a less influential position than before. Indeed, impaired clerics were professionally side-lined by the appointment of a coadjutor: they could forget any hope of further career development. Over half (51%) of clerics in this position in the corpus presented themselves as elderly (*senes*) in their petitions, and probably did not

France in gravamen inutiliter remaneas intendentes volumus et tue fraternitati mandamus quatenus nisi plene convalueris, ita quod imposta per nos prosequi una cum aliis collegis tuis valeres commode, moderatis dietis prout vires tuas ad hoc sufficere cognoveris redire ad curiam non postponas. Enim carissimo in Christo filio nostro Carolo regi France et Navarre illustri ut tuum regressum gratum habeat, litteras dirigimus oportunas”.

¹²⁰ RV 114, f. 107 V – John XXII to King Charles IV of France, 23 December 1326. Text edited by COULON and CLEMENCET, *Lettres secrètes et curiales du pape Jean XXII*, n° 3 106.

¹²¹ RV 114, f. 107 V – John XXII to Johannes Cerchamont, deacon of Poitiers and chancellor to the king of France, 28 December 1326. Text edited by *Ibid.*, n° 3 110.

expect to be promoted in any case. Following the appointment of an assistant, resignation was often seen as the logical next step, if not outright inevitable.¹²² Some clerics, on the other hand, may well have wished to pursue an ecclesiastical career, but were prevented in doing so by their impairment. For them, the employment of an assistant led to professional marginalization, as it was an insurmountable impediment to any further career progression. The inability to fulfil the demands of the job without assistance set impaired clerics apart from their able-bodied colleagues, even though they continued to receive the income from their benefice and retained their ecclesiastical title.

The Church's willingness to offer adjustments is particularly evident with in cases dealing with monastic enclosure. Over centuries of canonical legislation, enclosure was presented as a fundamental element of the monastic lifestyle, and even monastic identity. In such texts, enclosure gradually concretized as an impermeable barrier separating monastics from the earthly world. And yet, the corpus reveals that, in cases of physical or mental impairment, enclosure could be a very porous barrier indeed. With the right justification, entrance to and exit from the convent, be that for short visits or long-term trips, could be fairly easily arranged. Above all, transgressing enclosure was justified in the need to offer care and support for monastics. This concern for the well-being of monks and nuns reveals that enclosure was more theoretical construct than everyday reality. This also shows that the Church sought to manage the monastic life as effectively as possible. Certain groups, including servants and doctors, were routinely allowed to pierce enclosure. Even recluses were allowed visitors. Similarly, clerics could transfer between institutions, or even change order entirely, whilst monastic institutions relied for their continued existence on strong links with the lay world. In particular, the Chancery needed to keep tight control over monastic transferrals to more lenient orders. Such accommodations could, in theory, be exploited by otherwise capable, able-bodied clerics who merely wanted to join another congregation out of laziness. This would amount to an unforgivable breach of religious vows, in particular those relating to residential stability and obedience to ecclesiastical superiors. For this reason, then, accommodations secured through grants of papal grace were not value-neutral. The receipt of such assistance placed impaired clerics outside the bounds of the 'normal' or normative clergy, and forever tainted their career prospects. Whether they were forced to relax the monastic rigour that had likely structured their lives to date, or they were compelled to transfer to an unfamiliar house or new order, impaired monks and nuns lost a part of their identity. Once accommodations were in place, monastics had to re-define their place in the ecclesiastical community, carving out an identity that matched their new circumstances.

A reduction in mobility was, and is, one of the most common consequences of impairment. Such limitations forced supplicants to change both their relationship with the world beyond their home institution and the way they inhabited more familiar spaces. With supplications, clerics with impaired mobility sought to alter the nature of their work in order to maintain an active role in the Church. This included, for example, requests for a lightened or modified workload, or for different duties entirely. Mobility was a basic requirement for secular and regular clerics. Clergymen had to be able get around with relative ease. So many fundamental duties depended upon clerics ability to travel, whether it was to

¹²² Clerics' resignation is explored in depth in Chapter 5.

carry out their parish duties, fulfil their ecclesiastical obligations, or to respond to papal requests. Yet many clerics simply could not undertake such trips; the situation necessitated an institutional, administrative response. With canon law and grants of papal grace, the Curia regulated the circumstances in which impaired clerics were permitted to eschew the travel typically required by pastoral missions. The Church proposed alternative solutions for disabled clerics to handle the challenges posed by their involuntary immobility. In this way, everything was done to ensure that supplicants did not have to suffer on account of their lack of mobility – at least as far as their relationship with the pontifical institution was concerned.

The Apostolic See offered a diverse range of institutional responses to the various scenarios laid out in impaired clerics' supplications. It was not always possible, however, to formulate a response that was either suitable for, or desired by, all petitioners. In such cases, clerics might ask to leave the clergy entirely.