

**Constructing Dynastic Franciscan Identities in Bohemia and the
Polish Duchies**

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The candidate confirms that the work submitted is her own and that appropriate credit has been given where reference has been made to the work of others.

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Abstract

This thesis examines the construction of female Franciscan dynastic identities in Bohemia and the Polish duchies in the thirteenth and early fourteenth centuries. In Franciscan studies, the evidence produced on Franciscan nuns is still treated as marginal to our understanding of the order. Histories of nuns within the order are still based on anachronistic hagiographic chronologies, which promote teleologic metanarratives that portray the experiences of the hagiographic Francis of Assisi as the norm. This androcentric bias is matched by the neglect of evidence associated with non- western-European subjects. This has occurred in part because hagiography-driven histories promote the friar who begs in Italian town squares as the default Franciscan identity, and in part because of the twentieth-century political division of Europe into a West and an East.

The case studies examined in this thesis — communities of nuns that were located in Prague, Zawichost, Wrocław, Stary Sącz, and Gniezno — were not only female and Central European, they were also linked closely with the Bohemian and Polish Přemyslid and Piast dynasties. My thesis breaks down the metanarratives that have excluded Central-European nuns from the order's history, and explains how and why the Franciscan and dynastic penitential models came together in this geographical region at this point in time. The Franciscan penitential model promoted an uncompromising renunciation of the world that would seem to have excluded the participation of ruling dynasties. However, it also encouraged people such as the Přemyslids and Piasts, in whole or part, to exchange their earthly for heavenly goods, and thus created strong links between ruling dynasties and the Franciscan order. When examined using a methodology based on sociological models of gift exchange, as opposed to one which emphasises linear progression, the evidence for my case-study communities emerges as central, not peripheral, to our understanding of the Franciscan order as a penitential movement created to save all souls.

Contents

Acknowledgements.....	i
Abstract.....	iii
List of illustrative material.....	vi
Abbreviations.....	vii
Note on names, titles, pronouns, and translations.....	viii
Introduction	1
<i>Case studies and source material</i>	4
<i>Geographical scope of the thesis</i>	8
<i>Literature review and methodology</i>	8
I. Reassessing the institutional development of the early Franciscan nuns as portrayed in twentieth and twenty-first century historiography	28
I.1 The evidence of Jacques de Vitry.....	29
I.2 Curial involvement 1218–1228.....	37
I.3 The year 1228.....	56
I.4 Thomas of Celano’s <i>Life of St Francis</i> and the <i>Ordo Sancti Damiani</i>	62
I.5 The Order of San Damiano in Bohemia and the Polish Duchies.....	67
<i>I.5.1 Agnes of Bohemia and the Prague monastery</i>	67
<i>I.5.2 Zawichost, Wrocław, Stary Sącz and Gniezno</i>	70
I.7 Conclusion.....	73
II. The treatment of the material world and the rejection of earthly ties in the early Franciscan documents	75
II.1 Introduction.....	75
II.2 Renunciation before the Franciscans.....	76
II.3 Articulating the world in the Franciscan tradition before the <i>Regula bullata</i>	83
II.4 The <i>Regula bullata</i> and Rule for Hermitages.....	95
II.5 The ‘Hugolinian’ Form of Life, the Benedictine Rule, and the ‘Privilege of Poverty’	99
II.6 Thomas of Celano’s <i>Life of St Francis</i>	104
II.7 Conclusion.....	106
III. The sacred exchange and dynastic Franciscan identities in the records of donors and donations	109

III.1 Transforming property: the gift economy and the myth of foundation	111
III.2 Reconceptualising ‘beginning’: The early evidence for the Prague, Zawichost, Wrocław, Stary Sącz, and Gniezno monasteries	117
III.2.1 <i>Prague</i>	117
III.2.2 <i>Zawichost</i>	127
III.2.3 <i>Wrocław</i>	134
III.2.4 <i>Stary Sącz</i>	140
III.2.5 <i>Gniezno</i>	144
III.3 The facilitation of ‘pure’ donations: poverty and the memory of the donor	146
III.4 Remembrance of donors and involvement with the monasteries after the donors’ death	164
III.5 Conclusion	181
IV. Renouncing the world as a royal Franciscan subject	183
IV.1 <i>Filiae Sanctae Elizabeth?</i>	187
IV.2 Exchanging earthly for heavenly status	195
IV.3 Religious as donors	210
IV.4 Negotiating Franciscan status and involvement with property and money	217
IV.5 The Polish abbesses’ involvement in the ‘German settlement’	240
IV.6 Conclusion	245
Conclusion	249
Bibliography	258

List of illustrative material

Figure 1: Anna of Silesia and Duke Henry II of Silesia holding up the Church of St Clare at Wrocław.....	179
Figure 2: Depiction of the Piast heraldry on the Wrocław nuns' copy of the form of life of St Clare.....	235

Abbreviations

- BF** *Bullarium Franciscanum Romanorum pontificum constitutiones, epistolas, ac diplomata continens tribus ordinis minorum, clarissarum et poenitentium*, 7 vols (Rome: various publishers, 1759–1904)
- BUW** Biblioteka Uniwersytecka we Wrocławiu (Wrocław University Library)
- CAED** *Clare of Assisi Early Documents: The Lady*, ed. and trans. by Regis J. Armstrong (New York, NY: New City Press, 2006)
- CDB** *Codex Diplomaticus et Epistolaris Regni Bohemiae*, ed. by Gustavus Friedrich, 4 vols (Prague: Sumptibus Comitiorum Regni Bohemiae, 1904–1942)
- CDM** *Codex diplomaticus et epistolaris Moraviae*, ed. by Antonín Boček et. al, 25 vols (Brno and Olomouc: various publishers, 1836–1903)
- Escritos** *Escritos de Santa Clara y Documentos Complementarios*, ed. and trans. by Ignacio Omaechevarría (Madrid: Editorial Biblioteca Autores Cristianos, 2004)
- FAED** *Francis of Assisi: Early Documents*, 3 vols, ed. by Regis J. Armstrong, J.A. Wayne Hellmann and William J. Short (London: New City Press, 1999–2001)
- KDM** *Kodeks dyplomatyczny Małopolski*, ed. by Franciszek Piekosiński, 4 vols (Kraków: Akademia Umiejętności 1876—1886)
- KDW** *Kodeks dyplomatyczny Wielkopolski*, ed. by Ignacy Zakrzewski, 4 vols (Poznań: Nakładem Biblioteki Kórnickiej 1877–1891)
- MPH** *Monumenta Poloniae Historica*, 6 vols (Lwów: various publishers, 1864–1893)
- SUB** *Schlesisches Urkundenbuch*, 6 vols (Köln: Böhlau, 1963–1998)
- Vita Agnetis** Jan Kapistran Vyskočil, ed., *Legenda Blahoslavené Anežky a čtyři listy sv. Kláry* (Prague: Universum, 1932)
- Vita Annae** *Vita Annae ducissae Silesiae*, ed. by Aleksander Szemkowicz, MPH, IV, pp. 656–61
- Vita Kyngae** *Vita et Miracula sanctae Kyngae ducissae Cracoviensis*, ed. by Wojciech Kętrzyński, MPH, IV, pp. 662–744
- Vita Salomeae** *Vitae sanctae Salomeae reginae Halicensis*, ed. by Wojciech Kętrzyński, MPH, IV, pp. 770–96

Note on names, titles, pronouns, and translations

In Latin translations, I have rendered as many personal names as possible as the equivalent in the modern vernacular spoken in the region where the person was from, rather than giving the anglicised form. However, given the prominence of some of the figures that I study in Anglophone scholarship (Clare and Francis of Assisi, for instance), it did not make sense to change the English rendering of their names as to do so would cause confusion. Therefore, where the person is well-known in Anglophone scholarship I have kept the rendering of their name as that most commonly used in Anglophone scholarship, and for all other persons I have rendered their name in the modern vernacular (hence Hedwig, Duchess of Silesia, but Jadwiga, Queen of Poland). In the few cases where I have not been able to identify a modern equivalent, I have kept the Latin rendering of the subject's name.

Many Polish place names have German equivalents (Wrocław/Breslau; Trzebnica/Trebnitz) that are often still used in Anglophone contexts. However, as all of the places discussed in this thesis are in Poland now and were under Polish dominion at the time, I have chosen to use their Polish names. Where the names of places in the Polish duchies and elsewhere are known better in Anglophone scholarship by their English translations (Cracow; Prague; Rome), I have used their English rendering.

In the Latin source material for the case studies in the Polish Duchies, 'Ducissa' and 'Principissa', and 'Dux' and 'Princeps' tend to be used interchangeably. The modern Polish equivalents (*księżna*; *książe*) do not distinguish between, for instance, 'Ducissa' and 'Principissa'; they can mean both. 'Księżna' and 'książe' are more frequently rendered in English as 'princess' and 'prince', as the best fit for the type of status which was held by those of this title; a status that was hereditary, and higher than that which those working in Anglophone academic contexts might understand by 'duke' or 'duchess'. I have kept this in mind when considering status (which is why I refer to dukes and duchesses as royalty rather than nobility); however, I have used Duchess and Duke as the titles for the royal figures in the Polish duchies that are referred to in the Latin documentation both as 'Ducissa' and 'Principissa', or 'Dux' and 'Princeps', for consistency as this is what is used in the Latin documents predominantly. This excludes direct translations from Latin into English, in which I have provided a literal translation from the Latin.

When confronted with anonymous authors, I have opted for either 'he' or 'she' as a pronoun in the case of authors for whom we have enough evidence to suggest that they held a binary gender identity. In the case of 'completely' anonymous authors, I have chosen 'they' instead of the more grammatically correct 'he/she'.

This thesis incorporates a mixture of my own translations from Latin source material into English, and those that have been undertaken by others. In cases where I have used the translations of others in full, or have made only minor changes to such translations, I have indicated this in the corresponding footnote.

Introduction

What follows is a study of the renunciation of the temporal in exchange for the infinite. It examines how this act was performed by Franciscan communities of nuns and their royal patrons in Bohemia and the Polish Duchies in the thirteenth and early fourteenth centuries. The Franciscan identities of these communities — which were located in Prague, Zawichost, Wrocław, Stary Sącz, and Gniezno — were shaped by these acts, as they were formed by their pursuit of a Franciscan penitential model within the context of a dynastic spiritual programme.¹ The former was linked with a religious order that emerged in the early thirteenth century; the latter, entwined with the concepts of sacral monarchy and the holy bloodline, predated the Franciscans by several hundred years.² The royal Franciscan communities of Bohemia and the Polish duchies functioned as penitential loci for those who wanted to exchange earthly for heavenly riches according to their understanding of a Franciscan redemptive framework.

Although there are numerous studies of the holy cults that developed around the prominent figures associated with these communities, no scholar has attempted an examination of how the communities constructed their identities as royal Franciscan

¹ I have chosen not to provide dates of foundation here because, as I discuss further on in the introduction and in Chapter Three of the present study, definitive dates of foundation simply do not exist. Moreover, the dates of foundation attributed by scholars to these institutions are often taken either from edited sources in which there are numerous editorial mistakes, or source material that was produced tens or even hundreds of years after the dates of foundation to which it points.

² The most renowned studies on the phenomena of sacral monarchy and the *beata stirps*, or the holy bloodline, are Marc Bloch, *The Royal Touch: Sacred Monarchy and Scrofula in England and France*, trans. by J.E. Anderson (Oxford: Routledge, 1973), published originally as *Les rois thaumaturges, étude sur le caractère surnaturel attribué la puissance royale, particulièrement en France et en Angleterre* (Paris: Librairie Istra, 1924); André Vauchez, 'Beata stirps: sainteté et lignage en Occident aux XIIIe et XIVe siècles', in *Famille et parenté dans l'Occident médiéval: actes du colloque de Paris (6-8 juin 1974), organisé par l'École Pratique des Hautes Études (VIe section) en collaboration avec le Collège de France et l'École Française de Rome*, ed. by Georges Duby and Jacques Le Goff (Rome: École Française de Rome, 1977), pp. 397–407; and Gábor Klaniczay, *Holy Rulers and Blessed Princesses. Dynastic Cults in Medieval Central Europe*, trans. by Éva Pálmai (Cambridge: Cambridge University Press, 2002), published originally as *Az uralkodók szentsége a középkorban. Magyar dinasztikus szentkultuszok és európai modellek* (Budapest: Balassi Kiadó, 2000). Sean Field has explored the interactions between Franciscan and Capetian ideals through an examination of Isabelle of France's role in the construction of a Capetian royal cult in Sean L. Field, *Isabelle of France: Capetian Sanctity and Franciscan Identity in the Thirteenth Century* (Notre Dame, IN: University of Notre Dame Press, 2006). Klaniczay has also discussed the contribution of the mendicant orders to the promotion of the cult of dynastic saints in Central Europe, in 'The Mendicant Orders in East-Central Europe and the Integration of Cultures', in *Hybride Kulturen im mittelalterlichen Europa. Vorträge und Workshops einer internationalen Frühlingsschule — Hybrid Cultures in Medieval Europe. Papers and Workshops of an International Spring School*, ed. by Michael Borgolte and Bernd Schneidmüller (Berlin: Akademie, 2010), pp. 245–60 (see in particular pp. 251–60).

institutions, or of the ideological mechanisms that facilitated the co-existence of the dynastic and Franciscan penitential models in Bohemia and the Polish duchies.³ Moreover, while Agnes of Prague — the Bohemian princess who joined the Franciscan community of nuns at Prague in c.1234 — has proved a popular figure of study in Anglophone Franciscan histories, there has never been a detailed Anglophone study of the source material associated with the communities of royal women in the Polish duchies.⁴ This thesis therefore explains how and why these particular monasteries constructed their identities as royal Franciscan institutions, and demonstrates what the process of identity construction within these institutions can tell us about the idiosyncrasies of an eschatological framework that blended Franciscan and dynastic piety.

These areas of enquiry are broad, and so the present study concentrates on the concept of how those who lived within the monasteries' bounds, their patrons, and their ecclesiastical guardians articulated the renunciation of the world within the context of the form of life espoused by these communities. This is in part because there would appear in the sources to be a disjuncture between the violent rejection of the ephemeral world that was promoted in the normative Franciscan documents and hagiographies, and the spiritual agenda pursued by dynastic institutions. Based as it was in part on a literal reading of the Gospel texts, the Rule of St Francis — the eponymous and mythical founder of the Franciscan order — advocated that a convert abandon their family and despise the permanency of structures such as monasteries. The dynastic programme, on the other hand, was rooted in immutability; its

³ Klaniczay's *Holy Rulers* is arguably the most famous of the studies that have examined the cults of the holy women that were attached to these monasteries. For a detailed study of the sources associated with the cults of these monasteries, in particular the hagiographies, see Hanna Krzyżostaniak, *Trzynastowieczne święte kobiety kręgu franciszkańskiego Polski i Czech: Kształtowanie się i rozwój kultów w średniowieczu* (Poznań: Wydawnictwo Nauka i Innowacje, 2004). There is a great number of biographical studies on these holy women, largely based on the hagiographic material. A bibliography of these types of study on three of the women who were connected to the Polish institutions can be found in the *Hagiografia Polska*. For Salomea of Cracow, see Romuald Gustaw, 'Salomea', in *Hagiografia Polska: Słownik Bio-bibliograficzny*, ed. by Romuald Gustaw, 2 (Poznań: Księgarnia św Wojciecha, 1971), pp. 300–13; for Kinga of Poland see Romuald Gustaw, 'Kinga — Kunegunde', in *Hagiografia Polska: Słownik Bio-bibliograficzny*, ed. by Romuald Gustaw, 1 (Poznań: Księgarnia św Wojciecha, 1971), pp. 757–79; for Jolenta of Poland see Romuald Gustaw, 'Jolenta — Helena', in *Hagiografia Polska: Słownik Bio-bibliograficzny*, ed. by Romuald Gustaw, 1 (Poznań: Księgarnia św Wojciecha, 1971), pp. 624–32. As the present study takes a radically different approach to hagiographic source material, interpreting hagiographic material within the context in which it was produced, it does not refer to the works that have reconstructed these women's biographies using hagiographic material predominantly and, usually, uncritically. It is worth, however, noting the bibliographical lists for these types of study here so that the reader is able to get a sense of the amount of studies that have been produced using this methodology.

⁴ One of the few exceptions is Robert Curry, who wrote a PhD thesis on liturgical music at Stry Sącz, which also incorporated short, basic institutional histories of Stry Sącz and the other dynastic monasteries that were established in Bohemia and the Polish duchies in the thirteenth century, but this was never published. See Robert Michael Curry, 'Fragments of Ars Antiqua Music at Stry Sącz and the Evolution of the Clarist Order in the Thirteenth Century' (unpublished doctoral thesis, Monash University, 2003). No-one has yet attempted to study all of these institutions together and in detail.

proponents were concerned primarily with imprinting the family's identity onto lasting structures such as monasteries, in order that the communities who dwelled inside these edifices would pray for the longevity of the dynasty and for the souls of the royal family once they had died. In doing so, they crafted a mythos around the blood ties that bound together members of the royal family.⁵ Unlike previous surveys, the present study contributes a methodology that helps us to understand the combination of the Franciscan and dynastic ideals in full.

In order to understand the ostensible discrepancy outlined above, it is important to recognise that renunciation was an act beneficial to the health of one's soul. One did not, however, need to profess in order to perform it. It was necessary for the survival of professed religious that those with property to spare were willing to renounce some of it in the form of gifts or alms to monastic and mendicant organisations, and superfluous earthly property was a burden that would affect how one's soul was treated in the afterlife. The impetus to renounce can thus be identified as much within the actions of the patrons of the communities as it can within those of the nuns. The nuns within the communities would reject what they believed to be the dangerous elements of their worldly status in order to embrace religious life, which comprised a life of poverty, prayer, and contemplation within an enclosed space. In the form of gift donations, the nuns' patrons would rid themselves of some of the property that would form an obstacle to their eternal salvation, usually in return for the nuns' intercessory prayers. The high-status members of these communities invoked their royal standing and their blood ties to their families with ease after their conversion, possibly out of habit but also in the tradition of the *beata stirps*: the notion that a subject's links to royal status strengthened their holiness, and that their pious vocation fortified the legitimate rule of the dynasty to which they belonged.⁶ The identities of the communities under consideration were thus imbued with

⁵ For various reasons, which I discuss in more detail below, Helena Soukupová, Klara Benešová, and Kaspar Elm have identified the combination of Franciscan and dynastic ideals as problematic. See Helena Soukupová, *Anežský klášter v Praze* (Prague: Odeon, 1989), esp. pp. 76–124 for a discussion of the monastery's expansion in the mid-thirteenth century; Klara Benešová, 'Les religieuses de la famille royale, mécènes de l'art en Bohême du Xe au XIVe siècle', in *Les Religieuses dans le cloître et dans le monde: Des origines à nos jours*, ed. by Nicole Bouter, Actes du deuxième colloque international du C.E.R.C.O.R (Saint-Etienne: Publications de l'Université de Saint-Etienne, 1994), pp. 775–82; and Kaspar Elm, 'Agnes von Prag und Klara von Assisi — Na Františku und San Damiano. János Bak septuagenario', in *Klara von Assisi: Zwischen Bettelarmut und Beziehungsreichtum: Beiträge zur neueren deutschsprachigen Klara-Forschung*, ed. by Schmies Bernd, Franziskanische Forschungen, 51 (Münster: Aschendorff, 2011), pp. 237–55, published originally under the same title in *Franziskus von Assisi. Das Bild des Heiligen aus neuer Sicht*, ed. by Dieter R. Bauer, Helmut Feld, and Ulrich Köpf (Köln: Böhlau, 2005), pp. 227–50.

⁶ For the concept of the *beata stirps*, see in particular Vauchez, 'Beata stirps: sainteté et lignage en Occident', pp. 397–407, and Klaniczay, *Holy Rulers*, especially pp. 227–32 on the use of Elizabeth and Margaret of Hungary by the Hungarian Árpád dynasty in the creation of an Árpád cult of the *beata stirps*.

elements of the earthly status of their converts and their donors, in part because gifts to the monastery retained elements of the donor's identity — to act as a prompt for the nuns to perform their intercessory role — and in part because it was important to identify with the social schema of the laity, and thus the souls that the community aspired to save, in order to inspire the lay people to devotion. In short, an examination of renunciation allows us to view both how a wider range of people who were associated with the royal Franciscan communities shaped the identities of these institutions, and to obtain a fuller sense of the penitential programme of the community, within which lay and religious performed acts for their own and for each other's salvation.

Case studies and source material

As stated above, this thesis examines evidence from five case-study communities, located in Prague, Zawichost, Wrocław, Stary Sącz, and Gniezno. These have been chosen because they were the five Franciscan communities of nuns which were established in Bohemia and the Polish duchies in the thirteenth century, and which shared close links with the Přemyslid and Piast dynasties. The earliest extant evidence for the community of St Francis at Prague dates from 1234. It was closely linked with the ruling dynasty of Bohemia, the Přemyslid dynasty. The Přemyslid princess Agnes of Bohemia (d.1282) joined the community in 1234 and her fourteenth-century hagiography portrays her as the founder of the monastery, although there is no surviving evidence to suggest that she was celebrated as a founder during her lifetime. Agnes's mother, Constance of Hungary, brother King Wenceslas I, and sister-in-law Kunegund of Swabia both acted as protectors and donors of the monastery.⁷

⁷ For biographic studies of Agnes of Bohemia, see Maria Fassbinder, *Die selige Agnes von Prag: Eine königliche Klarissin* (Werl: Dietrich-Coelde-Verlag, 1957); Jaroslav Polc, *Agnes von Böhmen 1211-1282: Königstochter – Äbtissin – Heilige*, Lebensbilder zur Geschichte der böhmischen Länder, 6 (Munich: Oldenbourg, 1989). For Agnes and the community at Prague see Christian-Frederik Felskau, *Agnes von Böhmen und die Klosteranlage der Klarissen und Franziskaner in Prag. Leben und Institution, Legende und Verehrung* (Nordhausen: Bautz, 2008). For the architectural history of the Prague community, see Soukupová, *Anežský klášter v Praze*; and Benešová, 'Les religieuses de la famille royale, mécènes de l'art en Bohême du Xe au XIVe siècle'. For Agnes and the Prague community within the Franciscan tradition, see Elm, 'Agnes von Prag und Klara von Assisi — Na Františku und San Damiano' and Joan Mueller, *The Privilege of Poverty: Clare of Assisi, Agnes of Prague, and the Struggle for a Franciscan Rule for Women* (University Park, PA: Pennsylvania State University Press, 2006); Franz Machilek, 'Die Přemysliden, Piasten und Arpaden und der Klarissenorden im 13. und frühen 14. Jahrhundert', in *Westmitteleuropa, Ostmitteleuropa: Vergleiche und Beziehungen. Festschrift für Ferdinand Seibt zum 65. Geburtstag*, ed. by Winfried Eberhard et al. (Munich: Oldenbourg, 1992), pp. 293–306. Machilek's article also includes discussion of Wrocław, Zawichost/Skała and, briefly, Stary Sącz and Gniezno.

The community of St Francis at Zawichost has a tumultuous history as it was forced to move several times. As was the case with all the Polish institutions examined in this thesis, it was associated with the Piast dynasty. The Piast duchess Salomea of Cracow (d. 1268) joined the monastery at some point after 1241, the year her husband Kálmán, the Árpád prince of Halych-Lodomeria, died, and before 1255, which is when the oldest available evidence for the monastery was produced. The community moved in c. 1260 to Skała, after it had received intelligence of an imminent Mongol attack on Zawichost. Because of hardships faced by the community in Skała, the community was forced to relocate to the church of St Andrzej at Cracow, a move which occurred at some point before 1319. In addition to Salomea herself, prominent donors of the community included Salomea's brother, Bolesław, the High Duke of Poland (d. 1279), and sister-in-law Kinga, the Árpád princess who became a Franciscan lay religious sister at Stary Sącz (d. 1292). After the death of this initial 'wave' of founders, the monastery remained within the Piast spiritual purview. King Władysław (d. 1333) and Queen Jadwiga (d. 1339) both acted as major donors to the monastery.⁸

The earliest known evidence for the Wrocław monastery, produced in 1256, suggests that the sister of Agnes of Bohemia, Duchess Anna of Silesia (d.1298), was a prominent donor of the monastery from an early stage. She was celebrated in her fourteenth-century *vita* as the monastery's founder, and was occasionally depicted as having founded the monastery in conjunction with her husband, Duke Henry I of Silesia, who most probably died before the construction of the monastery began. After the death of Anna, who seems to have adopted some form of lay religious status after her husband's death, her son Władysław, Archbishop

⁸ Studies of Salomea of Cracow and of the Zawichost/ Skała/Cracow communities that are not heavily reliant on hagiography are slim. See, however, Andrzej Pleszczyński's studies on the place of the monasteries within the political programme of Duke Bolesław V, 'Fundacja opactwa klarysek w Zawichoście w 1245 roku a aspiracje polityczne Bolesława Wstydliego', in *Klasztor w państwie średniowiecznym i nowożytnym*, ed. by Marek Derwich and Anna Pobóg-Lenartowicz (Wrocław: Larhcor, Wydawnictwo DiG, 2005), pp. 177–92, and his 'Podłoże polityczne i ideowe fundacji Bolesława Wstydliego dla zakonu klarysek w Zawichoście', in *Peregrinatio ad veritatem: Studia ofiarowane Profesor Aleksandrze Witkowskiej OSU z okazji 40-lecia pracy naukowej*, ed. by Urszula Borkowska (Lublin: Towarzystwo Naukowe Katolickiego Uniwersytetu Lubelskiego, 2004), pp. 381–92. On the relationship between the Piasts and the community see Irena Czachorowska, 'Klaryski wobec śląskiej dynastii piastowskiej', in *Święta Klara z Asyżu, w 800-lecie urodzin: materiały z sympozjum odbytego w dniach 15-17 października 1993 roku w Wyższym Seminarium Duchownym Ojców Franciszkanów w Łodzi-Łagiewnikach*, ed. by Wiesław Koc and Stanisław Celestyn Napiórkowski (Niepokalanów: Wydawn. Ojców Franciszkanów, 1995), pp. 119–34. For the construction of the Zawichost and Skała monasteries within the town planning activities of Bolesław V and Salomea, see Bogusław Krasnowolski, 'Kraków, Zawichost, Nowe Miasto Korczyn, Skała, Sącz: Plany urbanistyczne jako źródło badań nad epoką Bolesława Wstydliego, bóg. Salomei, św. Kingi', *Nasza Przeszość*, (2004), 149–96 (pp. 168–70 and pp. 174–80).

of Salzburg, continued to act as a donor and protector of the monastery.⁹ Moreover, the fact that the monastery remained a Piast mausoleum until the House of Luxembourg succeeded Piast rule in Silesia in 1335 suggests that it continued to be of importance to the Piasts until this time, at least.¹⁰

Kinga of Poland asserted herself as founder of the Stry Sącz monastery in a document of 1279. This is the earliest known piece of evidence for the monastery. The community at Stry Sącz was frequently harassed by local landholders who tried to claim dominion over the lands held by the community. Though it is this conflict that characterises the community's history predominantly, it appears that the monastery remained of spiritual interest to the Piasts even after Kinga's death. In 1321 Queen Jadwiga of Poland, Kinga's niece, was granted dispensation by Pope John XXII to break the rules surrounding the enclosure of the Stry Sącz and Gniezno communities, in order to visit the nuns there.¹¹

⁹ Ewald Walter has argued that Anna was a Franciscan tertiary, but there is no evidence to suggest that she adopted any one particular form of religious life. See Ewald Walter, 'Franziskanische Armutsbewegung in Schlesien: War die Herzogin Anna (d. 1265), die Schwiegertochter der Hl. Hedwig, eine Terziarin des Franziskanerordens?', *Archiv Für Schlesische Kirchengeschichte*, 40 (1982), 207–21.

¹⁰ For institutional histories of the Wrocław monastery, see Anna Sutowicz, 'Fundacja klasztoru klarysek wrocławskich na tle fundacji innych placówek żeńskiego zakonu franciszkańskiego na ziemiach polskich', *Perspectiva. Legnickie Studia Teologiczne — Historyczne*, 5 (2006), 122–40; Ewald Walter, 'Zur Gründungsgeschichte des Breslauer Klarenstifts', *Jahrbuch der Schlesischen Friedrich-Wilhelms-Universität zu Breslau*, 32 (1991), 21–28; Ewald Walter, 'Zu den Anfängen des Franziskanerklosters St. Jakob und des Klarissenklosters St. Klara auf dem Breslauer Ritterplatz', *Archiv für schlesische Kirchengeschichte*, 53 (1995), 225–40. For archaeological surveys of the monastery, see Janina Eysymontt, 'Architektura pierwszych kościołów franciszkańskich na Śląsku', in *Z dziejów sztuki Śląskiej*, ed. by Zygmunt Świechowski (Warsaw: Państwowe Wydawnictwo Naukowe, 1978), pp. 68–76, and Edmund Małachowicz, *Książęce rezydencje, fundacje i mauzolea w lewobrzeżnym Wrocławiu* (Wrocław: Oficyny Wydawniczej Politechniki Wrocławskiej, 1994). On the monastery in the context of the Silesian Piasts' spiritual programme, see Irena Czachorowska, 'Klaryski wobec śląskiej dynastii piastowskiej', in *Święta Klara z Asyżu, w 800-lecie urodzin: materiały z sympozjum odbytego w dniach 15-17 października 1993 roku w Wyższym Seminarium Duchownym Ojców Franciszkanów w Łodzi-Lagiewnikach*, ed. by Wiesław Koc and Stanisław Celestyn Napiórkowski (Niepokalanów: Wydawn. Ojców Franciszkanów, 1995); Patrycja Gašiorowska, 'Klaryski z dynastii Piastów', *Nasza Przeszłość*, 94 (2000), 119–34; and Winfrid Irgang, 'Beiträge Zur Silesia Franciscana Im 13. Jahrhundert', *Archiv Für Schlesische Kirchengeschichte*, 47 (1990), 219–47.

¹¹ Much like the Zawichost/Skała/Cracow institutions, histories of the Stry Sącz monastery that are not based heavily on uncritical interpretations of hagiography are few. For institutional histories of the monastery, see Danuta Sułkowska, *Za klauzurą: Starosądecki Klasztor Klarysek od założenia do współczesności* (Stry Sącz: Miejsko-Gminny Ośrodek Kultury w Starym Sączu, 2006); Bolesław Kumor, 'Fundacja starosądeckiego klasztoru i parafie na Sądecczyźnie fundowane przez PP. Klaryski', *Tarnowskie Studia Teologiczne*, 10 (1986), 157–64. For the construction of the Zawichost and Stry Sącz monasteries within the town planning activities of Kinga of Poland, see Bogusław Krasnowolski, 'Kraków, Zawichost, Nowe Miasto Korczyn, Skała, Sącz', pp. 180–194. On the relationship between the Bishop of Cracow, Paweł z Przemankowa, and the monastery, see Barbara Kowalska, 'Biskup krakowski Paweł z Przemankowa a klasztor klarysek w Starym Sączu', in *Zeszyty Historyczne*, ed. by Marka Cetwińskiego, *Prace Naukowe Akademii im. Jana Długosza w Częstochowie*, 10 (Częstochowa: Akademia im. Jana Długosza w Częstochowie, 2009), pp. 29–42. On the relationship between Kinga of Poland and her spiritual guardians, see Barbara Kowalska, 'Błogosławiona Kinga i jej duchowi opiekunowie', *Prace Naukowe Wyższej Szkoły Pedagogicznej w Częstochowie. Zeszyty Historyczne*, 6 (2000) 183–194.

The latter was the institution into which Jadwiga's mother, the Árpád princess Jolenta, entered as a lay sister at some point after 1284, the year in which the monastery first appears on the historical record. Though the evidence for the monastery during the thirteenth and early fourteenth century is slight, the available source material suggests that the monastery had a close relationship with the Piasts. In addition to Jadwiga's 1321 dispensation, there is evidence that Duke Przemysł II of Poland donated property to the monastery.¹²

The present study concentrates on how these communities built renunciation into their identities from the first instance in which these monasteries appear on the historical record to the period after the death of the first 'generation' of Přemyslids and Piasts who were associated with the communities. I have not chosen a precise set of terminal dates as there is no discernible 'end point' that is common to all of the communities. The assertion of Luxembourgian rule over Bohemia (1310) and Silesia (1333) might have been a useful concluding point for Prague and Wrocław, but the remaining monasteries were in regions of Poland that remained under Piast control until the inception of the Jagiellonian dynasty in 1386.

The source material associated with these communities is varied, and this thesis captures this variety rather than singling out any one type of source material for study. It does so in order to gauge how renunciation was portrayed in a number of different genres and media, and by a range of people who were connected with the communities. The power dynamics that governed the production of, for instance, a papal bull, were not the same as those that influenced the composition of a hagiographic *vita*. Consequently, the motivations behind their depiction of penitential acts of renunciation were very different. My primary source base comprises papal and episcopal documents, charters issued by religious and 'secular' authorities, a will, chronicles, and hagiography. Where relevant and available, archaeological surveys have also been consulted, and there are extant two manuscript illuminations that were most likely produced by some of the nuns who lived in the monastery at Wrocław. As many of the editions of narrative sources that I am using were produced before the advent of editorial methodologies such as Lachmannian stemmatology, I discuss,

¹² Perhaps due to the scarcity of evidence for the Gniezno monastery, it has received very little scholarly attention. Urszula Borkowska has written the only study on the monastery that is not structured around the hagiographic material produced on the life of Jolenta of Poland. See her 'Fundacje kościelne wielkopolskiej rodziny książęcej w drugiej Połowie XIII wieku', in *Święci nie przemijają: Materiały z sympozjum naukowego o Błogosławionej Jolencie z okazji 700-Lecia jej śmierci*, ed. by Paweł Blok (Gdańsk: Kuria prowincjonalna OO. Franciszkanów, 2002), pp. 89–102.

where necessary, potential problems of source editions, how we might overcome these, and the caveats that need to be employed when using them.

Geographical scope of the thesis

It is necessary to note that Bohemia and the Polish duchies were not the only regions in Central Europe that embraced the mendicant model of penitence, and were not unique in their provision of fertile ground in which to propagate Franciscan dynastic cults. It might seem odd that Hungary has been left out. This can be put down purely to the fact that there we do not have evidence for any institutions of Franciscan nuns established in Hungary in the thirteenth century that shared close links with the Hungarian Árpád dynasty. This thesis does, however, consider the influence of the Árpáds on the construction of the Bohemian and Polish institutions where pertinent, especially as Agnes's mother Constance was an Árpád princess, Salomea was married to an Árpád prince, and Kinga and Jolenta were both Árpáadian princesses.

The other main motivation for choosing to focus on these monasteries is because of their current neglect in mainstream histories of the Franciscan order and in Anglophone scholarship. It is true that there are studies on Agnes that situate her within histories of the Franciscan women, but none exist that place the community at Prague, rather than Agnes alone, at the centre of their narratives. The reasons as to why these institutions only occupy a small area of the field can be organised into three interlinked groups: the lack of a methodological framework that allows for the consideration of these monasteries as one that combined Franciscan and dynastic ideals; the marginalisation of women's evidence within the field of Franciscan studies; and the placement of Central Europe within an 'East' that simply did not exist within Europe in the thirteenth and early fourteenth centuries. Having laid out the rationale behind the choice of theme and case studies to be explored in this study, it is now pertinent to turn to a review of each of these three problems in turn, and to propose methodologies that challenge them.

Literature review and methodology

The amount of attention that Agnes of Bohemia has received in scholarship in relation to the other case-study communities provides a clue as to why no-one yet has attempted to place

these monasteries within wider histories of the penitential framework that was crafted by the Franciscan order, or of Franciscan identity construction. Agnes's canonisation by Pope John Paul II in 1989 three days before Czechoslovakia's Velvet Revolution undoubtedly contributed to a renewed interest in the saint and her community at Prague. But Agnes was also the correspondent of Clare of Assisi, who was considered by some Franciscan women to be the founder of the nuns' branch of the Franciscan order, sometimes alongside Francis of Assisi.¹³ Agnes's connection to what has traditionally been considered the central locus of Franciscan piety has thus also secured her visibility within histories of the Franciscan order. Perhaps as a consequence of this, scholars have questioned the suitability of the combination of royal and Franciscan ideologies as expressed through the identity of the Prague community.¹⁴ The architectural historian Helena Soukupová noted the ostensible discrepancy between Franciscan poverty and the dynastic grandeur of the Prague monastery in her 1989 survey of the monastery.¹⁵ She argued that the monastery's architecture transgressed the usual parameters of the standard format of a mendicant institution, though she does not provide a blueprint for what such an institution should comprise, and does not offer an explanation as to what allowed for the 'transgression' of the Franciscans' archetype. In 1994, another architectural historian, Klara Benešová attributed to the splendour of the monastery to the influence on Agnes of the chivalric ideals embodied by Francis, as promoted in the writings of the Franciscan friars. She examined the Prague monastery as one of a number of ecclesiastical structures that served to promote and support Přemyslid rule in Bohemia.¹⁶ The discrepancy between the monastery's rich decoration and Agnes's negotiations with the pope over obtaining the privilege for her community to live according to the Franciscan precept of absolute poverty is discussed by Benešová, but despite identifying this combination as such a discrepancy, she leaves it as an incongruity.¹⁷ In 2005, Kaspar Elm also marked out the Franciscan and dynastic agendas as being very separate from one another in his discussion of the relationship between Agnes and Clare, but did not attempt to suggest a means by which

¹³ On the adoption of Clare as founder by medieval women in Italy, see Chapters 3–5 of Lezlie S. Knox's *Creating Clare of Assisi: Female Franciscan Identities in Later Medieval Italy*, *The Medieval Franciscans*, 5 (Leiden: Brill, 2008).

¹⁴ There is also one study that suggests the rich endowment of the Sary Sącz monastery marked a decline in Franciscan poverty. See Bolesław Kumor, 'Fundacja starosądeckiego klasztoru i parafie na Sądecczyźnie fundowane przez PP. Klaryski', *Tarnowskie Studia Teologiczne*, 10 (1986), 157–64 (p. 161).

¹⁵ See Soukupová, *Anežský klášter v Praze*, pp. 76–124.

¹⁶ Benešová, 'Les Religieuses de la famille royale, mécènes de l'art en Bohême du Xe au XIVe siècle', pp. 775–82.

¹⁷ I address this episode in Chapter Three of this thesis. See pp. 146–157.

these agendas could co-exist in the identity of Agnes and the Prague monastery, or why the Franciscan penitential model might have been so attractive to the Přemyslids.¹⁸

Not all scholars who have worked on Agnes or any of the other royal monasteries of Bohemia or the Polish duchies have identified the Franciscan and dynastic spiritual frameworks as oddly separate ideals. However, some of the approaches employed by scholars to narrate the histories of these institutions have nonetheless impeded a full understanding of how and why the Franciscan and dynastic models combined in the thirteenth centuries. It is common in such studies for scholars to establish historical chronologies without considering how the source material used shapes the chronological detail that it conveys. Scholars frequently use dates and sequences of events from chronicles and hagiographies that were produced tens, sometimes even hundreds, of years, after the date or event that these sources depict. Using such sources to reconstruct chronologies is not problematic in itself. It was not the case, for instance, that chroniclers or hagiographers intended to deceive their audiences or that the events that they describe did not happen. But scholars rarely formulate and apply a critical framework or justification for using this type of source material in such a way, and do not take into consideration the peculiar pressures under which certain types of source material were formed. Christian-Frederik Felskau argued in an article of 2006 that hagiographic material relating to the lives of Clare of Assisi, Agnes of Bohemia, and Isabelle of France reflected concerns of the time in which they were produced and so we should not take them out of context.¹⁹ In his comprehensive 2008 study of Agnes of Bohemia and the Prague monastery, he also stresses the importance of evidence from charters, papal documents, and chronicles; presumably because he sees them as being more ‘reliable’, though he stops short of making this claim.²⁰ It seems incongruous, then, that his study is structured according to the chronology outlined in Agnes’s *vita*, and that the evidence for a significant quotient of the events that he reports can be found only in this text; for instance, Agnes’s stay at the Cistercian monastery at Trzebnica. In these instances, Felskau did not consider the stylistic aspects of the text such as literary form, or the influences and pressures on the legend’s author to structure the text in a particular way. As Felskau himself noted in a different study, this approach precludes efforts to comprehend why a Franciscan spiritual model seemed

¹⁸ Elm, ‘Agnes von Prag und Klara von Assisi’, pp. 237–55.

¹⁹ Christian-Frederik Felskau, “‘Hoc Est Quod Cupio’: Approaching the Religious Goals of Clare of Assisi, Agnes of Bohemia, and Isabelle of France’, *Magistra*, 12 (2006), 3–28 (esp. pp. 3–5).

²⁰ Christian-Frederik Felskau, *Agnes von Böhmen und die Klosteranlage der Klarissen und Franziskaner in Prag. Leben und Institution, Legende und Verehrung* (Nordhausen: Bautz, 2008), pp. 48–64 (esp. p. 48).

particularly attractive to a person such as Agnes.²¹ This thesis avoids such an approach by analysing the wide range of available evidence strictly within the context in which it was produced.

The use of a subject's family ties as the ultimate explanation for the subject's choice to pursue their spiritual vocation is another interpretational approach that can hinder us from being able to grasp why certain spiritual models appealed to particular groups at a given point in time. In his 1992 article Franz Machilek explored some of the connections between female Franciscan foundations and the three major ruling dynasties in Central Europe: the Přemyslids, Piasts and Árpáds.²² He argues that the Franciscan ideal was transmitted through these family connections. While he is not wrong, the overuse of a subject of study's family connections as an explanation for the appeal of certain spiritual models comes through in his article.²³ This is particularly evident in his analysis of a letter that was sent by Pope Gregory IX to Beatrix of Castile in 1235. In this letter, Gregory recommends the Árpád princess Elizabeth of Hungary (d. 1231) as a role model and paragon of Catholic sanctity. After the death of her husband, the Landgrave of Thuringia Louis IV, in 1227, Elizabeth lived a form of lay religious life and facilitated the construction of a hospital in Marburg. In Gregory's letter, he names Agnes as a royal woman who embraced religious life after having been 'intoxicated' by Elizabeth's holiness.²⁴ Machilek uses this source as evidence that Agnes was indeed inspired directly by her cousin.²⁵

There is no reason at all to doubt that Elizabeth was a role model of Agnes's. What Machilek misses, however, is the papal agenda behind the linking of these women. As Dyan Elliott and Klaniczay have demonstrated, Gregory IX crafted Elizabeth deliberately as an anti-heretical saint.²⁶ Elizabeth's total submission to her confessor Conrad of Marburg and his prescription of extreme punishments marked her out as a holy exemplar in an inquisitorial

²¹ Felskau, "'Hoc Est Quod Cupio'", pp. 4–5.

²² Machilek, 'Die Přemysliden, Piasten und Arpaden und der Klarissenorden', pp. 293–306.

²³ See also Christian-Frederik Felskau, "'Imitatio' und institutionalisierte Armenfürsorge. Das 'Modell Elisabeth' und die 'mulieres religiosae' in Ostmitteleuropa (ca. 1200-1280)", in *Elisabeth von Thüringen und die neue Frömmigkeit in Europa*, ed. by Christa Bertelsmeier-Kierst (Frankfurt am Main: Peter Lang, 2008), pp. 52–76.

²⁴ For this letter, see Luke Wadding, *Annales Minorum*, 1 (Quaracchi: Collegium S. Bonaventurae, 1931), p. 447–50.

²⁵ See also Christian-Frederik Felskau, "'Imitatio' und institutionalisierte Armenfürsorge", p. 63.

²⁶ Dyan Elliott, *Proving Woman: Female Spirituality and Inquisitorial Culture in the Later Middle Ages* (Princeton, NJ: Princeton University Press, 2004); Gábor Klaniczay, 'Proving Sanctity in the Canonization Processes (Saint Elizabeth and Saint Margaret of Hungary)', in *Procès de Canonisation au Moyen Age: Aspects Juridiques et Religieux/ Medieval Canonization Processes: Legal and Religious Aspects*, ed. by Gábor Klaniczay, Collection de l'École Française de Rome, 340 (Rome: École française de Rome, 2004), 117–48.

climate formed in the wake of the Fourth Lateran Council; one in which ultimate obedience to one's pastor was the surest proof of orthodoxy.²⁷ In a time during which the papacy were exercising greater control and vigilance over the processes of the canonisation of saints, and whose role as promoters of orthodoxy would consequently have come under greater scrutiny, Gregory's connection would have been deliberate.²⁸ By stating that Agnes was inspired by Elizabeth, Gregory established Elizabeth as an approved orthodox role model for royal women such as Beatrix. It is likely that Agnes was inspired by Elizabeth to some extent, but Gregory IX's letter anchors the construction of Elizabeth and Agnes's holy identities in a post-Lateran IV religious framework. We miss this when we interpret the letter simply as evidence for Elizabeth's inspiration of Agnes.

This is not to argue that family ties were an unimportant factor in the choice made by Central-European royal women to pursue religious life. The cult of the *beata stirps*, as Klaniczay and Sean Field have argued, motivated royal individuals to establish monasteries, embrace a spiritual vocation, and donate their property to professed religious and the poor in order to feed the cult of their own family's bloodline.²⁹ The *beata stirps* was promoted predominantly as a literary trope, appearing, for instance, at the beginning of hagiographic *vitae* in order to legitimise simultaneously the holy individual's sanctity and noble stock. But the holy genealogy was not just a conventional commonplace; it moved members of the royal family to action. A consciousness that this type of literature existed would have deterred an individual from being the rotten fruit on the family tree. Performing acts that demonstrated one's piety and orthodoxy could prevent an individual from being seen in this way for eternity.

As Klaniczay's 2000 survey of cults in Central Europe demonstrated, this burden was not felt equally by all members of the ruling dynasties of this region throughout their

²⁷ See Chapter Three of Elliot's *Proving Woman*, pp. 85–116.

²⁸ For literature that has discussed the development of a papal monopoly over the canonisation process, see Stephan Kuttner, 'La réserve papale du droit de canonisation', in *Revue historique français et étranger*, 17 (1938), 172–228; Eric W. Kemp, *Canonisation and Authority in the Western Church* (Oxford: Oxford University Press, 1948); André Vauchez, *La sainteté en Occident aux derniers siècles du Moyen Age* (Rome: École française de Rome, 1981), esp. pp. 25–37; André Vauchez, 'De la bulle *Etsi frigescente* à la décrétale *Venerabili*: L'histoire du procès de canonisation de saint Maurice de Carnoët (d. 1191) d'après les registres du Vatican', in *L'écrit dans la société médiévale: diverse aspects de sa pratique du XIe au XVe siècle*, ed. by Caroline Bourlet and Annie Dufour (Paris: Editions du Centre National de la Recherche Scientifique, 1991), pp. 39–45; Michael Goodich, 'Vision, Dream and Canonisation Policy under Innocent III', in *Pope Innocent III and his World*, ed. by J. C. Moore (Aldershot: Ashgate, 1999), pp. 151–63; Klaniczay, 'Proving Sanctity in the Canonization Processes', pp. 117–48; Thomas Wetzstein, *Heilige vor Gericht. Das Kanonisationserfahren im europäischen Spätmittelalter* (Köln: Böhlau, 2004).

²⁹ Klaniczay, *Holy Rulers*, esp. pp. 227–32 and pp. 298–331; Field, *Isabelle of France*, esp. pp. 3–4 and p. 147.

histories. The thirteenth century saw women predominantly take responsibility for maintaining the purity of the *beata stirps* in Central Europe. Klaniczay links this to the popularity, from the twelfth century, of a courtly literary tradition that idealised women, alongside the rise in popularity of theological imagery that emphasised the soul's mystical union with Christ and the image of the holy woman as bride and Christ as bridegroom. Moreover the perception, at least, from the twelfth century onwards that women desired to play a more central role in the Church than they had done before may have been a factor also.³⁰ Klaniczay's study focussed predominantly on how thirteenth-century women of high status took responsibility for building so-called 'heavenly courts' on earth; communities of royal and noble women who lived together as professed religious.³¹ In Central Europe, these heavenly courts mirrored the earthly courts built by their male relatives. Where earthly matters were dealt with in the courts of the princesses' and duchesses' brothers, husbands, and sons, the heavenly courts dealt with the salvation of the souls of the dynasty. The heavenly court also acted as a spiritual foil to its worldly counterpart, as a commentary on the desire for temporal wealth and power promoted within earthly courts.

Field's 2006 study of the Capetian princess Isabelle of France (d.1270) built in part on Klaniczay's frameworks of the *beata stirps* as a motive for pious action and the heavenly court. Field explored Isabelle's role in building a holy cult around the Capetian court, a part that, prior to Field's study, historians had assigned solely to Isabelle's brother Louis IX (d. 1270). Viewed as a saint even within her lifetime, Isabelle lived a life of poverty, charity, and virginity as a holy laywoman in the world. She also founded a community of Franciscan nuns at Longchamp, who bore the unique appellation 'Sorores minores' — at the time of Longchamp's foundation in 1256, the majority of Franciscan nuns belonged to the 'Order of San Damiano' — and for whom she wrote a unique rule in consultation with the Minister General of the Franciscan order, Bonaventure of Bagnoregio (d. 1274) and the Franciscan theologian Guibert of Tournai (d. 1284). Field argues that where the Central-European princesses built heavenly courts in juxtaposition to 'male' earthly courts, Isabelle's instrumental role in developing a cult of Capetian sanctity accompanied her brother's efforts to do the same.³²

³⁰ Klaniczay, *Holy Rulers*, pp. 195–202.

³¹ Klaniczay, *Holy Rulers*, pp. 243–79.

³² Field, *Isabelle of France*, pp. 4–6.

My thesis both builds on and departs from Klaniczay's and Field's studies in two ways. It demonstrates how the *beata stirps* and an awareness of the need to cement a holy cult influenced the construction of the monasteries and their maintenance as impressive centres. Within this framework, it demonstrates how the pressure imposed by this awareness provoked those who were involved with the monasteries, members of the Přemyslid and Piast dynasties in particular, to demonstrate their renunciation of the world either as a professed religious or as a donor, by giving up their property in the form of gifts to monasteries. Some of these acts were dramatic — the nuns and lay sisters' renunciation of worldly prospects was understood by their contemporaries to be an act of great sacrifice — and others demonstrated a need to preserve the spiritual purity of the monasteries — there is evidence that donors to the Prague, Zawichost, and Wrocław communities ensured that their donation did not violate the precepts regarding poverty in the rules that were followed by the sisters.

Where my thesis departs from Field's and Klaniczay's focus on the *beata stirps* is that while it recognises the influence of cult building on the penitential acts carried out by the members of the communities, their patrons, and spiritual guardians, it does not focus solely on the creation of sanctity or on saintly individuals. It focusses on how a wider range of individuals shaped the identities of the communities under examination through a number of different pious acts that centred on renunciation. Although it was women, by and large, who shaped the identities of these communities, Přemyslid and Piast men were also involved in doing so, in part by donating gifts to the monastery.

In order to understand how documented acts of renunciation of the earthly for heavenly can be used to understand the eschatological forces that shaped the identities of the communities, it is necessary to apply theories of gift exchange to the relevant source material. This thesis holds that without employing this analytical framework when reading the pertinent documents — the rules, forms of life, and hagiographic legends — associated with the early Franciscan order and the evidence associated with the case study communities, we are unable to understand fully how the Franciscan order engaged with lay society. Despite the wide use of sociological and anthropological theories of gift-relationships as methodological praxes in other monastic contexts, it has never been applied to any form of Franciscan life,

male or female.³³ This might be explained by a reticence to associate the Franciscans, uncompromisingly poor mendicants, with property (other than in contexts in which they were vehemently rejecting it or being chastised by other Franciscans for not doing so in the correct way). However, it is a dynamic that is present not only in the documentation relating to the royal institutions under examination in this thesis, but also in the early normative documents, in the way in which almsgiving is articulated by the authors of these texts. Viewing the evidence for donation to the case-study communities through the lens of gift exchange exposes the stresses that the Franciscan and dynastic penitential models exerted on the communities. Both Barbara Rosenwein and the sociologist Ilana Silber demonstrated that it was necessary for the donor to ensure that their gift would be ‘spent’ wisely, so that they would get back in heaven what they had donated on earth.³⁴ This is why there is evidence that some of the donors of the Prague, Zawichost, and Wrocław monasteries ensured that their gifts did not violate the form of life followed by the community. If the gifts had corrupted the spiritual life of the community, the prayers performed by the nuns in exchange for the gift would not help to move the donor’s soul through purgatory. Moreover, a corrupt community would reflect badly on the dynasty and its *beata stirps*, which would then render ineffective the community’s role in securing the longevity of the dynasty. It was therefore important for the dynasty to ensure that the communities with which they were associated stuck to the penitential model that they had chosen: the Franciscan model.

³³ I explore the development of a theory of gift exchange and its use in monastic scholarship in more detail in Chapter Three, but it is worth outlining the pertinent studies here. An analytical framework for gift exchange was first articulated by the anthropologist Marcel Mauss, though he was not discussing the gift within the monastic context. As I explain in more detail in Chapter Three of this thesis, his main contribution to the gift as a field of study was his assertion that no gift is given without the expectation that the donor will receive something in return. See Marcel Mauss, ‘Essai sur le don. Forme et raison de l’échange dans les sociétés archaïques’, *L’Année sociologique* (1923), 30–186. Barbara Rosenwein used Mauss’ paradigm as a method of interpreting the social signification of Cluny’s landholdings in Barbara Rosenwein, *To Be the Neighbour of Saint Peter: The Social Meaning of Cluny’s Property, 909–1049* (Ithaca, NY: Cornell University Press, 1989); and Constance Bouchard applied the framework to the social relationships that were built between the Cistercian order and the laity in Northern France in Constance Brittain Bouchard, *Holy Entrepreneurs: Cistercians, Knights, and Economic Exchange in Twelfth-Century Burgundy* (Ithaca, NY: Cornell University Press, 1991). Based in part on the findings from these studies, the sociologist Ilana Friedrich Silber then reinterpreted Mauss’ model of the gift within a sociological framework, one in which the socio-economic and eschatological meanings of the gift, and motivations behind gift-giving, can be theorised not as separate incentives but as one ‘total’ phenomenon. See Ilana Friedrich Silber, ‘Gift-Giving in the Great Traditions: The Case of Donations to Monasteries in the Medieval West’, *European Journal of Sociology*, 36 (1995), 209–43. Silber’s essays in turn influenced the methodology of Emilia Jamrozak’s *Rievaulx Abbey and Its Social Context, 1132–1300: Memory, Locality, and Networks*, *Medieval Church Studies*, 8 (Turnhout: Brepols, 2005), as well as a set of essays by Arnoud-Jan Bijsterveld on gift-giving and the construction and management of social bonds between monasteries and the laity in the Low Countries, published collectively in 2007 as *Do Ut Des: Gift Giving, Memoria, and Conflict Management in the Medieval Low Countries* (Hilversum: Verloren, 2007).

³⁴ Rosenwein, *To Be the Neighbour of Saint Peter*, pp. 132–33. Silber, ‘Gift-Giving in the Great Traditions’, pp. 232–33.

This links to the second area in which my study differs from those of Klaniczay and Field. Where Klaniczay's study places dynastic motivations at the focus of his study, mine builds on his findings by theorising why the Franciscan ideal was particularly attractive to the Přemyslids and Piasts. In relation to this issue, Klaniczay has drawn attention to the operation of the friars in the royal courts of Central Europe.³⁵ Field, albeit with reference to France rather than Central Europe, too has examined the relationship between the Franciscan order and the Capetian court. His study places Isabelle within an impressive network of Franciscan friars that formed around the Capetian court, and it is her interaction with these friars that influences her decision to embrace life as a lay religious and to found the community of Franciscan nuns at Longchamp. I push these studies forward by demonstrating why the Franciscans — friars and nuns — appealed to that royal society in particular, and why their message would have resonated with the Bohemian and Polish ruling dynasties. Building on Jacques Le Goff's study of the friars' use of contemporary social models in their normative texts, hagiographic literature, and sermons, my study examines how the Franciscans drew upon models from their social environment in order to startle lay people of high status into correction, and to provide the laity with a way of performing penance for their sins.³⁶ I argue that their normative models were designed carefully to affect both Franciscan communities and the royal laity with whom they were associated. This is why the Franciscan model was so successful among groups of society that, on the surface, appear to have held a set of ideals that were diametrically opposed to theirs.

Another crucial reason why these communities have not been viewed as central to our understanding of Franciscan history is because their members were women, and because only one of them, Agnes, shared 'direct' links with Assisi. Although its main thesis was articulated eighty years ago, the influence of Herbert Grundmann's 1935 'Habilitationsschrift', *Religiöse Bewegungen im Mittelalter*, can still be felt in the field of Franciscan studies and has contributed to the marginalisation of women's evidence within the field. Grundmann argued that all religious movements in the Middle Ages ultimately ended up taking the form of

³⁵ Klaniczay, 'The Mendicant Orders in East-Central Europe and the Integration of Cultures', p. 251–56.

³⁶ See the chapters 'The Vocabulary of Social Categories in Saint Francis of Assisi and his Thirteenth-Century Biographers' and 'Franciscanism and Cultural Models' in Jacques Le Goff, *Saint Francis of Assisi*, trans. by Christine Rhone (London: Routledge, 2004), pp. 63–96 and pp. 97–155.

religious orders or heretical sects.³⁷ He sets what he terms ‘the women’s religious movement’ apart from his histories of the formation of individual orders or heresies. This act in itself still informs how women’s evidence is assessed within mendicant histories. In his 2011 edited collection entitled *The Origin, Development, and Refinement of Medieval Religious Mendicancies*, Donald Prudlo set out with the aim of expanding scholarship’s very narrow definition of what it meant to belong to a mendicant order.³⁸ He took a broad view of mendicancy, the idea behind the volume being to decentre Sts Francis and Dominic from the histories of the Franciscan and the Dominican orders by incorporating essays that examine a wide range of societal roles played by those who were members of these orders.³⁹

However, despite Prudlo’s broad definition of mendicancy, there is only one essay on nuns — Franciscan nuns — in the volume.⁴⁰ The reason behind this can be found in the introduction to the volume. Prudlo situated the study within the framework laid out by Grundmann, and in his introduction to the volume praised Grundmann’s study for its positioning of mendicancy within the wider context of the religious movements. Prudlo explained that Grundmann’s study was particularly efficacious in its analysis of mendicancy within the context of women’s religiosity and heresy. Like Grundmann, he put mendicancy and women into separate categories. Although Prudlo argued for a broader definition of mendicancy, one that gets away from the poor friar begging in the town square, from the outset of the volume he marked out mendicancy as a movement that excluded women. It is also quite telling that the focus of the only essay on women in the volume, written by Joan Mueller, considered whether female mendicancy was a failed experiment (it was, Mueller

³⁷ Herbert Grundmann, *Religious Movements in the Middle Ages: The Historical Links between Heresy, the Mendicant Orders, and the Women’s Religious Movement in the Twelfth and Thirteenth Century, with the Historical Foundations of German Mysticism*, trans. by Stephen Rowan (Notre Dame, IN: University of Notre Dame Press, 1995). Originally published as *Religiöse Bewegungen im Mittelalter: Untersuchungen über die geschichtlichen Zusammenhänge zwischen der Ketzerei, den Bettelorden und der religiösen Frauenbewegung um 12. und 13. Jahrhundert und über die geschichtlichen Grundlagen der deutschen Mystik* (Berlin: Ebering, 1935). With reference to lay religious communities in medieval Würzburg, Jennifer Deane stated that Grundmann’s formulation ‘overlooked the possibility that...communities could persist indefinitely in a state of fluidity’. See Jennifer Deane, ‘Geistliche Schwestern: The Pastoral Care of Lay Religious Women in Medieval Würzburg’, in *Partners in Spirit: Women, Men, and Religious Life in Germany 1100-1500*, ed. by Fiona Griffiths and Julie Hotchin (Turnhout: Brepols, 2014), pp. 237–70.

³⁸ *The Origin, Development, and Refinement of Medieval Religious Mendicancies*, ed. by Donald S. Prudlo, Brill’s Companions to the Christian Tradition, 24 (Boston: Brill, 2011).

³⁹ See Prudlo’s introduction to *The Origin, Development, and Refinement of Medieval Religious Mendicancies*, esp. pp. xii–xiii.

⁴⁰ Amanda Power levelled the same criticism at Prudlo in her review of the book. See Amanda Power, ‘Prudlo, The Origin, Development, and Refinement of Medieval Religious Mendicancies’, in *The Medieval Review* <<http://scholarworks.iu.edu/journals/index.php/tmr/article/view/17931/24049>> [accessed 31 July 2015]. To her criticism I would add that Dominican nuns are excluded altogether from the volume, as are lay religious who were associated with the mendicant orders.

concluded) with reference to Clare of Assisi and her community at San Damiano in Assisi.⁴¹ Where mendicancy is a quality that the subjects of the other essays in the volume are assumed to have possessed, the one essay on women in the volume questions from its outset whether we can consider women as members of the mendicant movement.⁴²

The artificial separation of women from the mendicant movement in Grundmann's thesis is also manifest in Grundmann's 'incorporation paradigm'. Grundmann argued that the participants in the 'women's religious movement' — an amorphous mass of women who wanted to participate in religious life, but who otherwise had no direction — were incorporated into established religious orders by the papacy. Grundmann affords women no agency to choose the form of life to which they adhered, with the exception of Clare of Assisi. Basing his narrative for the early Franciscan order on the hagiographic *legendae* of Francis and Clare, Grundmann argues that Clare was the only true Franciscan because she was the only woman who could be linked to Francis.⁴³ Other women were incorporated by the papacy into the Franciscan order, but they were not truly Franciscan.

Scholars of the Cistercian and Premonstratensian orders have challenged Grundmann's paradigm and the chronology on which it was built. In the early thirteenth century, the Cistercian General Chapter issued several edicts concerning the regulation of women's position within the order. Grundmann viewed the General Chapter's process of regularisation as the first steps taken by the order to admit women, which they did under papal pressure, and thus treats this as the earliest evidence for Cistercian nuns. In 1228, the Chapter issued an edict that banned the admittance of women into the order from that point forward. After this point in time, according to Grundmann, the papacy began to channel the women who desired to become professed religious into the mendicant orders.⁴⁴ Constance Hoffman Berman contested this metanarrative, which had dominated much Cistercian historiography before her 1999 study, demonstrating that there is significant evidence to suggest that women became Cistercians in the twelfth century.⁴⁵ Anne E. Lester, in 2011,

⁴¹ Joan Mueller, 'Female Mendicancy: A Failed Experiment? The Case of Saint Clare of Assisi', in *The Origin, Development, and Refinement of Medieval Religious Mendicancies*, ed. by Donald S. Prudlo, Brill's Companions to the Christian Tradition, 24 (Leiden: Brill, 2013), pp. 59–81.

⁴² The reason that this is especially surprising is that Knox's *Creating Clare of Assisi*, which was published in 2008 demonstrates that many communities of Franciscan nuns in Italy, Clare's included, articulated their lives as one based on the performance on mendicancy within an enclosed space.

⁴³ Grundmann, *Religious Movements*, p. 111.

⁴⁴ Grundmann, *Religious Movements*, pp. 91–92.

⁴⁵ Constance Hoffman Berman, 'Were There Twelfth-Century Cistercian Nuns?', *Church History*, 6 (1999), 824–64.

proved it was not the case that women were refused admission into the order after 1228, arguing that communities of women in northern France were reformed according to Cistercian customs after this time. She stated that these groups of women were in fact incorporated into the order, and it was not necessarily their choice to become Cistercians, but that the Cistercian order recognised the women as members of the order.⁴⁶ Shelley Amiste Wolbrink in 2003 contested narratives outlined by Grundmann and others that the Premonstratensians stopped admitting women to the order in 1198 and were characterised as an order by their hostility to the inclusion of women. Contrary to this narrative, argued Wolbrink, in north-west Germany women held Premonstratensian status and played a central role in the order.⁴⁷ Women's role in shaping the religious orders in the twelfth and thirteenth centuries was clearly more complex than Grundmann's narrative suggests.

Scholarship on the Franciscan nuns, however, has tended to reinforce, rather than to highlight the problems of Grundmann's incorporation paradigm. This is in part because, like Grundmann, Franciscan scholars have also cleaved to the hagiographic narratives of origin in the earlier *vitae* of Sts Francis and Clare of Assisi. The first *vita* of Francis was produced in c.1228–29 by the Franciscan friar Thomas of Celano, and there were two *vitae* written on Clare of Assisi, the approved version of which was written at some point between 1253, the year in which Clare died, and 1261, the final year of the pontificate of Alexander IV — the pope who canonised Clare and to whom the hagiography was addressed.⁴⁸ Celano's narrative depicts Francis' reconstruction of the church of San Damiano in Assisi, the monastery in which Clare of Assisi and her community of nuns would reside, as the first major act he performed after his conversion. He then states that Clare converted to religious life after the formation of the 'Order of Brothers', at the behest of Francis, and inspired countless numbers of women to whom she acted as an exemplar. The anonymous prose *vita* of Clare, though more detailed, follows a similar vein. It narrates how Francis converted Clare, and placed her in San Damiano. Employing Isaiah 54:1, the author posits Clare as the mother of the order of nuns: 'Such great shoots of salvation this virgin Clare bore by her example that in her the

⁴⁶ Anne E. Lester, *Creating Cistercian Nuns: The Women's Religious Movement and Its Reform in Thirteenth Century Champagne* (Ithaca, NY: Cornell University Press, 2011), pp. 8–12.

⁴⁷ Shelley Amiste Wolbrink, 'Women in the Premonstratensian Order of Northwestern Germany, 1120–1250', *Catholic Historical Review*, 89 (2003), 387–408.

⁴⁸ There also exists a versified *legenda* of Clare's life, which was probably produced at some point before the prose *legenda*. There are great similarities in content between the two texts, and Regis J. Armstrong has suggested that the prose *legenda* was modelled on the verse *legenda*. See Regis J. Armstrong, 'The *Legenda Versificata*: Towards an Official Biography', in *Clare of Assisi: Investigations*, ed. by Mary Francis Hone, Clare Centenary Series, 7 (St. Bonaventure, NY: Franciscan Institute Publications, 1993), pp. 69–93.

prophecy may be seen to be fulfilled: Many are the children of the barren one; more than of her who has a husband'.⁴⁹

Both of these narratives were designed to add to the legitimacy of the Franciscan order of nuns by linking them to Francis as an officially canonised saint, who is depicted for this reason as the 'starting point' of the Franciscan order.⁵⁰ In doing so, it portrays the female order as secondary to the order of friars; Francis and the friars constitute the origin of the Franciscan movement as a whole, the women then follow them because, despite their shared inspiration, the women were required to conform to the norm of enclosure.⁵¹

Although the key scholars who have worked on the origins of the order of nuns in the past twenty years have rejected the idea, implied by this narrative, that Clare was a self-conscious founder of a Franciscan order of nuns, they do still subscribe to the part of the narrative which asserts that Francis converted Clare.⁵² Clare saw her community at San Damiano as a monastery connected to the Order of Friars Minor, rather than as part of a separate female order. Clare had been given a form of life by Francis, in which he made the promise that he and his brothers would 'always care' for the San Damiano community. The

⁴⁹ 'Tanta haec salutis germina virgo Clara suis parturiebat exemplis, ut in ea videretur impleri propheticum illud: Multi filii desertae magis quam eius quae habet virum'. *Escritos*, p. 144.

⁵⁰ I discuss the papal influence over the text in my forthcoming article, 'Hagiography as Institutional Biography: Medieval and Modern Uses of the Thirteenth-Century Vitae of Clare of Assisi', in *Writing the Lives of People and Things: A Multi-disciplinary Future for Biography* ed. by Robert Smith and Gemma Watson (Ashgate: forthcoming, January 2016).

⁵¹ Albrecht Diem notes a similar pattern in late-Antique monastic origin stories. See Albrecht Diem, 'The Gender of the Religious: Wo/Men and the Invention of Monasticism', in *The Oxford Handbook of Women and Gender in Medieval Europe*, ed. by Judith Bennett and Ruth Mazo Karras (Oxford: Oxford University Press, 2013), pp. 432–46.

⁵² In this thesis, I refer predominantly to the studies of Maria Pia Alberzoni, Joan Mueller, Lezlie Knox, and Bert Roest for the early history of the Franciscan nuns as these are the most influential and provide the main points of departure for the present study, but to demonstrate the history and prevalence of this usage it is worth listing a number of the main studies that have based their narratives of the order around the hagiographic relationship between Clare and Francis. Grundmann, *Religious Movements in the Middle Ages*; Brenda M. Bolton, 'Mulieres Sanctae', in *Sanctity and Secularity: The Church and the World*, ed. Derek Baker, Studies in Church History 10 (Oxford: Blackwell, 1973), pp. 77–95; Christopher N.L. Brooke and Rosalind B. Brooke, 'St. Clare', in *Medieval Women*, ed. Derek Baker, Studies in Church History Subsidia 1 (Oxford: Blackwell, 1978), pp. 275–87; Roberto Rusconi, 'The Spread of Women's Franciscanism in the Thirteenth Century', *Greyfriars Review* 12 (1998), pp. 35–75, originally published as 'L'espansione del francescanesimo femminile nel secolo XIII', in *Movimento religioso femminile e francescanesimo nel secolo XIII: Atti del VII Convegno internazionale, Assisi, 11-13 ottobre 1979* (Assisi: Società internazionale di studi francescani, 1980), pp. 265–313; Marco Bartoli, *Clare of Assisi*, trans. Sister Frances Teresa (Quincy, IL: Franciscan Press, 1993), originally published as *Chiara d'Assisi* (Rome: Istituto Storico dei Cappuccini, 1989); Maria Pia Alberzoni, *Clare of Assisi and the Poor Sisters in the Thirteenth Century*, ed. by Jean François Godet-Calogeras, trans Nancy Celashi and William Short (St. Bonaventure, NY: Franciscan Institute Publications, 2004), a collection of four English translations of studies published in Italian by Alberzoni between 1995 and 1998; Clara Gennaro, 'Clare, Agnes, and their Earliest Followers: From the Poor Ladies of San Damiano to the Poor Clares', in *Women and Religion in Medieval and Renaissance Italy*, ed. Daniel Bornstein and Roberto Rusconi (Chicago: University of Chicago Press, 1996), pp. 39–55; Mueller, *The Privilege of Poverty*; Knox, *Creating Clare of Assisi*; Bert Roest, *Order and Disorder: The Poor Clares between Foundation and Reform* (Leiden: Brill, 2013).

first piece of evidence for the particular wording of this text is found in the form of life that Clare herself had written, and which was approved in 1253 by Pope Innocent IV.⁵³ The use of the hagiographic depiction of Francis and Clare's relationship as the origins of a 'true' Franciscan order has, however, led scholars to read Francis's form of life as the product of a much earlier period; of any point after 1212, when scholarship believes the community of San Damiano to have been established, and before the death of Francis in 1226.⁵⁴ Because of this, and her relationship to Francis, scholars have argued that Clare saw her community at San Damiano as having shared a special link to the Order of Friars Minor, the male Franciscan order. To differing degrees, scholars have also argued that a small group of female houses grew up around San Damiano as direct offshoots of Clare's house. These houses, connected to Francis via Clare, were Franciscan. From around 1218, Cardinal Hugolino began to organise communities of female religious in northern Italy into an order. Unlike the other houses, these were not Franciscan. Hugolino then desired to merge the two groups of women to create one larger order, the 'Order of San Damiano'. He would promote this order as a second branch of the Friars Minor, in order to secure the pastoral care of the nuns from the friars. In the process of this merger — specifically, in 1228 — San Damiano was institutionalised away from Francis of Assisi's original ideals, and thus made 'less Franciscan', as it became linked juridically with houses that were not Franciscan, either by virtue of their connection to Francis, or by their 'character'. In other words, they were not absolutely poor.⁵⁵

This study does not contest scholars' use of hagiography in order to reconstruct the early history of the order. It does challenge the way that it has been used to fuel a number of outdated metanarratives that have simplified what was a far more complex process of creating an order of Franciscan nuns. These metanarratives often emphasise linear development at the expense of examining a multiplicity of voices. The first of these

⁵³ For Clare's form of life see *Escritos*, pp. 271–94.

⁵⁴ Alberzoni, Mueller, Knox, and Roest, along with Jacques Dalarun have read this document as representative of the form of life that Francis gave Clare, rather than reading it simply in the context of Clare's form of life. See Alberzoni, 'Clare and the Papacy', in Maria Pia Alberzoni, *Clare of Assisi and the Poor Sisters in the Thirteenth Century*, ed. by Jean François Godet-Calogeras, Roberta McKelvie, and Daria Mitchell, trans. by Nancy Celashi and William Short, (St Bonaventure, NY: Franciscan Institute Publications, 2004), pp. 40–41, originally published as *Chiara e il papato* (Milano: Edizioni Biblioteca francescana, 1995); Mueller, *The Privilege of Poverty*, p. 12, and 'Female Mendicancy A Failed Experiment?', p. 63; Knox, *Creating Clare of Assisi*, p. 24; Jacques Dalarun, *Francis of Assisi and the Feminine* (Saint Bonaventure, NY: Franciscan Institute Publications, 2006), p. 48, originally published as *Francesco: un passaggio. Dona e donne negli scritti e nelle leggende di Francesco d'Assisi* (Rome: Edizioni Viella, 1994); Roest even dates it to c. 1212 in *Order and Disorder*, p. 16.

⁵⁵ Alberzoni was the first to argue for the separation of Clare's monastery at San Damiano and those that were associated from the Huglonian confederation. See Alberzoni, 'Clare and the Papacy', pp. 29–87.

metanarratives is that only a direct link to Francis made a woman's house 'truly' or 'organically' Franciscan, and that the women who shared these links were motivated by a need to get back to Francis's 'original' ideal. This is problematic firstly because, other than the Franciscan *vitae* and Clare's 1253 form of life, we have no other evidence for the nature of Francis and Clare's relationship, or of how Clare might have conceptualised her own status based on her relationship with the male order. It is clear from her form of life that she wanted to secure the pastoral care of the friars for her community, but there is no extant evidence to suggest that, for instance, she wanted to live alongside the friars.⁵⁶ In taking texts such as the *vitae* or Clare's form of life out of the context in which they were produced, in order to make the argument that Clare shared close links with Francis, we lose a sense of the pressures under which the ideas put forth in these texts were formed. This hinders our understanding of how the order was created and how the nuns, Clare included, might have understood their place within the order.

Secondly, a direct link to modern scholarship's 'archetypal Franciscan subject' is, paradoxically, a criterion that scholarship has insisted that Franciscan nuns fulfil while waiving this requirement for Franciscan friars. Some scholars have sought to determine who the 'true heirs' of Francis were, and have consequently claimed that some friars were not the spiritual descendents of this saint. These friars' own claim to Franciscan status is, however, not negated by these scholars in the same way as the nuns' Franciscan status is within some areas of scholarship. Some friars may be lax Franciscans, but they are still discussed as Franciscan subjects.⁵⁷ As Chapter Two reveals in particular, assessing the Franciscan status of a subject using narrow criteria for inclusion in the Order's history seems to go against what the Franciscans as a wider movement were trying to achieve. Even the strictest directives in the normative texts were designed to be flexible and inclusive, in order to encourage atonement among the members of the sinful society that they desired to save.

⁵⁶ Mueller argues throughout 'Female Mendicancy: A Failed Experiment?' that the women at the San Damiano and Francis's early brotherhood lived complementary forms of life, in which the women supported the men in imitation of the women who nurtured the apostles.

⁵⁷ This is not to argue, of course, that we should create a set of criteria against which to measure male Franciscan status too. Amanda Power discusses the engrained tendency in scholarship to measure how 'Franciscan' a friar was against an archetype based on Francis, and renews the call for a de-centring of Francis. See 'The Problem of Obedience Among the English Franciscans', in *Rules and Observance: Devising Forms of Communal Life*, ed. by Mirko Breitenstein, Julia Burkhardt, Stefan Burkhardt, and Jens Röhrkasten, *Vita Regularis: Ordnungen und Deutungen religiösen Lebens im Mittelalter*, 60 (Berlin: LIT, 2014), pp. 129–67 (esp. pp. 131–135).

The idea that a subject needed to have been linked to Francis, or Assisi, in the Middle Ages in order to be considered in Franciscan scholarship today in turn feeds into the false dichotomy created in historiography between the communities that were ‘organically Franciscan’ — those who shared links with San Damiano — and those that were not — the ‘Hugolinian’ communities. This is a false dichotomy for the simple reason that the papacy did not go out seeking unregulated women with unfocussed desires to be professed religious in order to place them under a certain form of life. The nuns had to ask to follow their forms of life as papal privileges were drawn up by the recipient. The papacy did have the power to encourage juridical uniformity among certain religious movements, which it appears to have exercised in attaching juridically the many houses of women following similar lives in northern Italy to San Damiano. However, it could not have done this in the absence of women who desired to follow certain forms of life. The belief that it does works to support Grundmann’s incorporation paradigm; the idea that an amorphous mass of women who desired to become professed religious were incorporated by the papacy into an established male order. Aside from the San Damiano community and those with which it was associated, these women have no desire to follow particular forms of life in either Grundmann’s narrative or that of Franciscan scholarship produced after the publication of Grundmann’s *Religious Movements* in 1935.⁵⁸ As a result of this, the further a community was from Assisi in either location or character, the less attention they have received in scholarship, even if its members desired to join the Franciscan order and identified themselves as Franciscan. This explains why the Polish communities have been excluded from, or marginalised within, studies of the Franciscan order.

Lezlie Knox has suggested that we look beyond Clare in order to incorporate a wider range of voices and experiences of being a Franciscan into the order’s history.⁵⁹ I agree, and the present study builds on this impetus. I would, however, add to Knox’s argument that it is impossible to see beyond Clare if we do not make an effort to see past Francis; other than, of course, where our subjects choose to incorporate him into their identities. In order to do this, this study decentres narratives formed on the basis of hagiography or other sources that have been taken out of their context in order to form a chronology for the early order. It does so by examining all source material strictly in the context in which it was produced, and taking a

⁵⁸ Although originally published in 1935, the translation of Grundmann’s study into English in 1995 provoked a renewed interest in its arguments amongst Anglophone scholars.

⁵⁹ Knox, *Creating Clare of Assisi*, p. 15.

subject's desire to adopt a Franciscan identity as sole criteria for inclusion in Franciscan histories.

The final barrier separating the Polish and Bohemian communities of nuns from the field of Franciscan studies is the line that is often drawn artificially between Western and Eastern Europe. There are many reasons why the Central-European regions — broadly defined as Bohemia, Moravia, Hungary, and Poland (or the Polish duchies) — are rarely featured in Franciscan studies. These explanations can, however, all be traced to their treatment as areas that existed on the peripheries of Latin Christendom, or placed in an 'East' that did not exist within Europe in the Middle Ages. In his essay, 'The Tragedy of Central Europe', published in *The New York Review of Books* in 1984, Milan Kundera lamented that

[s]urrounded by the Germans on one side and the Russians on the other these nations [meaning Czechoslovakia, Hungary, and Poland] were forced to devote their energy to a fight for survival and for their languages. Incapable of arousing enough interest in the European consciousness, they remained the least known and most vulnerable part of the West, on top of everything hidden behind a curtain of peculiar and inaccessible languages.⁶⁰

Kundera demonstrates how, in the 1980s, Europe was treated as synonymous with all of the regions that fell to the west of the Berlin Wall. Though, culturally, those living on the east of the wall viewed themselves as part of Europe, their political location in a Soviet 'East' resulted in their cultural placement in this East by 'western' thinkers. The wall did not itself create this artificial cultural divide, of course, but rather reinforced an ostensible split between Western and Eastern Europe that had been present before the construction of the wall. A perceived language barrier also shrouded these regions in an extra layer of confusion and misunderstanding. Franciscan scholarship's placement of Central Europe in a peripheral and artificial 'East' does not always manifest itself in such an explicit way; more often than not, these regions are often simply left out from studies of the Franciscan order altogether. But, even over thirty years later, Kundera's fears go some way to explaining why Central-European Franciscans have not been integrated into Franciscan histories.

⁶⁰ Milan Kundera, 'The Tragedy of Central Europe', *The New York Review of Books*, 31 (1984), p. 34.

Nora Berend noted that the absence of Central Europe in 1980s Anglophone surveys of the Middle Ages was unrepresentative of scholarship carried out within this field from the 90s onwards.⁶¹ Though this might be true for some areas of medieval scholarship, it is not reflected in Franciscan studies. Although Agnes of Bohemia and the Prague community might be held up as an exception to this rule, they may be so only because of their very direct connections to Assisi. Roest's recent survey places Central European female houses into a category entitled 'Eastern Europe, Scandinavia, Greece, and the Middle East'.⁶² These are all areas that do not fit into Anglophone conceptions of 'Western Europe'. Interestingly, the Anglophone and 'western-European' histories of these regions share in common also their use of paradigms that often, albeit not always intentionally, emphasise the passivity of these regions: the 'expansion of Latin Christendom into' these areas; these regions' 'Christianisation' or 'conversion' by outside parties; the 'colonisation' of these regions.⁶³ The peripheralisation of these regions is reflected in Roest's study. Where discussion of houses in the Iberian Peninsula, for instance, comprises 17 out of 370 pages of Roest's survey, analysis of 'Eastern Europe, Scandinavia, Greece, and the Middle East' occupies just 9.⁶⁴ In addition to making homogeneous a wide range of vastly different cultures, it also makes these regions seem all but devoid of Franciscan activity. The present study does not proffer a radically new way of thinking through Central Europe as a region but it does offer a remedy to the homogenisation and marginalisation of Franciscan activities within Bohemia and the Polish duchies.⁶⁵ It does so by offering an in-depth discussion of the diverse and varied evidence associated with these regions, one which treats the case studies as central to our understanding of the Franciscan order in the thirteenth and early fourteenth centuries. This

⁶¹ Nora Berend, Przemysław Urbańczyk and Przemysław Wiszewski, *Central Europe in the High Middle Ages: Bohemia, Hungary and Poland c.900- c.1300*, Cambridge Medieval Textbooks (Cambridge: Cambridge University Press, 2013), pp. 36–37.

⁶² Roest, *Order and Disorder*, p. 145.

⁶³ See, for instance the essays in Nora Berend, ed., *The Expansion of Central Europe in the Middle Ages*, The Expansion of Latin Europe 1000–1500, 5 (Farnham: Ashgate, 2012). In the case of the Central-European houses, many scholars have understandably engaged with paradigms that have promoted the passivity of these regions as part of an effort to 'unthink' the use of medieval German colonisation of these lands by Nazi historians as justification for expansion. On the influence of the Nazi regime on German historians of Central and Eastern Europe in the early-mid twentieth century, see Michael Burleigh, *Germany Turns Eastwards: A Study of Ostforschung in the Third Reich* (Cambridge: Cambridge University Press, 1988).

⁶⁴ Roest, *Order and Disorder*, pp. 145–54.

⁶⁵ See Berend, Urbańczyk, and Urbańczyk, *Central Europe in the High Middle Ages*, pp. 1–39 for the historiography of the use of 'Central Europe' and the difficulties involved in using it as a term.

approach resists their treatment as peripheral or passive, or relevant only when they can be linked directly to Assisi.⁶⁶

Layout of the thesis

The extent to which the narratives discussed above have contributed to the exclusion of evidence on my case study communities necessitate the dismantling of these narratives before turning then to examine the communities themselves. The first two chapters of this thesis, therefore, challenge the scholarly picture of the chronology, function, and identities of the early Franciscan order up to 1234, the date on which the earliest evidence for the Prague monastery was produced. They do so in order to demonstrate where readings of certain sources have contributed to a narrow portrait of the early order, which has in turn excluded communities that do not appear on the surface to fit into the models for religious life promoted in the hagiographic sources or normative texts. A fresh reading of these sources and a dismantling of the exclusionary metanarratives that have shaped debate within the field suggests that the Franciscan model was far more flexible and inclusive than the current scholarly field would indicate, and thus that the communities of Prague, Zawichost, Wrocław, Stryków, and Gniezno fit very easily within the order's history.

The study then turns to an examination of how the dynasties of Bohemia and the Polish duchies responded to the appeal of the Franciscan penitential model of renunciation, and how the Franciscan model fit into existing dynastic frameworks of penance. Chapters Three and Four show how the pressure to renounce within the Franciscan model interacted with similar pressures present within the dynastic tradition, such as the maintenance of the *beata stirps* and gift-giving. They demonstrate that it was not the case that the Franciscan model enacted within a dynastic tradition necessitated an amelioration of the Franciscan regime; rather, both worked together to intensify each other and therefore made the impetus to renounce more immediate within the royal families of Central Europe.

To summarise, this thesis responds to three central questions: why did the Franciscan penitential model appeal to the royal families of Bohemia and the Polish duchies? How can

⁶⁶ Or, indeed, over-stressing the links between the case studies and Assisi as Josef Albert has done in labelling Prague a 'Böhmische Assisi'. See Albert, 'Das Böhmisches Assisi', *Geist und Leben*, 29 (1956), pp. 178–82.

we chart their co-existence through acts of penitence? And how did such acts shape the communities' identities? It demonstrates firstly that we are unable to understand an order that aimed to save the souls of everyone in society if we continue to employ metanarratives that serve to exclude certain groups within society. After revising these narratives, it argues that by articulating renunciation using stark language grounded in the social models of the strata of society that the Franciscans wished to correct, the Franciscan penitential model appealed to the people who made up these strata, while simultaneously startling the members of these societal strata into performing penance. Pressure on dynastic communities to strengthen and maintain the spiritual purity of the *beata stirps* encouraged royal families in Bohemia and the Polish duchies not only to form communities of Franciscan nuns, but to ensure that these communities were adhering closely to their chosen form of life. The stakes were high; a failure to do so could result in shame for the dynasty in this world, and a more arduous journey for their souls through the next.

Chapter One

Reassessing the institutional development of the early Franciscan nuns as portrayed in twentieth and twenty-first century historiography

When a group of nuns at Prague became affiliated with the Order of San Damiano — the name for the order of Franciscan nuns from around the early 1230s — at some point before 1234, they had chosen to become involved with an organisation that appeared coherent and authoritative.¹ At the same time, and as was the case with any religious order, this confederation of houses of poor enclosed nuns had come into being at the convergence of a number of different wills and ambitions, and as a result of negotiations that had taken place over many years. The present study is more interested in how the dynastic communities of Bohemia and the Polish duchies enacted their vocation as members of a Franciscan order and what they understood by ‘order’ — to the extent we are able to discern this — and less in recreating an institutional history for this order’s development. It is, therefore, in some ways unnecessary to chart the creation of a Franciscan order of nuns within the remit of this study. Our histories of the order’s construction do not, by any means, add to our understanding of how these nuns saw themselves as part of a wider eschatological programme. Indeed, the stories that the nuns told of their order’s origins have greater value for our understanding of their identities than our piecing-together of this ‘past’ of theirs from other sources.

Unfortunately, because scholarly attention has focussed on sifting out the women who were ‘truly Franciscan’ from those who were not, scholars have not prioritised as important the nuns’ own perspectives, ambitions, the eschatological role that they played in society, and their reasons for choosing a Franciscan form of life. Or, rather, scholars have addressed these questions, but have reserved them only for the communities that have been considered ‘truly’ Franciscan by these scholars’ own reckoning; in other words, the communities that cannot be linked directly to Assisi, or which appear to have adopted a form of life that was especially poor. It is therefore necessary to expose the points at which these debates have served to exclude the voices of those who do not fall within these groups, as this has in turn contributed to the exclusion of the evidence relating to Prague, Zawichost, Wrocław, Stary Sącz, and Gniezno.

¹ The Franciscan nuns examined in this thesis were referred to as being of the ‘Ordo Sanctae Clarae’ from 1263.

As discussed in the introduction of this thesis, the main basis on which the Central-European women's voices have been excluded is the use of the hagiographic relationship between Francis and Clare as a point of origin for the order's history. This relationship has marked out the San Damiano community as having been uniquely or especially Franciscan in scholarship, despite the fact that there is no evidence for their relationship before the production of Celano's *vita* of Francis in 1228. Beginning with Jacques de Vitry's 1216 witness of groups of *fratres* and *sorores minores*, this chapter therefore challenges the received narrative of the formation of the Order of San Damiano. It does so by reading the evidence for the order's formation in the order and immediate context in which it was produced, rather than framing the narrative for the order's construction using the hagiographic material on the lives of Francis and Clare of Assisi. The relationship between the hagiographic Francis and Clare is not present from the start of the narrative as the embodiment of the 'true' ideal of the order, but is rather discussed solely in the context in which it was produced, Thomas of Celano's *Life of St Francis*, towards the end of the chapter. It reveals that the papacy did not carry out a programme of incorporation, but instead approved or negotiated requests from the communities who wanted to join the order, and over a long period — around ten years — shaped these communities into one order, using Francis and Clare as figureheads. In doing so, this chapter moves away from hagiographic narratives that posit Francis as the singular point of origin of the Franciscan order, and homogenise the various representations of Francis into one singular archetype against which other Franciscan subjects should be measured. This having been done, it becomes clear that, for the Franciscan nuns in Prague, Zawichost, Wrocław, Stary Sącz, and Gniezno, retaining elements of the identity of their rich and powerful families while professing as Franciscans was not as incongruous as it might seem.

I.1 The evidence of Jacques de Vitry

While waiting to depart from Genoa to his new see in Acre, the newly-consecrated bishop Jacques de Vitry wrote a letter to some friends in Liège. De Vitry had visited Italy in order to receive episcopal consecration from the pope, Honorius III, in a ceremony which took place on 31 July 1216. His letter details several groups of religious, whom he praises for their disassociation with the temporal world. He contrasts the behaviour of one of these groups with that of the papal curia:

After, however, I had been at the curia for some time, I found much that was contrary to my soul: for they were occupied to such an extent with secular and temporal matters, with kings and kingdoms, with lawsuits and quarrels, that they hardly permitted anyone to speak of spiritual matters. Nevertheless, I found one consolation in those parts: many rich and worldly people of both sexes, having left behind everything for Christ, were fleeing the world; they are called lesser brothers and lesser sisters. They are held in great reverence by the Lord Pope and the Cardinals; they [the brothers and the sisters], however, do not occupy themselves with temporal matters, but work with fervent desire and vigorous zeal every single day to draw souls that are lost from the worldly emptiness and lead them with them. And through the grace of God they have borne great fruit and have saved many, so that whoever hears says: ‘come’, and one circle draws another circle’.²

De Vitry does not make it clear in his letter as to whereabouts in Italy he encountered these groups of men and women. Further on in his letter, he states that the men meet once a year and then ‘disperse throughout Lombardy, Tuscany, Apulia and Sicily.’³ Interestingly, de Vitry does not mention Umbria, the region in which Assisi was located. Nonetheless, his letter has proved attractive to scholars of the Franciscan orders, undoubtedly due to its author’s description of this group as one that had left behind all things temporal.

I follow Knox’s assertion that the movement described in the letter is evidence of a relationship between some groups of friars and sisters rather than a ‘broader institutional formation derived from Assisi’.⁴ What is more interesting for the present study than whether de Vitry was describing a ‘Franciscan’ movement or not is the way in which de Vitry’s ‘sorores minores’ have been treated in scholarship, and what it reveals about the implicit biases and engrained narratives that shape analyses of female Franciscan life in scholarship.

² ‘Cum autem aliquanto tempore fuisset in curia, multa inveni spiritui meo contraria: adeo enim circa secularia et temporalia, circa reges et regna, circa lites et iurgia occupati erant, quod vix de spiritualibus aliquid loqui permittebant. Unum tamen in partibus illis inveni solatium, multi enim utriusque sexus divites et seculares omnibus pro Christo relictis seculum fugiebant, qui Fratres Minores et Sorores Minores vocabantur. A domno papa et cardinalibus in magna reverentia habentur, hii autem circa temporalia nullatenus occupantur, sed ferventi desiderio et vehementi studio singulis diebus laborant ut animas que pereunt a seculi vanitatibus retrahant et eas secum ducant. Et iam per gratiam dei magnum fructum fecerunt et multos lucrati sunt, ut qui audit dicat: veni, et cortina cortinam trahat’. R.B.C. Huygens, ed., *Lettres de Jacques de Vitry (1160/70–1240), évêque de Saint-Jean d’Acre* (Leiden: Brill, 1960), p. 75. Catherine Mooney has noted that while Huygens has chosen to capitalise ‘Fratres Minores et Sorores Minores’, there is no such capitalisation in the manuscript. Catherine Mooney, ‘The “Lesser Sisters” in Jacques de Vitry’s 1216 Letter’, *Franciscan Studies*, 69 (2011), pp. 10–11.

³ ‘Homines autem...consilium bonorum vivorum suas faciunt et promulgant institutiones sanctas...post hoc vero per totum annum disperguntur per Lombardiam et Tusciam et Apuliam et Siciliam’. *Lettres de Jacques de Vitry*, p. 76.

⁴ Knox, *Creating Clare of Assisi*, p. 26. Given Knox’s cautions, with which Roest must have been familiar, and given that de Vitry’s letter does not mention Umbria, it is incredibly puzzling that Roest suggested in his 2013 survey of the Franciscan order of nuns that de Vitry was referring to a movement situated in and around Assisi. See Roest, *Order and Disorder*, pp. 15–16 and p. 17.

Debate on de Vitry's letter has centred on whether it can be used as an early piece of evidence for a women's Franciscan order, whether Clare of Assisi's community at the church of San Damiano numbered amongst these groups, and/or whether de Vitry was describing the form of life followed by the sisters at San Damiano. The earliest critics of the letter as evidence for the vocation of San Damiano were Lilly Zarncke (1930) and Herbert Grundmann (1935). Zarncke argued that the vagueness of de Vitry's letter made it impossible to state definitively that the description provided evidence of early female Franciscan experience, let alone that de Vitry was describing the type of religious life followed by the community at San Damiano.⁵ Grundmann's 1935 survey aimed to demonstrate the ways in which the women inspired by the religious movements of the twelfth and thirteenth centuries were incorporated into the 'established' male institutions into which these movements grew.⁶ In his analysis of what he described as the incorporation of the women into the mendicant orders, he gave precedence for 'Franciscan' status to those women's houses with formal institutional links to the male Franciscan order. This meant that only San Damiano, the monastery to which Clare belonged, could be considered 'Franciscan' at the time of de Vitry's letter, due to the early link between Francis and Clare that was detailed in the saints' hagiographies, on which Grundmann relies for evidence of the early years of the order.⁷ The similarity between the religious lifestyle followed by the nuns of San Damiano — which, Grundmann argued confidently, would have been based on absolute poverty as an ideal — and the groups of women in northern Italy who chose to adopt an informal religious vocation based on absolute poverty does not provide enough evidence that these devotional groups were inspired by the preaching of the friars or the influence of Clare. As de Vitry's letter provides no evidence of the 'organizational or organic connections' between the Franciscan lesser brothers and the women, Grundmann cast doubt on the source as evidence that the women were institutionally linked to the men and, therefore, that de Vitry's 'lesser sisters' were part of an early Franciscan 'movement'.⁸ Grundmann, here, privileges evidence of an early institutional link to the *fratres minores* as a criterion for women's Franciscan status. He establishes the idea that Clare's community was 'organically Franciscan' in juxtaposition to the majority of other female Franciscan houses who were simply incorporated into the order by the papacy, and that a link to the lesser brothers — whose Franciscan status is concrete

⁵ Lilly Zarncke, *Der Anteil des Kardinals Ugolino an der Ausbildung der drei Orden des heiligen Franz* (Leipzig: Teubner, 1930), pp. 25–30.

⁶ Herbert Grundmann, *Religious Movements in the Middle Ages*.

⁷ Grundmann, *Religious Movements*, p. 111.

⁸ Grundmann, *Religious Movements*, p. 111.

and assured — is proof of such an ‘organic’ status. This is incredibly problematic both for histories of the nuns and the friars. In addition to creating an androcentric criteria for inclusion within the history of the ‘true order’, as discussed in the introduction to this thesis, it also suggests that the male order was a stable and homogeneous entity.

In spite of Zarncke and Grundmann’s caveats, scholars writing in the late-twentieth and early- twenty-first centuries continued to equate the ‘lesser sisters’ with the Franciscan women.⁹ Brenda Bolton stated that, while in Umbria, de Vitry came into contact with both the ‘Poor Clares’ and an early form of the Franciscan tertiary order, evidenced by his letter.¹⁰ Christopher and Rosalind Brooke argued that the letter is proof that there was an early Franciscan order in which the penitential roles played by men and women were very similar, and that both men and women were central to Francis’s early conception of this order.¹¹ According to Joan Mueller, de Vitry ‘witnessed in 1216 the idyllic beginnings of Franciscan complementarity’.¹² Where Grundmann constructed the problematic notion that a subject could be authentically Franciscan, as opposed to being Franciscan ‘simply’ by virtue of incorporation, Bolton, Mueller, and Brooke and Brooke’s interpretations feed into a grand narrative of decline from the original ideal; a narrative in which men and women lived shared religious lives before the papacy institutionalised the women away from this form of life.

Many scholars have taken a more cautious approach in their assessment of the letter’s importance to the women’s early history and to an understanding of the dynamics of the early relationship between the male and female contingents of the Franciscan order. Alberzoni agreed with Zarncke that de Vitry’s ‘lesser sisters’ did not include the community of San Damiano. She added to Zarncke’s assertion that in comparison with the specificity with which de Vitry describes the organisational structure of the *fratres minores*, he does not provide a similar ‘detailed’ description of the organisation and activities of the women:

⁹ Scholars who hold this view include: Bolton, ‘Mulieres Sanctae’, pp. 81–82; Brooke and Brooke, ‘St. Clare’, pp. 281–82; Bartoli, *Clare of Assisi*; Ingrid J. Peterson, ‘Like A Beguine: Clare Before 1212’, in *Clare of Assisi: Investigations*, ed. by Ingrid J. Peterson, Clare Centenary Series, 7 (St Bonaventure, NY: Franciscan Institute Publications, 1992), pp. 47–67 (pp. 66–67); Gennaro, ‘Clare, Agnes, and their Earliest Followers’, p. 40; Rusconi, ‘The Spread of Women’s Franciscanism in the Thirteenth Century’, pp. 41–43; Pellegrini, ‘Female Religious Experience and Society in Thirteenth-Century Italy’, p. 120; Lily Anne Mo, ‘Public Bodies and Private Spaces: Locating Cloistered Contemplative Discourses in Female Franciscan Spirituality in Thirteenth-Century Umbria’, unpublished PhD thesis, University of Glasgow, 2002; Mueller, *The Privilege of Poverty*, p. 18.

¹⁰ Bolton, ‘Mulieres Sanctae’, pp. 81–82. The early thirteenth century had no concept of ‘Poor Clares’, as Alberzoni argues in ‘Clare and the Papacy’, pp. 31–32.

¹¹ Brooke and Brooke, ‘St. Clare’, pp. 281–82.

¹² Mueller, *The Privilege of Poverty*, p. 18.

[T]he description offered by the famous letter indicates a very fluid reality whose outlines, especially for the women's component, appear quite indistinct, particularly when compared with the precise descriptions offered in the same context in regard to the life of itinerant preaching of the *Fratres Minores* and their custom of gathering together annually in chapter, both to discuss legislation for their life to be submitted for papal approval as well as to establish a minimum of missionary strategy.¹³

De Vitry does state later in his letter that the brothers 'come together with manifold profit once per year in a determined place' in order to 'draw up and promulgate their holy directives, with the counsel of good men', which, according to de Vitry, are then approved by the pope.¹⁴ The fact that *sorores minores* is never used by, or used by others to describe, a community of women who may have had institutional links to the Franciscan order — in contrast with the continued use of the term *fratres minores* to identify the group of followers identified by Francis — also left Alberzoni unconvinced that it was possible to pick out the early traits of 'women's Franciscanism' with ease.¹⁵ The *sorores minores*, according to Alberzoni, should therefore be considered as one of the many groups of religious women that formed in Italy in response to the preaching of the friars, and 'by the commitment of these religious men to the sick and the needy'.¹⁶ De Vitry's description of them should not be used to determine the nature of the spiritual vocation adopted by Clare's community at San Damiano.¹⁷ In much the same way as Grundmann's paradigm, Alberzoni's view perpetuates the idea that the friars were the original Franciscans. Given that we do not really know anything about the women to which de Vitry refers, it is entirely possible that the women invented the form of life themselves and not in response to the preaching of the friars at all.

Following Alberzoni's lead, other scholars expressed doubt that the text referred to a group of women who numbered among the nascent Franciscan order. Jacques Dalarun concluded that the letter provides only a 'flimsy witness' to the place of women within the Franciscan order.¹⁸ Knox asserted that while this letter may attest to the attractiveness of

¹³ Alberzoni, '*Sorores Minores*', p. 115.

¹⁴ 'Homines autem illius religionis semel in anno cum multiplici lucro ad locum determinatum conveniunt, ut simul in domino gaudeant et epulentur, et consilio bonorum virorum suas faciunt et promulgant institutiones sanctas et a domno papa confirmatas, post hoc vero totum annum disperguntur per Lumbardium et Thusciam et Apuliam et Siciliam.' Huygens, *Lettres*, p.76. It is not clear as to which point in the letter Alberzoni is referring when she asserts that the brothers establish a 'missionary strategy'.

¹⁵ Alberzoni, '*Sorores Minores*', p. 116.

¹⁶ Alberzoni, *Sorores Minores*, p. 115.

¹⁷ Alberzoni, '*Sorores Minores*', p. 115.

¹⁸ Dalarun, *Francis of Assisi and the Feminine*, p. 263.

Franciscan spirituality in its earliest form to both men and women, de Vitry was not referring to Clare's community.¹⁹ The most recent study of the identity of de Vitry's *sorores minores* was undertaken by Catherine Mooney.²⁰ Mooney accepted the view that the vagueness of the letter's language makes it impossible to tell whether de Vitry was referring to the San Damiano community. She then explored the possible identities of the women via a close linguistic analysis of the letter. Mooney draws attention particularly to de Vitry's use of gender-neutral language to describe the two groups, focussing her discussion on the following section of the letter:

Moreover, they live according to the form of the primitive church, of whom it was written: "the multitude of believers was of one heart and one soul." By day they enter cities and towns, to gain others through active work; but at night they return to their hermitages or solitary places, devoting themselves to contemplation.²¹

This section follows the passage that ends with de Vitry's statement that this penitential group was so successful at drawing souls to them 'that whoever hears them says, "Come", and thus one circle draws another circle'. As that passage could refer to both genders, it may well have been true that de Vitry was describing the behaviour of both the *fratres* and the *sorores* at this point in the text.²² The scholars who argued that de Vitry's description of the male and female *minores* provided evidence of early equality in the penitential roles played by women and men in the Franciscan order certainly thought that this was the case. Mooney, however, suggested that de Vitry may have been referring only to men in this passage. She explains that the first line of the following passage reads: '[t]he women, however, abide together in various hospices near the cities'.²³ This suggests that de Vitry wanted to distinguish the women from those whom he had been describing, namely the brothers.²⁴ Mooney also points out that in a future letter and in his *Historia occidentalis*, de Vitry describes the lesser brothers as an order that 'imitates the primitive church' and states that they 'try to model themselves

¹⁹ Knox, *Creating Clare of Assisi*, p. 2.

²⁰ Mooney, 'The "Lesser Sisters" in Jacques de Vitry's 1216 Letter', 1–29.

²¹ 'Ipsi autem secundum formam primitive ecclesie vivunt, de quibus scriptum est: multitudinis credentium erat cor unum et anima una. De die intrant civitates et villas, ut aliquos lucrifaciant operam dantes actione; nocte vero revertuntur ad heremum vel loca solitaria vacantes contemplationi.' Huygens, *Lettres*, pp. 75–76.

²² Mooney, 'The "Lesser Sisters"', p. 20, pp. 23–24.

²³ 'Mulieres vero iuxta civitates in diversis hospitibus simul commorantur'. Huygens, *Lettres*, p. 76.

²⁴ Mooney, 'The "Lesser Sisters"', p. 20.

according to the religious life, poverty and humility of the primitive church'.²⁵ As we know that he is referring to men only in these sources, we could surmise that he was most probably referring to men in the passage that describes the form of life followed by the *fratres* and, possibly *sorores minores*. Although, as Mooney explains, this does not rule out the possibility that he was also discussing women at this point in his 1216 letter, when considered alongside the following sentence ('[t]he women, however, abide together in various hospices near the cities') it casts doubt on the fact that de Vitry was suggesting that women played an active role within the group that he was describing. In any case, de Vitry's imprecise use of gendered categories, coupled with the lack of corroborating evidence on the nature of religious life at San Damiano at this time, makes it difficult to determine the identities of the women that he describes.²⁶

Mooney's close reading of the letter constitutes an important addition to the argument that de Vitry's description of the *sorores minores* is not specific enough to determine whether they constituted an early 'Franciscan Second Order', or whether they included Clare and her sisters. Her argument, however, could be pushed further. If, as Mooney has argued, along with Zarncke and Alberzoni, there exists no institutional context in which we might place de Vitry's *sorores*, it is also true that a framework in which we might place his *fratres* is lacking. There are no references to a group of *fratres minores*, other than de Vitry's, before 1219. Honorius III issued the bull *Cum dilecti filii* in 1219 to all the prelates of the Church by way of introducing Francis's brothers and their way of life as a papally recognised phenomenon. He writes of the brothers that:

Our beloved son Brother Francis, and his companions of the life and religion of the Friars Minor, having rejected the vanities of this world, have chosen a way of life approved deservedly by the Roman Church; and they go around

²⁵ From the sixth letter of de Vitry's in Huygens' edition: 'Dominus Reinerus, prior sancti Michaelis, tradidit se religioni Fratrum Minorum, que religio valde multiplicatur per universum mundum eo, quod expresse imitantur formam primitive ecclesie et vitam apostolorum.' Huygens, *Lettres*, p. 131. From de Vitry's *Historia Occidentalis*, 'Primitive ecclesie religionem, paupertatem et humilitatem in se diligenter reformare procurant [he is discussing the lesser brothers here]..., vitam apostolicam expressius imitantes'. In *The Historia Occidentalis of Jacques de Vitry*, ed. by John Frederick Hinnebusch, Spicilegium Friburgense, 17 (Fribourg: Fribourg University Press, 1972), pp. 158–9. See also Mooney, 'The "Lesser Sisters"', pp. 20–22.

²⁶ Mooney, 'The "Lesser Sisters"', p. 22.

various dwellings sowing the seed of the Word of God, following the Apostolic example.²⁷

There are similarities in the penitential vocation of the group described by Honorius and that portrayed by de Vitry. However, it would be ahistorical to use these similarities, or those between de Vitry's letter and other texts — de Vitry's later texts included — that were written after it to suggest that de Vitry was describing a religious movement that was, or would become, an order or *religio* of 'lesser brothers'. This does not render de Vitry's text redundant to scholarship on the early Franciscans; in particular, the striking resemblance between the description of the brothers in his 1216 letter and later writings on the brothers suggests that the 1216 letter marked the beginning of the development of a vocabulary from which churchmen would draw to describe the Order of the Lesser Brothers, or Friars Minor. These types of descriptions became almost epithetical as the order grew and became more established within Christendom.

What we should take away from this debate is not a definitive response as to whether de Vitry's *fratres* or *sorores* were Franciscan or not, but an acknowledgement of the double standards that have been applied to the letter. De Vitry's *fratres* are comfortably placed in the historical narrative of the development of the Friars Minor. The *sorores*, however, enter the women's narrative in one of two ways. They either do so as the product of a scholarly reticence to associate them with the Franciscans due to a narrow and androcentric criteria for Franciscan status, or as support for a narrative of decline in which the women once lived as the men did but then had this freedom snatched away by the papacy. Both narratives privilege the women's likeness to the men as a marker both of Franciscan status and of what the women themselves desired to achieve. To Knox's warning that we should treat de Vitry's witness as one that simply attests to one form of religious life that was followed at that point in time, I would add that we need to refrain from judging the place of women's evidence in Franciscan narratives based on how far this evidence resembles the male form of life and our assumptions about what this comprised.

²⁷Cum dilecti filii Frater Franciscus, & socii ejus de vita, & religione Minorum Fratrum, abjectis vanitatibus hujus Mundi, elegerint vitae viam a Romana Ecclesia merito approbatam; ac serenda semina Verbi Dei Apostolica exemplo diversas circumeant mansiones'. BF, I, p. 2.

I.2 Curial involvement 1218–1228

An even greater androcentric bias enters into scholars' assessment of the nuns' relationships with the papacy. Prior to Werner Meleczeck's discovery in 1994 that a privilege of poverty thought to have been given by Innocent III to Clare and her community at San Damiano was a much later forgery, some scholars asserted that the first moment of contact between a female 'Franciscan' community and the papacy happened in 1216.²⁸ This privilege would have allowed the women to live without individual or communal property, as the Friars Minor were legally able to do from 1223 onwards. The scholars who incorporated this source into their chronology consequently — and understandably — overemphasised Innocent's role in accommodating the, alleged, desire of Clare for the San Damiano community to live according to the tenets of absolute poverty. The post-Innocentian papacy are thus portrayed in these studies as having cruelly snatched away the privilege that enabled Clare and her community to achieve the same level of spiritual perfection as their male counterparts.

After the notion that Innocent III was the first to give a formal basis to the women's lives was disproved, scholars then turned to examine the role played by Hugolino of Ostia in shaping the lives of these women and men. Hugolino, a cousin of Innocent III, was appointed Cardinal of San Eustachio in 1198 and then promoted to Cardinal-Bishop of Ostia in 1206. He held this position until he became pope in 1227.²⁹ In 1218, Pope Honorius III sent a letter to Hugolino concerning women who were living without possessions as a form of penitential activity. The letter acknowledges receipt of a letter sent by Hugolino to the pope, now lost, which would appear to be the first that brought these women to Honorius's recorded attention. Honorius paraphrases Hugolino's description of the women at the start of his letter:

Your letters, which were presented to us, hold that very many virgins and other women desire to flee the pomp and wealth of this world and make

²⁸ Werner Meleczeck, 'Questions about the Authenticity of the Privilege of Poverty of Innocent III and of the Testament of Clare of Assisi', trans. by Cyprian Rosen and Dawn Nothwehr, *Greyfriars Review*, 12 (1998), 1–80. Originally published as 'Das "Privilegium Paupertatis" Innocenz III. und das Testament von Klara von Assisi. Überlegungen zur Frage ihrer Echtheit', *Collectanea Franciscana*, 65 (1995), 5–82. Scholarly works that have based their analysis on this source include Bolton, 'Mulieres Sanctae', pp. 77–95; Patricia Ranft, 'An Overturned Victory: Clare of Assisi and the Thirteenth-Century Church', *Journal of Medieval History*, 17 (1991), 123–34; Gennaro, 'Clare, Agnes, and their Earliest Followers', pp. 39–55. Miles Pattenden, despite writing after Meleczeck's publication and referencing others who discuss Meleczeck's discovery, also incorporates this source. See Miles Pattenden, 'The Canonisation of Clare of Assisi and Early Franciscan History', *Journal of Ecclesiastical History*, 59 (2008), 208–26 (p. 222 for Pattenden's reference to the *privilegium paupertatis*).

²⁹ Werner Meleczeck, *Papst und Kardinalskolleg von 1191 bis 1216* (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 1984), p. 128.

some homes for themselves in which they may live not possessing anything under heaven except these homes and the oratories to be constructed for them.³⁰

Honorius does not give any indication as to where these women were located.³¹ It is plausible that, in his letter, Hugolino was referring solely to the women engaged in this practice in his own diocese, meaning that Honorius too would have been referring to these women only. Equally, when Honorius goes on in his letter to task Hugolino with ensuring that the religious houses and churches built to accommodate these women were placed under the jurisdiction of the Apostolic See, he does not mention a specific location.

Interestingly, Honorius does not task Hugolino with the regulation of the women's lives or provide any indication as to the type of religious life that was being led by these women, other than that they lived without possessions. He was concerned, rather, with ensuring that the houses in which the women dwelled and the churches that were built as part of these foundations were received into the ownership of the papacy; an arrangement that was later adopted by the male Franciscan order. This was so that the 'salutary resolutions' of these women could not be obscured by the individual wills of the owners of these properties.³²

On 9 December 1219, Honorius issued a bull to the nuns of the monastery of Santa Maria of the Holy Sepulchre located in Monticelli, which lay within the diocesan boundaries of Florence.³³ This bull refers to San Damiano, making it the earliest piece of evidence for the existence of the community to which we have access. As the bull was primarily concerned with confirming the reception into papal hands of the land on which the monastery was built, it is possible to hypothesise that the community was comprised of women leading the type of religious life outlined by Honorius in his 1218 letter to Hugolino. The bull re-confirms a donation of land made by a woman — presumably noble — named Advegnente in the light of

³⁰ 'Litterae tuae Nobis exhibitae continebant, quod quamplures Virgines, et aliae Mulieres...desiderant fugere pompas, et divitias huius mundi, et fabricari sibi aliqua domicilia, in quibus vivant nihil possidentes sub Coelo, exceptis Domiciliis ipsis, et construendis Oratoriis in eisdem'. BF, I, p. 1.

³¹ Luigi Pellegrini notes that the letter's vagueness makes it 'difficult to identify the beneficiaries of these concessions'. Luigi Pellegrini, 'Female Religious Experience and Society in Thirteenth-Century Italy', in *Monks and Nuns, Saints and Outcasts: Religion in Medieval Society. Essays in Honour of Lester K. Little*, ed. by Sharon Farmer and Barbara H. Rosenwein (Ithaca, NY: Cornell University Press, 2000), pp. 97–122 (p. 101).

³² 'Cum ad hoc tibi fundi a pluribus Ecclesiae Romanae nomine offerantur; quidam volentes sibi reservari correctionem, institutionem, et destitutionem in illis, non verentur salubre illarum propositum impedire; quare tua Fraternitas postulavit, ut super iis paterna providere sollicitudine curaremus'. BF, I, p. 2. Pellegrini comments on the unique nature of a female religious organisation that was dependent solely on the papacy. See 'Female Religious Experience and Society in Thirteenth-Century Italy', p. 107. For *Ordinem vestrum*, see BF I, p. 114.

³³ BF, I, pp. 3–4.

her entry as a nun to Monticelli.³⁴ Honorius inserted the original confirmation, written by Hugolino and dated 27 July 1219, into the letter. In addition to confirming Advegnente's donation of land, Hugolino's confirmation also detailed various aspects of the religious organisation of the monastery, such as the election of the abbess and the precepts governing enclosure. He states that, in addition to following the Rule of St Benedict, the community at Santa Maria at Monticelli had also taken on of their own volition the 'regular observances of the Ladies of Santa Maria of San Damiano at Assisi'.³⁵ There is no documentation extant that would suggest what these observances required, or any other contemporary document relating to the organisation or form of life of San Damiano. As Hugolino discusses in his letter the election of the abbess, the mechanisms of enclosure, the exemption of the women from tithes, and the procedures for the correction of individuals, it is possible to surmise that these were not present, or were not explained in full, in the observances of San Damiano.

It is difficult to know if the letter was referring to a set of known, if not recorded, observances that were adhered to by the San Damiano community and recognised by the papacy. Without supporting evidence, it is also difficult to know whether the connection made by Hugolino, and confirmed by Honorius, between the two houses represented a papal attempt to form a legal identity for Monticelli. Joan Mueller has presented the link forged between the two communities as the product of Monticelli's resistance to Hugolino's imposition of his own constitutions onto the monastery.³⁶ It is impossible, without knowing the exact nature of either the San Damiano or the 'Hugolinian' constitutions, to tell whether Monticelli's adoption of these constitutions was the product of the nuns' active resistance to an aspect of the constitutions given to them by Hugolino. However, as privileges such as the one given to Monticelli in 1219 were usually drawn up by the recipient and confirmed by the

³⁴ Honorius may have needed to do so in order to confirm that Advegnente's donation of property and subsequent entry to the monastery did not constitute simoniacal activity. During the twelfth century, the legal definition of simoniacal activity expanded to include the payment by a newly-professed member of a religious community to that community, and a community's demand of payment from a potential entrant in exchange for entry. Innocent III recognised this as a problem that was common especially amongst nuns, and included a canon in the Fourth Lateran Council which addressed, and proposed measures for dealing with, this problem. On the widening in the definition of simony see Joseph H. Lynch, *Simoniacal Entry into Religious Life from 1000–1260: A Social, Economic and Legal Study* (Columbus, OH: Ohio State University Press, 1976), esp. pp. 179–224 on Innocent III and the Fourth Lateran Council. It is not entirely clear who Advegnente was, other than a noble woman who had joined the Monticelli community. See Pellegrini, 'Female Religious Experience and Society', pp. 109–10.

³⁵ 'Observantias nihilominus Regulares, quas iuxta Ordinem Dominarum Sanctae Mariae de Sancto Damiano de Assisio praeter generalem Beati Benedicti Regulam vobis voluntarie indixistis, ratas habemus; et eas perpetuis temporibus manere decernimus illibatas.' BF, I, p. 4.

³⁶ Mueller, *The Privilege of Poverty*, pp. 21–22.

papacy, it is likely that the impetus to adopt the San Damiano constitutions came solely from the women.³⁷

Mueller suggests that Clare's sister Agnes was abbess of Monticelli at this time, and that she had demanded to follow the constitutions of San Damiano in place of Hugolino's form of life in order to establish Monticelli as an institution that, via San Damiano, had a strong spiritual connection to Francis.³⁸ That Clare's sister was present at the Monticelli community at this time is improbable. In a letter that was sent — possibly in 1220, if not then certainly before Hugolino became pope in 1227 — by Hugolino to Clare, Hugolino asked Clare to '[g]reet my sister, the virgin Agnes, and all your sisters in Christ.'³⁹ The Agnes to whom Hugolino refers is thought to have been Clare's biological sister. In asking Clare to greet Agnes, it would seem that Hugolino thought Clare to have been living in fairly close proximity with Agnes. Even if Clare was allowed to leave her community and had means by which she could travel to Monticelli, the directives of Hugolino's that were inserted by Honorius into his 9 December 1219 bull state that the sisters of Monticelli were not allowed to leave the cloister once professed, and that they were prohibited from admitting anyone into their cloister who was not a professed member of the community.⁴⁰ It may be the case that Hugolino sent the letter to Clare earlier than 1220, and perhaps even before 1219, when he sent the letter to Monticelli in which he explained how the nuns' enclosure and religious life should be organised. This, however, seems unlikely, as Hugolino had only been tasked with ensuring papal dominion over the women's property in the previous year, and there is no evidence to suggest that he had any involvement in the organisation or protection of women's communities before 1218. Without the ability to determine the date upon which Agnes moved

³⁷ Alberzoni also notes that the impetus in all probability did not come from Hugolino. Alberzoni, 'San Damiano in 1228', p. 94.

³⁸ Mueller, *The Privilege of Poverty*, p. 21. Lezlie Knox also asserts that Agnes entered Monticelli in 1219. Knox, *Creating Clare of Assisi*, p. 27.

³⁹ 'Saluta Agnetem virginem et sororem meam et universas sorores tuas in Christo.' *Chronica XXIV generalium Ordinis Minorum*, ed. by Collegium S. Bonaventurae, *Analecta Franciscana*, III (Quaracchi: Typographia Collegii S. Bonaventurae, 1887), p. 183. I discuss below the dating of the letter, and the scholarship that has been produced on it.

⁴⁰ 'Prohibemus etiam, ut nulli sororum vestrarum post factam in Ecclesia vestra Professionem fas sit de eodem loco discedere, seu claustrum vestrum exire; discedentem vero absque communium litterarum vestrarum cautione nullus audeat retinere. Aliisque personis nequaquam liceat ingredi Claustrum vestrum, nisi eis, de quibus licentiam habueritis specialem'. BF, I, p. 4.

to Monticelli, it is not possible to ascertain whether she was involved in obtaining the observances of San Damiano for the Monticelli community.⁴¹

As discussed above, if the papacy's decision to give Monticelli the observances of San Damiano to follow was not the product of Agnes's insistence, it may have come from that of one of the other sisters at Monticelli. The fact that the bull states that the women 'imposed' the observances upon themselves in particular would suggest that this was the case.⁴² It is, however, difficult to argue with confidence that they chose to follow these observances because of their desire to identify themselves closely with a community that shared institutional links with Francis — and this is true even if Agnes was present at Monticelli at this time.⁴³ This is because we cannot be certain as to the nature of the relationship between Francis and Clare, or Francis and San Damiano at this time.

A letter that was written by Hugolino to Clare, at some point before he became pope in 1227, can help to shed light on this issue. In this letter, Hugolino praises Clare for her rigorous lifestyle and laments his separation from her after his return to Rome, following a visit to her and her sisters at Easter. It does not appear that it was a common practice of Hugolino's to write these types of letter to other female religious; it is, in fact, the only letter of its kind written by Hugolino before assuming the papacy as Gregory IX in 1227. Scholars have accepted the year 1220 as the date of the letter. It is likely that he had the Lateran IV decree *Ne nimia religionum* — which sought to curb plurality in religious expression — in mind ever since he had begun in 1219 to give a formal shape to the religious lives of the female communities that had grown up in Tuscany and Umbria.⁴⁴ It is, then, plausible that he went on shortly after to deal with the organisation of the religious life of San Damiano,

⁴¹ There is extant a letter sent in c.1230 by Agnes of Assisi to Clare. In the letter, she laments bitterly her separation from the community of San Damiano. Rusconi points out firstly that there is no indication that it was sent from Monticelli, and that there is no evidence to suggest that Agnes was present at Monticelli before c.1228. Rusconi, 'The Spread of Women's Franciscanism', p. 44–45, n. 35. To this I would add that the hyperbolic language used in the letter suggests that it was written by someone who had been recently separated from a community. For instance, Agnes states that 'there is very great tribulation and immense sorrow in my flesh and spirit' and that she 'can scarcely speak, because I am separated in body from you and my other sisters with whom I believed I would live and die in this world'. For Agnes's letter and the reasoning behind 1230 as a date, see *Chronica XXIV generalium Ordinis Minorum*, III, pp. 173–82.

⁴² '...vobis voluntarie indixistis'. BF, I, p. 4.

⁴³ *Chronica XXIV generalium Ordinis Minorum*, III, p. 183.

⁴⁴ This is the thirteenth canon of the council. It reads: 'Ne nimia religionum diversitas gravem in ecclesiam Dei confusionem inducat, firmiter prohibemus, de quis de cetero novam religionem inveniatur, sed quicumque ad religionem converti voluerit, unam de approbatis assumat. Similiter qui voluerit religiosam domum de novo fundare, regulam et institutionem accipiat de [religionibus] approbatis. Illud etiam prohibemus, ne quis in diversis monasteriis locum monachi habere praesumat, nec unus abbas pluribus monasteriis praesidere.' X.3.36.9. Emil Friedberg, *Corpus Iuris Canonici*, II (Graz: Akademische Druck-u. Verlagsanstalt, 1959), col. 607.

another unregulated female community, as he had done with the other groups of women, and so 1220 may be a reasonable estimation for the date of Hugolino's visit and for the letter.

Alberzoni states with certainty that Hugolino visited the San Damiano monastery in order to introduce the community to his form of life, although she notes also that Hugolino's lack of interest in the San Damiano community other than that which he expresses in this letter, demonstrates that he probably saw Clare and her sisters as extraneous to the network of communities that he had begun to create in 1219.⁴⁵ He saw San Damiano as an entity that was aligned with the Friars Minor and therefore belonged to an organisation that was different from his own.⁴⁶ Mueller has viewed Hugolino's visit with a degree of suspicion, suggesting that the aim of the visit was to 'court Clare and her sisters to the Ugolinian Rule'.⁴⁷ Both Alberzoni and Roest have argued that Hugolino tried to seize upon the opportunity presented by Francis's absence from Assisi, while the saint was in Egypt on Louis IX's crusade in c.1220, by attempting to co-opt the community into joining his order while their protector was away.⁴⁸ Knox suggested too that the visit may have constituted an attempt to bring the monastery in line institutionally with the Hugolinian confederation.⁴⁹

Irrespective of the intent behind Hugolino's letter or his visit, it is interesting that it is one of only two extant curial documents from the 1220s that address Clare.⁵⁰ Although there is no evidence from this period that attests to the organisational nature of San Damiano, the lack of communication between Clare and the papacy during this period may demonstrate, as Alberzoni has argued, that Hugolino saw the San Damiano community as an entity that was separate from the 'Hugolinian' communities and one that, therefore, fell outside of his organisational remit. It is possible, of course, that other correspondence between Clare and the papacy simply has not survived to this day, and the fact that Hugolino reminisces fondly in his letter about his stay at San Damiano over Easter certainly suggests that, contrary to Alberzoni's suggestion, he did have some degree of interest in the community. Even if Hugolino was uninterested in Clare and her community, Alberzoni's argument that the San

⁴⁵ Alberzoni, 'Clare and the Papacy', pp. 41–42.

⁴⁶ Alberzoni, 'Clare and the Papacy', p. 42.

⁴⁷ Mueller, *The Privilege of Poverty*, p. 22. It is important to note that, contrary to Mueller's wording, Hugolino never refers to the constitutions that he gives to the women as a 'rule'. As there is no evidence to suggest what Hugolino's constitutions demanded from the women, it is difficult to accept the argument that they proposed a form of religious life that was radically different to that of San Damiano.

⁴⁸ Both scholars take the evidence for this from the *legendae* of Francis. See Alberzoni, 'Clare and the Papacy', p. 40; Roest, *Order and Disorder*, p. 26

⁴⁹ Knox, *Creating Clare of Assisi*, p. 29.

⁵⁰ The other is in the *privilegium paupertatis* given by Gregory IX to Clare and San Damiano in 1228, which I discuss below.

Damiano community was distinct from Hugolino's confederation of monasteries does not explain the reference made to San Damiano in the religious observances that were given to Monticelli. Alberzoni, taking 1220 as the definite date of the letter, makes a point of stating that Hugolino visited San Damiano shortly after prescribing Monticelli with the San Damiano observances, but does not develop this link any further.⁵¹ Hugolino's creation or formalisation of these observances and the connection that he drew between San Damiano and Monticelli demonstrates that he saw San Damiano as an important spiritual institution, and possibly as a means by which he could create a legal identity for Monticelli.

At this early stage in the life of both of the monasteries, and without supporting evidence, we can only to speculate as to why he thought that San Damiano was such a significant institution and, more importantly, why he thought that its identity would lend itself well to being shaped into a juridical entity that he could use in turn to create an institutional identity for other women's communities. As I discuss later in this chapter, Hugolino's future, more concerted, efforts on assuming the papacy in 1227 to use San Damiano as a 'mother house' of sorts seem to have emerged from a need to secure the spiritual protection of male religious for the women's communities. This would have been aided undoubtedly by the formulation of the idea that San Damiano had strong early links with Francis and his brothers in texts such as Thomas of Celano's *Life of St Francis*, written sometime between 1228 and 1230. The location of San Damiano within the area in which Francis exercised his apostolate may have provoked a connection in Hugolino's mind, and in the religious mindsets of those local to Assisi, between San Damiano and the friars. In any case, the bull issued to Monticelli and Hugolino's letter to Clare are significant as the earliest pieces of evidence for the lives of Clare and the San Damiano community, and as texts which demonstrate that they were both somehow important in the eyes of the curia. Although there is no evidence produced in the early 1220s to suggest how the curia felt about San Damiano as a religious organisation at this time, we might speculate that Hugolino envisioned San Damiano as an institution that could act as a central institution to which he could join fledgling female religious communities.

At this juncture, it is useful to consider a piece of evidence that was discovered in the year 2000. In this year, Simon Tugwell discovered a form of life that was issued by Cardinal Hugolino to the communities of 'San Damiano of Assisi, and the blessed Mary of Spello,

⁵¹ Alberzoni, 'Clare and the Papacy', p. 41.

Foligno, Perugia, Arezzo, Siena, Florence, Lucca, Tortona and others'.⁵² Tugwell chose not to create an edition of the text, deciding that this task would be better left in the hands of 'historians of the Poor Clares'. No-one, to my knowledge, has taken Tugwell up on this, so we are reliant on a précis that he produced on the text. Despite the fact that the title of the précis, which appeared in the *Archivum Franciscanum Historicum* in 2000, states that this text was issued in 1219, Tugwell does not suggest a date of composition or issue for the text. He states that it is a copy of Hugolino's original letter, but does not indicate when the original was issued. Tugwell claims only that it was issued before 1228, the date on which Gregory IX issued a form of life to the monastery of poor enclosed women at Pamplona.⁵³ Prior to Tugwell's discovery, this was the earliest extant form of life that had been issued to a community of 'poor enclosed women'. In Tugwell's summary of the text, he states that the newly discovered form of life prescribed the Rule of St Benedict to the community and forbade the nuns from leaving the monastery. These are the only salient points made by Tugwell about the contents of the form of life that he discovered. He explains also that the copy is a very poor one, and that there are multiple mistakes in the Latin.

Assuming, for the sake of argument, that we can trust Tugwell's dating of the text and that what he describes is a faithful copy of the original, this tells us that, prior to 1228, the communities to whom the form of life was addressed had all asked to follow this form of life along with the Rule of St Benedict. The consequences that this text might have for our chronology of the development of the nuns' institutional organisation are less dramatic than one might expect.⁵⁴ It is confusing, though not beyond the realms of possibility, that the nuns at Monticelli asked to follow the observances of San Damiano and the Benedictine Rule on two separate occasions, and Hugolino prescribed both to them. Where the new text might pose a challenge is to scholars' understanding of where San Damiano and Monticelli fit within the development of Hugolino's network. As I discuss later in this chapter, some scholars have established 1228 as the point at which the San Damiano was incorporated into

⁵² Simon Tugwell, 'The Original Text of the "Regula Hugolini" (1219)', *Archivum Franciscanum Historicum*, 93 (2000), 511–13. The manuscript is located in the Bibliothèque royale, Brussels, shelfmark MS IV-63. The text of the so-called 'Regula Hugolini' can be found on fols 1r–18r.

⁵³ I discuss this in greater detail in the next chapter, see pp. 99–103.

⁵⁴ On the understanding that this text was issued to San Damiano shortly after 1220, Roest suggests that this form of life can be used in favour of the assertion that Ugolino went to Assisi in 1220 to convince the community at San Damiano monastery to join his network of monasteries. He does not make it clear as to why he dates the new form of life to 1220. However, based in part on hagiographic evidence, he suggests that the community's acceptance of Hugolino's form of life did not mark a major turning point because they had already accepted elements of the Benedictine lifestyle by this point in time. Roest, *Order and Disorder*, pp. 26–27.

the network of monasteries that Hugolino/Gregory IX had established.⁵⁵ According to these scholars, Clare and her community did so, and took on Gregory's form of life, in exchange for a privilege of poverty that prohibited anyone from forcing the San Damiano community to receive possessions. This protected the nuns' Franciscan status, and marked them out as having been separate from the community. But, as I outline in more detail later on, we do not have any evidence for the nuns' resistance to being grouped with other communities of women, or any feelings that their inclusion might make them 'less Franciscan'. If Tugwell's discovery is a genuine text, if San Damiano asked for Hugolino's constitutions earlier than 1228, then it simply means that they were formally part of a wider network of poor enclosed women a few years earlier than has been suggested. It has no bearing on the extent to which they were 'Franciscan' or not.

The reason that Tugwell's discovery might appear to have a serious consequence for our understanding of the early order is because scholars have formed the main parameters of debate around the idea of two separate networks that were combined in 1228. In order to understand this debate, we must survey briefly the institutional histories of the monasteries that have been considered part of the 'Hugolinian network'. From papal bulls issued by Honorius to several female communities in 1222, in which Honorius reconfirmed Hugolino's receipt of the monasteries' lands into papal jurisdiction, we can tell that Hugolino most probably began to develop a formal identity for these communities in 1219. The bulls were issued to the communities of Santa Maria di Gattaiola in Lucca and Santa Maria in Siena (located just outside of the port of Camollia) on 19 September 1222, and Santa Maria in Monteluce on 24 September 1222. They include as an insert Hugolino's original confirmation — sent, respectively, on 20 July 1219, 19 July 1219 and 29 July 1219 — which details the papal acceptance of these monasteries' landholdings, and states that the monasteries had been given a form of life to follow in addition to the Benedictine Rule. The relevant passage from the bulls sent to the communities reads: 'Notwithstanding, we decree that the form of your life, which you received humbly from us with the Rule of St Benedict, should remain

⁵⁵ See p. 56.

unchanged for all time.⁵⁶ No evidence exists from 1219 or 1222 that would suggest what this form of life constituted and, interestingly, most scholars have not chosen to speculate as to what it might have entailed for those following it.

Before Honorius's 1222 confirmation of the directives that Hugolino gave to Monteluce, Siena and Lucca, there is evidence that Hugolino was, perhaps, in the process of formalising further the legal identity of the poor women's monasteries that were not linked to San Damiano. There appears in the register of his March 1221 legation a formula for the construction of a monastery 'in which virgins dedicated to God and other handmaids of Christ serve the Lord in poverty'.⁵⁷ Such a community was to follow the 'form of life or *religio* of the poor ladies of the valley of Spoleto or Tuscany by Lord Hugolino, the venerable bishop of Ostia', the form of life that was given to the monasteries of Lucca, Monteluce (Perugia), and Siena.⁵⁸ Roberto Rusconi conflates this formula with the form of life that was given to these three communities by Hugolino in 1219 and discusses it as if it corresponded directly with that form of life.⁵⁹ It is important, however, that a distinction is maintained between the two as although they may have referred to the same set of constitutions, the terminology used in each form of life differs significantly. The form of life referred to in Hugolino's 1219 privilege, to which we have access in a 1222 confirmation of Honorius's, is described as follows: '[f]ormulam nihilominus vitae vestrae, quam a Nobis humiliter recipistis cum Beati Benedicti Regula'. The 1221 formula, on the other hand reads: 'formam vitae vel religionis

⁵⁶ 'Formulam nihilominus vitae vestrae, quam a Nobis humiliter recepistis cum Beati Benedicti Regula, perpetuis temporibus manere decernimus illibatam.' BF, I, p. 10, p. 12 and p. 14. In the bull sent to the first two communities, this sentence is followed by a sentence outlining the confirmation of the communities' respective property: 'Locum vestrum cum omnibus pertinentiis suis, et omnia, quae juste, et canonice possidetis, vobis, et per vos hiis, quae vobis canonice successerint, confirmantes.' BF, I, p. 10 and p. 12. The bull sent to the community of Monteluce elides the two sentences: 'Formulam nihilominus vitae vestrae, quam a Nobis humiliter recepistis cum Beati Benedicti Regula, perpetuis temporibus manere decernimus illibatam locum vestrum cum omnibus pertinentiis suis, et omnia, quae juste, et canonice possidetis, vobis, et per vos hiis, quae vobis canonice successerint, confirmantes.' BF, I, p. 14.

⁵⁷ 'in quo virgines Deo dicat et alie ancille Christi in paupertate Domino famulentur'. Guido Levi, ed., *Registri dei cardinali Ugolino d'Ostia e Ottaviano degli Ubaldini* (Rome: Forzani, 1890), p. 153.

⁵⁸ 'formam vitae vel religionis pauperum dominarum de Valle Spoleti sive Tuscia per dominem Hugonem venerabilem episcopum Hostienem auctoritate domini pape eisdem sororibus traditam; et loco ipsi et sororibus tam presentibus quam futuris plenam concedimus libertatem, quam habere noscuntur monasteria eiusdem religionis de Perusio, de Senis et de Luca eius Apostolice Sedis privilegiis confirmatam...' Levi, *Registri dei cardinali Ugolino*, pp. 153–54.

⁵⁹ Rusconi, 'The Spread of Women's Franciscanism', p. 45.

pauperum dominarum de Valle Spoleti sive Tuscia'.⁶⁰ The latter implies, if perhaps only theoretically, a more formal and well-defined legislative entity.⁶¹

Given the contentious nature of the term 'religio' when considered in the light of the Fourth Lateran Council's prohibition against new religious orders, it is unsurprising that the 1221 document has formed a focal point for scholarly discussion of Hugolino's efforts in relation to the prohibition. Rusconi's assumption that the form of life referred to by Hugolino was that which he prescribed in his 1219 letter — that is the Benedictine Rule with the form of life given to the recipient by Hugolino — led him to argue that Hugolino's construction of this formula for the women's houses in Central Italy that were not linked with San Damiano was motivated by his desire to avoid transgressing the prohibition.⁶² By giving these new communities the Benedictine rule to follow, Hugolino was ensuring that their religious life did not violate the part of the thirteenth canon which stated that new houses should take the rule and institutions from a *religio* that had already been approved.⁶³ However, as the 1221 formula does not discuss the nature of the form of life to which it refers, or to a rule, it is impossible to tell whether this formula referred to the form of life drawn up by Hugolino in 1219. There is an additional problem, as discussed previously, in that Hugolino's 1219 privilege is only available as part of Honorius's 1222 confirmation and so it may have been altered between 1219 and 1222.

Even if we were to assume, along with Rusconi, that the 1221 formula did refer to the 1219/1222 form of life, the use of 'religionis' and the idea that form of life and 'religio' could be interchangeable still seems problematic when considering the document alongside the

⁶⁰ This 1222/1219 reference is taken from the bull that was sent to Lucca, but the confirmations of Monteluce and Siena's forms of life are identical to Lucca's. BF, I, pp. 10–11.

⁶¹ As Alberzoni has acknowledged, it is 'the first time that Hugolino's project took on a name'. Maria Pia Alberzoni, 'The Papacy and the New Women's Religious Orders', in *Clare of Assisi and the Poor Sisters in the Thirteenth Century*, ed. by Jean François Godet-Calogeras, trans. by Nancy Celashi and William Short (St Bonaventure, NY: Franciscan Institute Publications, 2004), p. 168.

⁶² Rusconi, 'The Spread of Women's Franciscanism', pp. 45–46.

⁶³ It may be problematic that Hugolino had drawn up new institutions, or a form of life, for the communities under his care, instead of giving them a set that was attached to an approved order. However, given that the Order of Preachers, approved by Honorius III in 1216, followed the Augustinian Rule alongside their own set of constitutions (which were approved at their 1228 General Chapter), Hugolino's institutions were probably not transgressive in actuality. It might, of course, even be the case that these were named 'constitutions' instead of institutions, and that Hugolino's 'institutions' were referred to as a 'form of life', in order to avoid transgressing the thirteenth canon. As the institutions that were drawn up for the Dominican women from 1232 onwards were referred to simply as 'institutions', and as Gregory IX refers to the form of life followed at San Damiano as 'institutions' in the bull *Angelis gaudium* that was issued to Agnes of Bohemia in 1238, this is insufficient as an explanation. For discussion of the texts and terminology of the early Dominican constitutions and institutions see Julie Ann Smith, "'Clausura Districta': Conceiving Space and Community for Dominican Nuns in the Thirteenth Century', *Parergon*, 27 (2010), pp. 13–36 (pp. 19–20).

Lateran IV prohibition. In the context of Canon Thirteen, the term ‘religio’ is understood by modern scholars as ‘religious order’, or, more simply, ‘order’. The other linguistic choices made in the Canon affirm that this is the most accurate translation; for instance, that a newly-founded religious house was to follow the ‘regulam et institutionem’ of an approved *religio* suggests that *religio* is best interpreted as ‘religious order’. As it is not used in quite the same context in the 1221 document, deciding upon a suitable translation is more difficult.

Mueller chooses initially not to translate ‘religio’, and leaves it in its Latin form.⁶⁴ She discusses the 1221 document in relation to the Monticelli community’s adoption of the San Damiano constitutions, stating that Hugolino saw Monticelli as having been distinct from the *religio* that he had formed from his network of monasteries. She then refers to this network and the Monticelli-San Damiano network as two separate ‘orders’: the ‘Order of Hugolino’ and the ‘Order of the Ladies of S. Maria of S. Damiano’.⁶⁵ It seems that she is using ‘order’ interchangeably with ‘religio’; however, she states that Hugolino’s ‘Order differed practically from the “Religion of the Poor Ladies”’. As she then describes the differences between Hugolino’s network and the San Damiano ‘network’ — they had, according to Mueller, different founders and different constitutions — it would seem that she is using the “Religion of the Poor Ladies” to refer to the San Damiano ‘network’.⁶⁶ She concludes that Hugolino had created, through his establishment of a new order with separate constitutions from that of the monasteries of Monticelli and San Damiano, a ‘regulatory diversity’ that was ‘exactly what the fathers of the Fourth Lateran Council were trying to avoid’.⁶⁷

The wording of the formula, and the difference between the title of the constitutions referred to in the 1221 formula and those mentioned in Honorius’s letter to Monticelli, suggests that constitutional — or even ‘regulatory’ — differences may have existed between the two organisations. As there is only evidence for the existence of these constitutions, and not for the lifestyle that they demanded of their adherents, it is, however, crucial to our understanding of the evolution of the women’s juridical identities that we consider carefully the language used in the 1221 formula within its context, especially when

⁶⁴ Mueller, *The Privilege of Poverty*, p. 22.

⁶⁵ Mueller, *The Privilege of Poverty*, p. 22.

⁶⁶ Mueller, *The Privilege of Poverty*, p. 22.

⁶⁷ Mueller, *The Privilege of Poverty*, p. 22. Interestingly, she mentions earlier in her book that new orders, such as the Carmelites, were approved in spite of the prohibition. See *The Privilege of Poverty*, p. 17. Andrew Jotischky states that this was because their rule was understood to have been approved in 1214. See Jotischky, *The Carmelites and Antiquity: Mendicants and Their Past in the Middle Ages* (Oxford: Oxford University Press, 2002), p. 153.

considering it in relation to the language used in the Lateran IV prohibition. Although it would appear that the papacy used categories such as *religio* inconsistently, a free and interchangeable use of the translations of the categories of *religio* and *ordo* by modern scholars can obscure our view of the development of these juridical categories. This in turn can affect analyses of the women's juridical identities; for instance, where Mueller refers to Monticelli and San Damiano as being of the same 'Order', even though they were not referred to as such in this way at this time.

As Rusconi and Mueller have chosen, correctly or incorrectly, to treat such terminology as having been particularly contentious in the light of Lateran IV, it is surprising that neither has chosen to comment on the specific phrasing used in the formula: the author refers to a '*religio vel forma vitae*'. This phrasing may suggest that the terms could have been used interchangeably without great consequence. At the end of the document, the formula asserts that the jurisdiction over the monastery would return to the bishop should the women not wish to follow the '*form of the aforementioned religio*'.⁶⁸ This phrasing could be read as '*form of religio*', which adds to the theory that '*religio*' and '*forma vitae*' may have been used interchangeably. It may also have been the case that '*form*' was meant to refer to a set of constitutions, and '*religio*' the general tenor of religious life. In any case, it would not seem that the term '*religio*' here is being used in a precise way, and it definitely does not seem that was intended to mean '*religious order*' in the same sense as the wording of Canon Thirteen suggested.

The documents associated with the monastery of poor women at Milan also suggest either that the term '*religio*' did not have a stable meaning, or that the implications of Canon Thirteen in the establishment of new religious organisations were not as straightforward as they might seem. A 1223 document charts the sale of the land upon which the monastery would be built.⁶⁹ The charter, drawn up by the archiepiscopal chancery on behalf of two priests who were selling the land, states that the community was to follow the '*ordinem et regulam Beati Damiani de valle Spolliti iuxta civitatem de Sixi*'.⁷⁰ This designation is fascinating in that it demonstrates that the idea of San Damiano as a religious exemplar — whether this did, in fact, require adherence to a formal set of constitutions followed by the

⁶⁸ '*...si aliquando formam dicte religionis abiecerint vel contempserint observare et frequenter ammonite se uolverint emendare, ex tunc in nostram [meaning the bishop] seu successorum nostrorum iurisdictionem locus ipse libere revertatur*'. Levi, *Registri dei cardinali*, p. 154.

⁶⁹ Paolo Sevesi, 'Il monastero delle clarisse in S.Apollinare di Milano (Documenti, sec. XIII–XVIII)', *Archivum Franciscanum Historicum*, 17 (1924), pp. 343–44.

⁷⁰ Sevesi, 'Il monastero delle clarisse in S.Apollinare', p. 343.

San Damiano community or not — had been transmitted as far north as Lombardy. However, there is a marked difference between the way in which the religious lives of the Milan and the Monticelli monasteries are described in these texts. Where the Monticelli community followed the ‘regular observances of the Ladies of S. Maria of S. Damiano at Assisi’, the formal designation given to the type of religious life followed by the Milan community is, potentially, more problematic when considered alongside Canon Thirteen. As the canon does not make use of the term ‘ordo’, this part of the title does not appear to violate the Lateran IV prohibition. But where the intention behind some of the phrases used in Canon Thirteen is sometimes unclear, the constitution is fairly adamant that there should be no new religious rules. Even allowing for the fact that the document originated from the archepiscopal chancery of Milan and not from the papacy or Hugolino, the use of ‘regula’ seems odd in light of the Lateran IV prohibition against new rules.

The use of *regula* may, of course, have been the result of confusion over the legal identity of the women. As the use of San Damiano as a religious exemplar was relatively new, ecclesiastical authorities might have been uncertain as to how it should be incorporated into the description of the forms of religious life followed by communities of women. Moreover, given the novel nature of the poor women’s communities, which were exempt from episcopal jurisdiction, there may have been some confusion over the legal identities of the women. It is possible, therefore, that the use of *regula* may have been a way of giving the women’s form of life greater legislative definition by fitting their unstable legal identity into a recognised legislative category. Even if this was the case, however, it would still appear to have stood at odds with the prohibition.

There is very little consistency in the terminology used to refer to the form of life followed by the Milan community before 1234, when the monastery is referred to as belonging to the ‘Ordo Sancti Damiani’. As Alberzoni has noted, the terminological discrepancies probably reflect the difficulties faced by ecclesiastical authorities in defining the juridical identity of this monastery.⁷¹ Perhaps because of the problems inherent in the use of *regula*, in the next two extant charters concerning the monastery, issued in November 1224 at the behest of the archbishop of Milan, the women are referred to as the ‘poor sisters

⁷¹ See Maria Pia Alberzoni, *Francescanesimo a Milano nel Duecento* (Milan: Edizioni Biblioteca francescana, 1991), pp. 49–50.

of[...]the Order of Spoleto'.⁷² The reference to Spoleto suggests that this title was influenced by the formula found in the register of Hugolino's 1221 legation.⁷³ It is interesting that the more decisive 'ordo' replaces 'religio vel forma vitae' in this 'designation', although this might be explained simply by the fact that the archbishop is referring to the women's institutional affiliation whereas the 1221 formula is concerned with their way of life. In 1225, a document was issued based on the 1221 formula found in the register of Hugolino's legation. It states that the women follow the 'forma vite pauperum Dominarum clausarum in Valle Spoleti'.⁷⁴ This corresponds generally with the wording used in the 1221 formula, but there are a few key differences between the terminology that is used in each document. Where the 1221 formula refers to a 'religio vel forma vitae', the author of the 1225 document settles on 'forma vitae'. Perhaps in an attempt to create legislative continuity between the titles given to the religious vocation of the women, in this document, similarly to the two produced in 1224, the author chooses to use 'Valle Spoleti' instead of 'Valle Spoleti sive Tuscia'; adding new geographical terminology to the formulation. The use of 'clausarum' is also a new addition that, as Alberzoni asserts, was probably introduced to reflect the increasing emphasis placed on enclosure in women's religious life by those regulating it.⁷⁵ The alterations to the formula therefore most likely reflect the desire of the archepiscopal authority to construct an identity for the women that was juridically uniform while taking into account the changes in the religious life of the organisation created by Hugolino as a whole.

It is important to note that the use of the term 'ordo' to indicate the religious affiliation of the community was not unique to the archbishop. In a bull issued in 1226, Honorius III refers to the women as being of the 'ordinis pauperum monialium de Tuscia'.⁷⁶ It is unclear as to why Honorius decided to use Tuscany instead of Spoleto to designate the order's 'region of origin'; however, his use of 'ordo' may rule out the possibility that such usage was a quirk of the archepiscopal chancery and could also affirm that the use of 'ordo' by the archbishop was not problematic in the light of the Lateran IV prohibition.

In the next extant bull that Honorius issued to the community, in August 1226, he describes the religious life of the women as the '*religio* of the nuns of Tuscany' and also

⁷² 'pauperum Sororum Mediolani commorantium Ordinis de Spolito'. Giuseppe Antonio Sassi, ed., *Archiepiscoporum Mediolanensium series Historico-chronologica*, II (Milan: In Regia Curia, 1755), pp. 671–2 (p. 671), pp. 673–74 (p. 673).

⁷³ Alberzoni, *Francescanesimo a Milano*, pp. 49–50.

⁷⁴ Sevesi, 'Il monastero delle clarisse in S.Apollinare', p. 345.

⁷⁵ Alberzoni, *Francescanesimo a Milano*, p. 49.

⁷⁶ Sevesi, 'Il monastero delle clarisse in S.Apollinare', p. 349.

states that their ‘ordo’ is not allowed to hold any possessions.⁷⁷ As Honorius is using ‘ordo’ to mean religious order here, it may be deduced that he is using ‘religio’ to indicate the nature of the women’s life. Without analysing all of the documents issued by Honorius to religious organisations, it is difficult to tell whether he used these categories consistently. It is, nonetheless, an important document, especially when placed in the context of the other documents issued to the Milan community, as it is demonstrative of inconsistencies between the categories used in the Lateran IV prohibition and those used by the post-Innocentian papacy.

Until Gregory IX begins to use the title ‘Ordo Sancti Damiani’ to designate the poor women’s communities as an entity, he does not use either ‘religio’ or ‘ordo’ to refer to the Milan community.⁷⁸ On separate instances between 1227 and 1234, he refers to them as ‘pauperes sorores’, ‘pauperes moniales reclusas’, ‘pauperum inclusarum’, and ‘inclusarum’.⁷⁹ Leaving aside for now the increasing emphasis placed on enclosure in the titles that he gives to the women, the fact that he does not incorporate ‘religio’ or ‘ordo’ into the titles that he gives to the women’s communities is unusual. I discuss below the possibility that he gave the women this title to correspond with the title that he gave them in the bull *Quoties cordis*, in which he gives the responsibility for the spiritual care of the *pauperes moniales reclusae* to the Friars Minor.⁸⁰ It is also possible that he chose to give them this title as a way of avoiding transgression of the Lateran IV mandate. What seems to be clear, however, from the documents relating to Milan and those governing the other monasteries organised by Hugolino is that the terminology used to designate the women is far from consistent, and would seem to be the product of attempts from various parties to carve out a stable juridical identity for an ‘organisation’ that, due to its unusual legal status and the fact that it was in the early stages of its life, was reluctant to be stabilised. It is important that we bear this in mind when considering the dynastic institutions of Bohemia and the Polish duchies, as an important product of this instability was that they were able to affect profoundly the

⁷⁷ ‘Ex parte tua fuit propositam coram Nobis, quod religionem monialium de Tuscia in tua diocesi plantare desiderans, cuius religionis odor suavis, te in Domino delectabat, monialibus ipsis, quas preter ecclesiam ac domos, aliquas possessiones habere ordo non patitur...’ Sevesi, ‘Il monastero delle clarisse in S.Apollinare’, p. 349.

⁷⁸ I discuss below the dates on which Gregory begins to use this terminology.

⁷⁹ In bulls issued, respectively, on 5 August 1227, 3 November 1227, 1 July 1231, 18 February 1233 and 18 February 1233. The bulls can be found in Sevesi, ‘Il monastero delle clarisse in S.Apollinare’, on p. 350, p. 352, p. 356 and p.357.

⁸⁰ BF, I, p. 36.

development of the identity of the monasteries that would, in 1263, be incorporated into the Order of St Clare.

In addition to placing the 1221 document within the context of the linguistic and legal development of the titles used by churchmen to denote the poor women's communities, it is also important to consider the purpose of the document as it concerned the administration of the women, an issue that would give the papacy impetus to give greater legislative uniformity to the identities of the poor women's communities. The formula was to be used by bishops who needed to be able to give approval to the establishment of monasteries of poor women within their dioceses, in light of the fact that these monasteries would subsequently be exempt from episcopal jurisdiction, as per Honorius's directive, and subject directly to the Apostolic See.⁸¹ As Pellegrini has noted, the phenomenon that this document legislated was unique: an organisation of women's monasteries, the religious tenor of which was grounded in poverty, and which was subject directly to the papacy.⁸² As mentioned previously, the women's exemption from episcopal jurisdiction was dependent on their observation on the form of *religio* prescribed in the document. If they did not accept Hugolino's *religio*, the land on which the monastery was built would fall back into the control of the bishop.

There is nothing in the remainder of the text to suggest who was responsible for the care or administration of the nuns. Although the formula dictated the religious lives of the nuns insofar as it demanded poverty from them, it was largely concerned with the jurisdiction of the land on which the monastery was built. This concern is also reflected in the documents associated with the foundation of the monastery for Franciscan nuns at Faenza in 1224. In July 1224, the local bishop, Alberto, relinquished his jurisdiction over the monastery by issuing a document that had been prepared in accordance with Hugolino's formula. Before and after this, documents issued in June 1224 and June 1225 state that a brother Bartholo had received the church, San Martino, in which the monastery was located and the land on which

⁸¹ Alberzoni, 'The Papacy and the New Women's Religious Orders', p. 168.

⁸² Pellegrini, 'Female Religious Experience and Society', p. 107.

it was built.⁸³ There is no mention of who was responsible for administering to the women in any of these documents.

Shortly after his ascension to the papacy in March 1227, Hugolino, now Gregory IX, attempted to secure and formalise the *cura monialium*. In the three extant copies of the bull *Magna sicut dicitur* — issued on 28 July, 1 August, and 3 August 1227 to the monasteries of Milan, Siena and Spello, respectively — Gregory laments that, as a result of the tribulations he was about to face whilst in papal office, he would no longer be able to look after the women.⁸⁴ He explains that a Brother Pacifico would take over their care.⁸⁵ The order to which Pacifico belonged is unclear; however, as Gregory issued the bull *Quoties cordis* on 14 December 1227, in which he committed the care of the *pauperes moniales reclusae* to the friars, it is possible that he was a member of the Friars Minor.

Quoties cordis is significant as a first formal attempt by the papacy to give the Friars Minor the responsibility of the *cura monialium*, a responsibility that would become a point of contention within some communities as the order developed.⁸⁶ The tendency in scholarship to single out San Damiano as a focus for study, and to portray it as the only ‘Franciscan’ institution amongst the many monasteries of women that the papacy had tried to legislate, has led to scholars overstating the significance of the bull. Alberzoni and Knox have both stated that the bull represents the papacy’s creation of a juridical link between the Friars Minor and the *pauperes moniales reclusae*.⁸⁷ It is plausible that the bull was intended as a foundation for a formal legal relationship between the Friars and the organisations of nuns who were

⁸³ The pertinent section of the 1224 document reads: ‘Ego quidem in Dei. nomine Rodulfus de Tabellionib[us] pro me meisq[ue] heredibus et successorib[us] amore Iesu Christi et pro remedio anime mee et uxoris mee et parentum meorum do et dono et trado iure proprietatis et allodii pure et libere et irrevocabiliter confirmo tibi presenti in Christi nomine fratri Bartholo recipienti vice et nomine ecclesie et loci de virginibus et pro sororibus que nunc ibi sunt vel in antea erunt imperpetuum petiam unum terre totam sine ulla diminutione positam in insulis S.Martini in Podio’. Francesco Lanzoni, ‘Le antiche carte del S.Chiara in Faenza’, *Archivum Franciscanum Historicum*, 5 (1912), p. 270. The document drawn up by the bishop according to Hugolino’s 1221 formula can be found on pp. 272–73 of Lanzoni’s editions, and the 1225 document concerning Bartholo’s receipt of the church and the surrounding land on pp. 273–74. As Lanzoni notes on p. 270, the identity of brother Bartholo is unknown.

⁸⁴ BF, I, pp. 33–34.

⁸⁵ ‘Positus igitur in patibulo Crucis, frementibus Judaeorum turmis, et crucifixoribus undique circumfusis, ad vos venire nequeo: sed fellis, et myrrhae poculo inebriatus anxior; et vos juxta Matrem Domini lamentantes a longe videre compellor; quas filio meo Fratre Pacifico commendatas in Cruce relinquo; et inclinatu capite Spiritum Patri, qui dedit illum, redere concupisco.’ BF, I, pp. 33–34.

⁸⁶ ‘Propter quod attendentes, Religionem Fratrum Minorum gratam Deo inter alias, et acceptam, Tibi, et successoribus tuis curam committimus Monialium praedictarum in virtute obedientiae districtae praecipiendo mandantes, quatenus de illis tamquam de ovibus custodiae vestrae committis curam, et solitudinem habeatis’. BF, I, pp. 36–37.

⁸⁷ Alberzoni, ‘Clare and the Papacy’, p. 44 and ‘*Sorores Minores* and Ecclesiastical Authority’, p. 121; Knox, *Creating Clare of Assisi*, pp. 31–32.

dedicated to poverty; however, as the title *pauperes moniales reclusae* was being used by Gregory as an umbrella term — it was not a title of a coherent organisation and did not correspond with any of the formal titles given to these groups of nuns — for these organisations, it is going too far to cite the issue of this bull as the point at which the juridical identity of the women became linked with the Friars Minor. Indeed, it is more important to pay attention to the ambiguity of the term *pauperes moniales reclusae*, rather than its specificity. In light of the differences between the legal titles of the women's communities who were dedicated to poverty, Gregory may have needed to refer to them using a more general terminology in order to ensure that he did not miss out any communities. As the religious life — or the formal designation given to the religious life — of communities such as that of Monticelli was formulated on privileges that were likely to have been drawn up by the recipient, using a blanket term may have seemed more judicious than attempting to refer to all of the different forms of religious life. Moreover, the novel nature of the women's communities meant that Gregory was probably aware that, as a general entity, the lives of the *pauperes moniales reclusae* were unstable, and likely to change and evolve. Using a title that was descriptive rather than evocative of a juridical whole would perhaps have helped to ensure that the Friars Minor were bound to looking after groups of poor enclosed nuns, were the legislative identities of the monasteries to change, and would also have covered new, as well as existing, foundations.

The ambiguity of the title has not prevented scholars from presenting the bull as the first step made by Gregory in a process that would take place between 1227–8 which would, allegedly, see San Damiano institutionalised away from its Franciscan ideals on being subsumed into the 'Hugolinian' network and made to follow the form of life followed by the 'Hugolinian' communities, instead of Francis's form of life. Alberzoni and Knox's claim that Gregory needed San Damiano to be considered along with the other poor monasteries as part of a legislative whole in order to secure the *cura* of the Friars Minor is very plausible.⁸⁸ Less convincing is their assertion that the papacy forced Clare and San Damiano to abandon their 'organic Franciscan identity' in order to become part of this unified legal entity.⁸⁹ Scholarly interpretations of the events of the year 1228 in particular overemphasise the significance of the issue of the *cura monialium* in the development of the women's legislative identities at this point.

⁸⁸ Alberzoni, 'Clare and the Papacy', pp. 44–5; Knox *Creating Clare of Assisi*, pp. 31–2.

⁸⁹ Alberzoni, 'Clare and the Papacy', pp. 44–5; Knox *Creating Clare of Assisi*, pp. 31–2.

I.3 The year 1228

The year 1228 is usually singled out in scholarship as a crucial turning point in the history of the development of the monasteries that would, in 1263, become part of the Order of St Clare. On 18 August of this year, Cardinal Rainaldo, the future Pope Alexander IV, sent a letter to

the abbesses and communities of the poor monasteries of San Damiano of Assisi, Santa Maria of Vallegloria (Spoleto), of Perugia, of Foligno, of Florence, of Lucca, of Siena, of Arezzo, of Borgo, of Acquaviva, of Narni, of Città di Castello, of Todi, of Santa Seraphia de Cortona, of Faenza, of Milan, of Padua, of Trent, of Verona, of Orvieto, of Gubbio, of San Paulo of Terni, San Paolo of Spoleto and of Cortona.⁹⁰

In this letter, he introduces himself to these communities as the person who will be responsible henceforth for their ‘care’. He explains that Gregory IX (Hugolino) was preoccupied with many ‘difficult problems’ with which he had been troubled upon his ascent to the papacy and which rendered him unable to care for the women personally (as he had, the letter implies, beforehand). He had therefore appointed Rainaldo as his ‘messenger’, so that Rainaldo could administer to the women on the Pope’s behalf. He also informs the women that he has appointed a Brother Filippo as their visitor.⁹¹

⁹⁰ ‘Matribus, sororibus et filiabus carissimis ancillis Christi Sponsi, Filii Dei, abbatissis ac conventibus pauperum monasteriorum sancti Damiani de Assisio, Beatae Mariae Vallisgloriae, de Perusio, de Fulgineo, de Florentia, de Luca, de Senis, de Aretio, de Burgo, de Aquaviva, de Narnio, de Civitate Castelli, de Tuderto, de Sancta Seraphia de Terdona, de Faventia, de Mediolano, de Padua, de Tridento, de Verona, de Urbeveteri, de Eugubio, Sancti Pauli I[n]terampnen., Sancti Pauli Spoletan. et de Cortona, Rainaldus miseratione divina sancti Eustachii diaconus cardinalis, Domini Papae Camerarius, salutem et Sponsi regale cellarium introduci.’, *Escritos*, p. 365. Armstrong incorrectly inserts a colon between ‘sancti Damiano de Assisio’ and ‘Beatae Mariae Vallisgloriae’ in his English translation of this source, which makes the *salutatio* appear as if Rainaldo is addressing the institutions which follow San Damiano as the monasteries ‘of San Damiano of Assisi’. It is important that the *salutatio* is not read in this way as it then appears as if the monasteries belong institutionally to San Damiano. Armstrong, *Clare of Assisi: Early Documents*, p. 133.

⁹¹ Rusconi asserts that Filippo was a member of the Friars Minor. Given that *Quoties cordis* formally placed the *cura monialium* of poor women’s monasteries in the hands of the Friars Minor, it is likely that this was the case; however, there is no evidence available for his identity. See Rusconi, ‘The Spread of Women’s Franciscanism’, p. 53.

It is significant that these twenty-four monasteries are grouped together as ‘poor monasteries’, even if this is used descriptively rather than as an official title, as the *salutatio* encompassed communities that followed different forms of life.⁹² The monasteries at Perugia, Lucca, Siena, Faenza and Milan belonged to the ‘*religio* of the poor ladies of the valley of Spoleto and Tuscany’ and followed Hugolino’s form of life. Monticelli (Florence) followed the ‘regular observances of the Ladies of Santa Maria of San Damiano at Assisi’. Even without knowing the legal formulae or the nature of the form of life followed by each individual monastery listed, it is clear that Rainaldo — or the papacy via Rainaldo — was, by placing the monasteries under the care of one visitator, attempting to bring a degree of administrative uniformity to a set of monasteries that did not all share in common the same type of form of life or title. It also demonstrates that the papacy and its administrators saw these communities as connected — and so were able to group them together — based on the fact that they were ‘poor’.

Unsurprisingly, scholarship on this letter has focussed on the inclusion in the *salutatio* of San Damiano alongside the other monasteries.⁹³ Alberzoni has argued in three separate studies that the appearance of San Damiano amongst these other monasteries — which, Alberzoni suggested, were ‘Hugolinian’ in character — is proof that Clare had accepted that San Damiano would follow Hugolino’s form of life, in exchange for Gregory’s mandate that San Damiano could never be forced to accept property. This mandate, known as the *privilegium paupertatis*, was issued on 17 September 1228. Building on her assertion that San Damiano had a unique relationship with — and was cared for by — Francis and his brothers, Alberzoni argued that Gregory wanted to exploit this connection by aligning other monasteries juridically with San Damiano, thereby creating a link between the poor

⁹² Rusconi comments on the ‘variability’ of these communities’ formularies. Rusconi, ‘The Spread of Women’s Franciscanism’, p. 52.

⁹³ A particularly contentious point in the studies of Mueller and Knox is Rainaldo’s decision to place San Damiano at the very beginning of the list of monasteries. Mueller interprets this as a celebration of ‘Gregory’s juridical accomplishment of amalgamating this famous monastery into his Order’. Mueller, *The Privilege of Poverty*, p. 39. Knox too interprets Rainaldo’s positioning of San Damiano as significant, asserting that this was a product of Gregory’s attempt to use San Damiano as model for his ‘new order’. Knox, *Creating Clare of Assisi*, p. 32. As it was customary in *salutationes* to list the most important addressee first, it may be significant that San Damiano was included as the first on the list. However, in this case it seems more likely that Rainaldo listed the monasteries in alphabetical order of their dedication. After listing the Assisi monastery, dedicated to San Damiano, he then lists the monasteries dedicated to Santa Maria, and then those dedicated to San Paolo. Knox’s theory in particular is also problematic in that it is based on a mistranslation from the Latin source of the letter. She states that the twenty-four institutions listed were poor monasteries ‘of San Damiano of Assisi’. Leaving aside that San Damiano, numbered among the twenty-four monasteries, cannot belong to itself, there is nothing grammatically distinctive about either San Damiano or the other monasteries listed that would indicate that they ‘belonged’ juridically or otherwise to San Damiano. All of the monasteries listed by Rainaldo, including San Damiano, are in the genitive case.

monasteries and the Friars Minor that would support the papacy's attempts to secure the spiritual and pastoral care of the friars for the women. In turn, San Damiano's receipt of a papally-approved form of life would have given the community a legal identity that also brought them in line with a set of monasteries that could be administered to as a juridical whole.⁹⁴

According to Alberzoni, Clare and Gregory along with Cardinal Rainaldo, discussed San Damiano's adoption of Hugolino's form of life during Gregory's visit to Assisi for Francis's canonisation ceremony. Clare was adamant that the unique identity of San Damiano should not be compromised by the community's observance of the strictest enclosure, which would have entailed their receipt of endowments in order to ensure the security of the women involved. She was also reluctant to replace the direct relationship between San Damiano and the friars with one that was subject to papal regulation. She therefore vehemently resisted Gregory's proposal that San Damiano should adopt the Hugolinian form of life. This led to negotiations between Clare and Gregory, which ended in San Damiano's adoption of the Hugolinian constitutions and Gregory's concession of a privilege that would ensure that San Damiano would never be forced to receive property.⁹⁵

Other studies which have examined the events of 1228 largely corroborate Alberzoni's version of events. Knox, for example, states that Gregory offered to give her a *privilegium paupertatis* in order to persuade her to accept the Hugolinian constitutions.⁹⁶ This exchange, according to Knox, followed an episode, documented in Clare's hagiography, in which Gregory offered to relieve Clare of her vow of poverty and allow her to receive property. Clare, predictably, refused the Pope's offer.⁹⁷ Mueller states that Clare requested the privilege in order to 'protect her Franciscan form of life'.⁹⁸

It certainly seems likely that Rainaldo's letter is evidence of the papacy's attempt to organise all of the poor women's monasteries into one administrative whole. For reasons that I discuss below, Alberzoni's hypothesis regarding the papacy's attempt to use San Damiano to secure the friars' care of the poor women's monasteries is a highly plausible one: that it represented a first step in a process in which the papacy would align these monasteries with

⁹⁴ See the following studies of Alberzoni's: 'Clare and the Papacy', pp. 46–8; 'San Damiano in 1228', pp. 99–101; "'Sorores Minores and Ecclesiastical Authority'", pp. 121–122.

⁹⁵ See, in particular, 'San Damiano in 1228', pp. 99–100.

⁹⁶ Knox, *Creating Clare of Assisi*, p. 34.

⁹⁷ Knox, *Creating Clare of Assisi*, p. 34.

⁹⁸ Mueller, *The Privilege of Poverty*, p. 39.

San Damiano, in order to create a coherent legislative identity for the communities that would in turn forge a link between the women's communities and the Friars Minor by exploiting, if not a relationship between Francis and Clare, most probably, the close proximity of San Damiano to the friars' spiritual locus. However, in light of the lack of contemporary evidence for Clare's own feelings about this situation, and for the exact date on which that San Damiano adopted the Hugolinian/Gregorian form of life, it is very difficult to argue with complete certainty that these events were triggered by Clare's resistance to the idea that her community might have to receive property and relinquish their 'Franciscan' status.

Prior to the issue of Rainaldo's letter, the only other sources that mention San Damiano are the 1221 reconfirmation of Monticelli's form of life and the 1223 Milan charter. As discussed above, both of these documents state that the monasteries followed the form of life of San Damiano, although neither gives any indication as to what this form of life entailed. That they were prescribed by the papacy — either on papal initiative or as a response to the women's own requests — in place of the Hugolinian constitutions may imply that they differed from each other in some way; however, it does not imply that the San Damiano form of life demanded a more rigorous observance of poverty than Hugolino's. It definitely does not suggest that the communities who followed the San Damiano constitutions were more 'Franciscan' than the Hugolinian communities. Even if it did, there is no evidence for the form of life followed by Clare and her sisters at San Damiano, for Clare's own mindset, or for a relationship between Francis and San Damiano.

Scholars have used an episode from the 1255 legend of Clare's life as evidence that a conversation between Clare and Gregory did happen around 1228, and that it did concern the prospect of the San Damiano community's receipt of property. The episode in question reads as follows:

When he [Gregory IX] was [attempting to] persuade her that, because of the events of the times and the dangers of the world, she should consent to have some possessions which he himself willingly offered, she resisted with the strongest spirit and would in no way acquiesce. The Pope replied to Clare:

“If you fear for your vow, We absolve you from it.” “Holy Father”, she said,
 “I will never in any way wish to be absolved from the following of Christ.”⁹⁹

Leaving aside the problems associated with using Clare’s hagiography as evidence for her life, which have already been outlined, this episode does not provide any indication as to the date on which this conversation occurred. We know that Gregory was in Assisi during 1228; however, neither this passage nor those surrounding it would suggest that he visited Clare and offered her absolution from her ‘vow’ whilst he was in the area. On re-examining the evidence for this event, it becomes clear that the meeting between Gregory and Clare is a narrative invented by scholars, and based partly on hagiographical evidence, to explain the inclusion of San Damiano in Rainaldo’s letter of 18 August — which most scholars have used as evidence for San Damiano’s adoption of the Hugolinian constitutions — and Gregory’s official declaration on 17 September that the community could not be forced to receive property.

If evidence existed for the exact date on which Clare’s community received the Hugolinian constitutions, the narrative might be more convincing. However, the only available source that would indicate that San Damiano may have received any form of life is Gregory’s 1238 bull *Angelis gaudium*, in which he refuses Agnes of Bohemia’s request that her community should follow the form of life that Francis allegedly gave to San Damiano on the grounds that the San Damiano community had been following the ‘rule of the order of San Damiano’ ever since Honorius’s time as pope. He explains that the rule had been ‘confirmed by Honorius...with the privilege of exemption conceded to them by him with us interceding’.¹⁰⁰ Assuming that Gregory was telling the truth, this source tells the reader that the rule followed by San Damiano in 1238 was the same one that they had been following since Honorius’s pontificate. This would certainly help to explain how the monasteries of Monticelli and Milan came to follow the ‘regular observances of the Ladies of Santa Maria of San Damiano at Assisi’ and the ‘order and rule of San Damiano’ respectively, and would also suggest that San Damiano had never adopted the ‘Hugolinian’ form of life. It is possible, of

⁹⁹ ‘Felicis recordationis dominus Papa Gregorius, vir, sicut sede dignissimus, ita et meritis venerandus, paterno affectu sanctam istam arctius diligebat. Cui cum suaderet ut propter eventus temporum et pericula saeculorum aliquas possessiones assentiret habere, quas et ipse liberaliter offerebat, fortissimo animo restitit, et nullatenus acquievit. Ad quam respondente Pontifice: “Si votum formidas, nos te a voto absolvimus”; “Sancte pater, ait, nequaquam a Christi sequela in perpetuum absolvi desidero.”’ *Escritos*, p. 149.

¹⁰⁰ ‘Nos quidem ad rationis consilium recurrentes ex diversis causis expedire non vidimus, quod id ad complementi gratiam duceremus. Primo, quia praedictam Regulam studio compositam vigilantibus, & acceptatam a praedicto Sancto, nec non per felicis recordationis Honorium Papam Praedecessorem nostrum postmodum confirmatam dictae Clara, & Sorores, concessio ipsis ab eodem intercedentibus Nobis exemptionis privilegio, solemniter sunt professae.’ BF, I, pp. 242-44.

course, that Gregory had invented the idea that San Damiano had been following a certain rule for a long period of time in order to convince Agnes to follow the San Damiano rule, which he himself had prescribed for the Prague community, instead of Francis's form of life. It may also have been the case that he referred to the rule as being of the 'Ordo Sancti Damiani' because he had, by 1238, begun to refer to the 'Hugolinian' houses and those who were in some way connected with San Damiano as the 'Ordo Sancti Damiani'.¹⁰¹ Nonetheless, it is significant that the only extant evidence for Clare's community ever having received a rule, or form of life, prior to 1245 — when Innocent IV issued San Damiano with a new rule — indicates that this rule was given to Clare during Honorius's pontificate, and that it may not have been 'Hugolinian'.¹⁰²

Even if Gregory had been distorting what he thought to be the truth for rhetorical purposes, it is still the case that there is no evidence contemporaneous with the developments of 1228 to suggest that San Damiano received Hugolino/Gregory's form of life, or that Gregory and Clare met during this year. The papacy's issue of the bull *Sicut manifestum est*, referred to in modern scholarship as the *privilegium paupertatis*, does, however, indicate that Clare may have felt the need to obtain formal recognition of her community's poverty and to ensure that the nuns of the community could not be forced to receive property. The bull itself is interesting as it does not read as an exemption from another form of life. Gregory praises the women for living without property, before confirming that, as Clare had requested, they could 'be compelled by no one' to receive possessions.¹⁰³ It is uncertain as to why Clare felt that she needed to ask for this privilege. Her request might indicate that her community was following a form of life that did not place enough importance on poverty. In an unstable

¹⁰¹ I discuss the establishment of the 'Ordo Sancti Damiani' in the following section.

¹⁰² It is also curious that, in 1235, Gregory issues a document to the Prague community that is similar to the one issued in 1219 by Honorius to Monticelli, in which he states that the 'institutionem monialium inclusarum sancti Damiani Assisinatis' were to be observed by the women. BF, I, p. 171–72. As it was issued seven years after the events of 1228 it is not possible to use it to disprove the theory that San Damiano was made to follow Hugolino's form of life, but it seems odd that Gregory would prescribe the San Damiano community with the Hugolinian form of life and then issue the Prague community with institutions that were known as being of 'San Damiano', especially if he was trying to create juridical unity.

¹⁰³ The salutation and main body of the text reads: 'Dilectis in Christo Filiabus Clarae, ac aliis Ancillis Christi in Ecclesia S. Damiani Episcopatus Assisi congregatis salutem, et Apostolicam Benedictionem. Sicut manifestum est, cupientes soli Domino dedicari abdicastis rerum temporalium appetitum; propter quod, venditis omnibus, et pauperibus erogatis, nullas omnino possessiones habere proponitis, illius vestigiis per omnia inhaerentes, qui pro Nobis factus est pauper, via, veritas, atque vita; nec ab hujusmodi proposito vos rerum terret inopia; Nam laeva Sponsi caelestis est sub capite vestro ad sustentandum infirma corporis vestri, quae legi mentis ordinata caritate stravistis. Denique qui pascit aves Caeli, et lilia vestit agri, vobis non deerit ad victum pariter, et vestitum; donec seipsum vobis transiens in aeternitate ministret; cum scilicet ejus dextera vos feliciter amplexabitur in suae plenitudine visionis. Sicut igitur supplicastis, altissimae paupertatis propositum vestrum favore Apostolico roboramus, auctoritate vobis praesentium indulgentes, ut recipere possessiones a nullo compelli possitis.' BF, I, p. 771.

religious climate in which the formal identities of women's communities were in a state of flux, it may be that Clare was concerned that the papacy, as they had begun to consider all of the poor monasteries of nuns as a whole, would shape the religious tenor of San Damiano into one that more closely resembled that of the nuns of other religious orders, who were able to hold property in common. In the absence of supporting evidence, it is, however, important that we do not read Clare's request for this privilege as being motivated by a desire to conform to what Francis wanted, or out of a desire to be like the men. This downplays the value of this source as an insight into Clare's own views on how her spiritual vocation and that of her community might best be performed, for the benefit of their souls.

Rainaldo's letter is, therefore, probably most accurately read as the first step in the creation of a coherent juridical identity for all of the poor women's monasteries, which would begin to remove any elements of legal confusion and ensure that the monasteries were overseen by an administrator. Clare's own request for poverty is interesting, and would come to be significant in the context of her correspondence with Agnes of Bohemia and of Agnes's own endeavours to secure a form of life for her monastery that allowed the women to live without possessions. It is difficult, however, to create a direct relationship between Rainaldo's letter and Clare's request for poverty without a great deal of speculation and without relying upon evidence from sources produced after the privilege was issued. Interestingly, the narrative of the early relationship between Clare and Francis, which has influenced negatively previous analyses of the development of the women's identities prior to 1228, would soon be created by the papacy in the form of Thomas of Celano's *Life of St Francis*. The text appeared at a crucial time in which the juridical identities of the poor women's monasteries were changing, and when monasteries purporting to follow a similar tenor of life had begun to appear northwards of the Alps.¹⁰⁴

I.4 Thomas of Celano's *Life of St Francis* and the *Ordo Sancti Damiani*

Commissioned in 1228 and promulgated in 1229 by Gregory IX, Thomas of Celano's *Life of St Francis* has been overlooked by scholars writing on the poor women's monasteries as crucial to the development of their juridical organisation and the construction of the women's

¹⁰⁴ Rusconi, 'The Spread of Women's Franciscanism', p. 52.

identities.¹⁰⁵ This is possibly because, as I have discussed in the introduction to this thesis, it is mostly discussed by these scholars as evidence for the lives of Clare and San Damiano in their earliest years, rather than viewed as the first official image of Francis's life in its immediate context.¹⁰⁶ The second chapter of this thesis examines in detail the ways in which Celano constructs religious exemplars of 'worldly' rejection against contemporary socio-cultural models. It is necessary here, however, to consider how Celano uses imagery of construction, or of reconstruction, in order to narrate the establishment of the monastery at San Damiano. Doing so helps us to understand both how and why the papacy used the text to create a closer bond between the order of nuns and the Friars Minor, and where scholars have missed this motive.

According to Celano, Francis's first act after he publicly rejected his father and renounced his worldly heritage in the court of the Bishop of Assisi was to rebuild the church of San Damiano. That he restored an existing church instead of constructing a new one is a crucial motif:

He did not try to build a new one [i.e. a new church], but he repaired an old one, restored an ancient one...for no-one can lay another foundation but that which has been laid, which is Christ Jesus. When he had returned to the place mentioned where the church of San Damiano had been built in ancient times, he repaired it zealously within a short time, aided by the grace of the most High.

This is the blessed and most holy place where the religion and most excellent Order of Poor Ladies and holy virgins had its happy beginning, about six years after the conversion of the blessed Francis and through that same blessed man.¹⁰⁷

Celano uses symbolism here to convey two main ideas. The first is that, unlike his heretical contemporaries, Francis did not intend to deviate from the Roman Catholic Church by forming a separate *ecclesia* — which, in any case, would be impossible as the only true Church was that which had been founded by Christ — but instead to restore the apostolic

¹⁰⁵ This text is sometimes known as the *First Life of St Francis* or the *Vita prima*, as Celano wrote a second *vita* of Francis at some point between 1244 and 1247. I do not refer to the second *vita* in this thesis, and so I have chosen to refer to the first one simply as the *Life of St Francis*.

¹⁰⁶ See pp. 21–23.

¹⁰⁷ 'Primum itaque opus quod beatus Franciscus aggreditur, liberatione sui de manu carnalis patris obtenta, domum construit Deo, illamque non de novo facere tentat, sed veterem reparat, vetustam resarcit; non fundamentum evellit, sed super illud aedificat, praerogativam, licet ignorans, semper reservans Christo: fundamentum enim aliud nemo potest ponere, praeter id quod positum est, quod est Christus Iesus. Cumque ad locum in quo, sicut dictum est, ecclesia Sancti Damiani antiquitus constructa fuerat, reversus foret, gratia ipsius Altissimi comitante, in brevi eam tempore studiosus reparavit. Hic est locus ille beatus et sanctus, in quo gloriosa religio et excellentissimus Ordo Pauperum Dominarum et sanctarum virginum, a conversione beati Francisci fere sex annorum spatio iam elapso, per eundem beatum virum felix exordium sumpsit...' Omaechevarria, *Escritos*, p. 43.

character of the primitive Church.¹⁰⁸ The second one is that Francis shared an intimate connection with the ‘Order of Poor Ladies’ in what Celano portrays as its earliest form; by restoring San Damiano he was, in fact, the cause of the order’s inception. The narrative also posits San Damiano as the first house of the ‘Order of Poor Ladies’. Celano’s message is clear: Francis’s restoration of San Damiano marked the beginning of the women’s order, which gained its place within the Church, and as part of the Church’s *renovatio*, from Francis via San Damiano. Celano extends his construction metaphor into the following passage, in which he describes Clare’s relationship with Francis:

The Lady Clare, a native of the city of Assisi, the most precious and strongest stone of the whole structure, stands as the foundation for all the other stones. For after the beginning of the Order of Brothers, when this lady was converted to God through the counsel of the holy man, she lived for the good of many and as an example to countless others.¹⁰⁹

Using Clare as a model instead of San Damiano in this instance, Celano again places Francis at the origin of the women’s order. As San Damiano is the first institution of the ‘Order of Poor Ladies’, Clare is the first woman. The order, via San Damiano and Clare, derives its spiritual authority from Francis.

Celano’s very neat narrative imposes an order onto the development of the ‘poor women’s’ communities that, as this chapter has so far demonstrated, may not have existed. This is why scholars’ uncritical use of hagiographical material as evidence for the events comprising the origin of the women’s communities is problematic. This is not because the events that they describe did not happen — there is no reason to suggest that Francis did not restore San Damiano or that he did not inspire Clare directly to embrace her vocation — but because Celano’s presentation of these events is so heavily endowed with symbolism and is governed predominantly by his use of extended metaphor. The way in which Celano condenses the events comprising the order’s origin to a series of symbols results in the portrayal of the women’s order as a phenomenon that was secondary to the men’s: Clare’s

¹⁰⁸ See Edward Peters, ‘Restoring the Church and Restoring Churches: Event and Image in Franciscan Biography’, *Franziskanische Studien*, 68 (1986), 213–36, and Anne E. Lester, ‘Making the Margins in the Thirteenth Century: Suburban Space and Religious Reform Between the Low Countries and the County of Champagne’, *Parergon*, 27 (2010), pp. 59–62.

¹⁰⁹ ‘Hic est locus...in quo domina Clara, civitate Assisii oriunda, lapis pretiosissimus atque fortissimus ceterorum superpositorum lapidum exstitit fundamentum’. *Escritos*, p. 43.

conversion occurs ‘after the beginning of the Order of Brothers’.¹¹⁰ Whether the group of men who would officially become the *Ordo Fratrum Minorum* in 1223 was referred to by ecclesiastical authorities as an organised whole before the women or not, Celano’s ordering makes the women appear as the copy derived from the male original. In using Celano’s narrative uncritically as the origin story for the male and female orders, scholars thus also participate in the use of the male form of Franciscan expression as the norm. As it was impossible for the women to perform their spiritual devotion in the same way as the men did, the women’s life could never constitute an exact reproduction of the men’s, which causes their order to appear as a diluted — lesser — form of the male order in scholarship.

The uncritical use of narrative sequences such as Celano’s has a number of serious consequences for our understanding of the religious identity of the women’s communities examined so far. It contributes to the scholarly perception of the male groupings within the order as having a coherent and ‘normal’ identity, where the women’s identity is portrayed as a deviation from the ‘norm’. As can be identified in the scholarly disputes over Jacques de Vitry’s letter, such an engrained perception has led to the attribution of ‘Franciscan’ status — a status that did not exist at that time — to groups of men who displayed some of the traits that would be formalised in the Rule of St Francis or in the hagiographical *legendae* written on Francis’s life, and to the questioning of the women’s Franciscan identity. This can also be observed in studies where scholars use a gendered qualifier to refer to the female organisations that were perceived to be associated with Francis — ‘women’s Franciscanism’ — but do not use such a descriptor to denote their male counterparts.

This perception of the early male order as a ‘pure Franciscanism’ has also informed the prevailing view in studies on the women that Clare, throughout her religious life, was motivated by a need to cling on to this identity as the papacy persistently imposed measures such as enclosure that threatened, step by step, to institutionalise her away from it. Scholars who hold this view have tended to use it to interpret the significance of important events in the development of the women’s identity, even in the absence of evidence for Clare’s own thoughts. It is possible to see this, as this chapter has shown, in scholars’ interpretations of the events of 1228. It is true that figures such as Clare and Agnes repeatedly implored the papacy to allow them to live without possessions, but these requests must be viewed as part of their

¹¹⁰ Constance Hoffman Berman has discussed the misrepresentation of the emergence of Cistercian women as a secondary phenomenon to the emergence of Cistercian men, caused by the scholarly use of documentary material produced in the thirteenth century to interpret the events of the twelfth century. See her ‘Were There Twelfth-Century Cistercian Nuns?’, 824–64.

endeavour to fulfil their own vision of religious perfection, influenced by Francis, within their own socio-religious environments and not as having been motivated by a fear that they were somehow ‘lesser Franciscans’.

A misreading of hagiographical narrative has the potential to influence unhelpfully modern interpretations of the development of religious identity. It is important to understand that, at the time of its production, Celano’s narrative would have helped to cement the women’s identity within the bounds of orthodoxy. As stated above, the women gain their place within the structure of the Church via Francis, the symbolic head of an already-approved order. This is, of course, symbolised by Francis’s relationship with Clare and San Damiano. If Celano had any cause to ensure the promotion of the ‘Order of Poor Ladies’ as an orthodox outlet for religious expression it is not clear; it is difficult to know, for instance, how far the pope’s commission and approval of the text is indicative of any papal influence on its construction and, if it is, whether the pope would have used this influence in order to shape the lives of the women. Even if Celano was not at all concerned with the formation of the women’s identity, it is significant, as Alberzoni has asserted, that this story was produced during a time in which Gregory was trying to secure the friars’ care of the women and in which he began to refer to some of the poor women’s houses under his care as being of ‘the order of San Damiano’.¹¹¹

Gregory’s use of the title ‘Order of San Damiano’ to designate the poor women’s monasteries is usually viewed negatively by scholars, who are keen to stress that it did not follow from their new designation that the monasteries who took this title were ‘organically Franciscan’, unlike the monastery of San Damiano itself, which was.¹¹² Whether it was the case or not that San Damiano followed a life that differed from the other poor women’s monasteries in Italy at this time, the papacy’s creation of this entity represents an important phase in the construction of the women’s identities. In naming the order ‘the Order of San Damiano’, the papacy was constructing a myth — not to mention capitalising on the one that

¹¹¹ Alberzoni, ‘Clare and the Papacy’, p. 49.

¹¹² If there was a definitive date on which Gregory decided to begin referring to the poor women’s monasteries under the care of the papacy as being of the ‘Order of San Damiano’, it is not clear. The first extant document in which he refers to the Faenza community as such is the 1231 bull *Inter alia*. See Lanzoni, ‘Le antiche carte del S. Chiara in Faenza’, p. 275. The Milan community are referred to in this way in 1234 by a brother Martin of the Order of Friars Minor. Gregory refers to the Milan community as such from 1235, in the bull *Iustis petentium desideriiis*. See Sevesi, ‘Il monastero delle Clarisse in S. Apollinare di Milano’, p. 358, p. 361. The earliest extant document in which San Damiano itself is addressed by Gregory in this way is the bull *Coelestia quaerentibus*, issued in 1234. BF, I, p. 143. In 1237, he sent an encyclical letter, *Licet velut ignis*, to ‘all his daughters in Christ, the abbesses and sisters of the Order of San Damiano’. BF, I, pp. 209–10.

they had published in the form of Celano's *Life of St Francis* — that implied that San Damiano was the mother house from which all of the other poor women's houses derived their spiritual identity. Rather than trying to emphasise that San Damiano was the only institution belonging to the Order of San Damiano that was truly 'Franciscan', however, it is arguably more fruitful to view the papacy's actions as their own creation of a 'Franciscan' mythology; that is, an order that, via Clare and the regulation of Gregory, was inspired by Francis.

I.5 The Order of San Damiano in Bohemia and the Polish Duchies

I.5.1 Agnes of Bohemia and the Prague monastery

In some histories of the nuns' order, this myth of direct inspiration from Francis has had negative consequences for the placement of Central-European monasteries in narratives of the spread of the 'poor enclosed nuns', or the 'Order of San Damiano' beyond Italy.¹¹³ It is necessary here to examine the points at which these narratives contribute to the diminished visibility of Central-European communities in Franciscan scholarship. As the introduction to this study discussed, Agnes of Bohemia and the nuns at Prague have enjoyed far greater attention from scholars than the monasteries in the Polish duchies. I discussed how this can be put down in part to the place of Agnes's 1989 canonisation in the dissolution of Czechoslovakia's communist regime, but perhaps more importantly to the fact that we have access to four extant letters written by Clare of Assisi to Agnes. The letters have afforded Agnes a connection to Assisi that has made her far more visible in scholarship than her Polish counterparts. In some cases, this is understandable; for instance, in studies that take Clare as their subject and which therefore discuss her relationship with Agnes as part of their analysis of Clare's life and work.¹¹⁴ But the way in which the development of the Prague community is narrated in histories of the order's gestation reveal something more insidious about how Franciscan nunneries are assessed for legitimate status as Franciscan subjects.

It is likely that it was Clare who made Agnes aware of a primitive form of life for Franciscan nuns that had been drawn up by Francis and given to the San Damiano

¹¹³ See p. 23.

¹¹⁴ The first two chapters of Knox's *Creating Clare of Assisi*, for instance.

community. We know for certain that Agnes asked the pope for permission to follow this formula, and that the pope refused, apparently on grounds that it was not sophisticated enough for a fully formed community.¹¹⁵ It may have been the case, as Alberzoni, Felskau, Mueller, and Roest have claimed, that Clare maintained contact with Agnes in order to spread actively her own model of female Franciscan life.¹¹⁶ As Alberzoni has discussed, it is possible that Clare planned to use the political influence of Agnes's family to convince the pope, who was cautious about creating doctrinal confusion in the wake of Canon Thirteen, to allow San Damiano and the monasteries to which it was affiliated to live the form of life given to her by Francis.¹¹⁷

It is likely too that Agnes saw in the figure of Francis an immediate connection to her own spiritual vocation, and that which she desired for the Prague community. What is questionable here, disturbing even, is the narrative of contamination that underpins analyses of Clare and Agnes's relationship in the context of other women who chose to join houses belonging to the Order of San Damiano. Agnes and Clare are portrayed as having battled to retain pure Franciscan identities for Prague and San Damiano against papal efforts to incorporate them into an order with monasteries that were not so 'pure'. In these narratives, women who had some degree of enthusiasm for entering professed life — though not the zeal for absolute poverty that would make them 'truly Franciscan' — were joined by Gregory IX to the Order of San Damiano by the papacy, and given the Rule of St Benedict along with the constitutions that had been drawn up by Gregory. The implication of this is that these women were not truly 'Franciscan', and that by incorporating them into the same order as Clare and Agnes, the papacy were implementing their desire to enforce Canon Thirteen at the expense of diluting a true Franciscan identity.

Maybe this was a genuine fear of Clare and Agnes's, but it does not follow from this that, when historicising the ambitions of these women and their relationship, we should dismiss as 'un-Franciscan' the experiences of communities who did not share Clare and Agnes's understanding of their calling. Mueller, however, implies this in the way in which she contrasts the experience of communities such as Prague and San Damiano with others who belonged to the Order of San Damiano. In response to what Mueller identifies as attempts made by Gregory IX to ensure that women's monasteries in Italy were adequately

¹¹⁵ See footnote 63.

¹¹⁶ Alberzoni, 'Clare and the Papacy', p. 55; Roest *Order and Disorder*, p. 42; Felskau, *Agnes von Böhmen*, pp. 293–321; Mueller, *The Privilege of Poverty*, pp. 53–88.

¹¹⁷ Alberzoni, 'Clare and the Papacy', p. 55.

endowed to avoid harassment from local authorities, the nuns of the Order of San Damiano can be divided into two groups. ‘Some’, she argues,

saw the value of endowments that protected nuns from destitution with its resulting evils. Others, such as Clare and Agnes, were truly smitten with the Franciscan ideal of selling everything and embracing the radical poverty of Christ.¹¹⁸

In the former category falls San Apollinare in Milan, who did not contest papal attempts to ensure that they had enough income by preventing the communes of Lombardy from levying taxes on alms that were given to the nuns in 1235.¹¹⁹ The community of San Lorenzo in Orvieto, on the other hand, owned simply the monastery building and the land that they required for their enclosure.¹²⁰ Unlike the San Apollinare community, these women ‘resisted papal pressure and attempted to retain the spirituality of following the Poor Christ without regular income’.¹²¹

This narrative dismisses firstly the fact that, just as the women at San Apollinare would have asked to adopt Gregory’s constitutions, they would have asked the pope to intervene in their tax dispute with the communes. The pope would not have become involved in the situation of his own accord. The women asked to be exempt from taxation because they did not see this as contrary to the vocation that they themselves had chosen to follow. It might even have facilitated their religious lifestyle; Mueller herself positions these episodes against a backdrop of communities of nuns being harassed or heavily taxed — concerns which may have interfered with their religious life — in the 1220s and 30s. It is unfair to claim, as Mueller does, that ‘[w]omen joined Gregory’s Order not because of its insistence on following the Poor Christ but because of its juridical protections’.¹²² The two were not incompatible. As Chapter Four discusses in more detail, a bull of 1237 grants Agnes and the Prague community permission, against their form of life, to wear extra pelts for warmth, and to ‘relax’ their programme of fasting because the cold was preventing them from observing their form of life in full.¹²³

¹¹⁸ Mueller, *The Privilege of Poverty*, p. 65.

¹¹⁹ Mueller, *The Privilege of Poverty*, p. 64.

¹²⁰ Mueller, *The Privilege of Poverty*, pp. 64–65. Mueller does not provide the date on which her evidence for Orvieto was produced, but Orvieto is mentioned in Raynaldus of Jenne’s 1228 letter (discussed above), so we know that the community had been established by that point in time.

¹²¹ Mueller, *The Privilege of Poverty*, pp. 64–65.

¹²² Mueller, *The Privilege of Poverty*, p. 48.

¹²³ CDB, III, p. 190. See also pp.217–23 of this thesis.

By Mueller's reckoning, we might then also dismiss Agnes's vocation as incompatible with the act of adopting a truly Franciscan vocation. If asking to be exempt from taxes contradicted a vocation based on the radical poverty of Christ, surely wearing fur and not fully observing fast days did so too. Mueller's interpretation reveals the flimsiness of interpretations into which value judgements enter. In order to avoid this type of interpretation, we should firstly refrain from measuring the lifestyles of other communities against what we know, or assume, of the vocation followed at San Damiano in an attempt to determine how 'Franciscan' a monastery was. Secondly, we should not assign a more assured Franciscan status to the communities with which Clare affiliated herself. Finally, it is necessary that we do not see papal efforts as attempts to institutionalise the women away from the 'original ideals' of Francis, but as responses to specific requests made by the women's communities. The current study resists this tendency by accepting a community's own desire to be part of the Order as proof of their Franciscan status, and distinguishing carefully between decrees that were issued solely of the papacy's own accord, and permissions granted in response to requests made by the nuns.

1.5.2 Zawichost Wrocław, Stary Sącz and Gniezno

The drive to link houses to, or separate them from, Assisi as a way of measuring Franciscan status can be felt in some studies of the Polish monasteries; monasteries that, in part because of this narrative, have been neglected by the field. As I discuss in greater detail in Chapter Three, most of the scholars who have studied the Wrocław monastery have stated that the Wrocław community consisted of nuns who came from Prague to Wrocław in 1257, based on a chronicle that was written by the nuns in the first half of the fourteenth century.¹²⁴ Irena Czachorowska argued that the community at Prague was made up in part of nuns from Assisi, and that the Wrocław community must, therefore, have consisted of some Italian sisters.¹²⁵ She went as far to make the claim that Vriderunis, a nun from the Wrocław monastery who is mentioned in the nuns' chronicle, was an Italian nun as the unusual name was Italian. Curiously, as there is no evidence at all for such a connection, some scholars have claimed

¹²⁴ See pp.134–40 of this thesis.

¹²⁵ Czachorowska, 'Klaryski wobec śląskiej dynastii piastowskiej', in *Święta Klara z Asyżu*, p. 188. I am not entirely sure as to why Czachorowska claims that some of the Prague community was made up of nuns from Assisi. Agnes's *vita* claims that five of the nuns in the Prague community came from Trent, but not from Assisi. See Jan Kapistran Vyskočil, ed., *The Legend of Blessed Agnes of Bohemia*, trans. by Vitus Buresh (Chicago: [n. pub], 1963), p. 148.

that the Zawichost community was formed in part from nuns who came from Prague.¹²⁶ The monasteries at Stary Sącz, and Gniezno have not been linked in this way to the other royal Franciscan communities in Central Europe. As the prominent royal women with whom these communities are associated — Kinga of Poland, a lay sister and patron of the Stary Sącz community, and Jolenta of Poland, a lay sister and patron of the Gniezno community — were, like Elizabeth of Hungary, members of the Hungarian Árpád dynasty, the communities are often linked to Elizabeth as a central model for inspiration.¹²⁷ As Kinga of Poland was the sister-in-law of Salomea of Cracow, a Piast princess who was also a nun and patron of Zawichost, Salomea is sometimes cited as having been an influence on Kinga's spirituality, alongside Elizabeth of Hungary.¹²⁸ To my knowledge, however, this is not cited as a motivating factor in the establishment of the Stary Sącz community.

I discuss the difficulties and wider implications in establishing a date of foundation or point of origin for each monastery individually in greater depth in Chapter Three. It is worth here, however, drawing attention to a few problems with the narratives of gestation that are outlined above. First of all — and, again, I address this in more detail with reference to foundation in Chapter Three — these are based on texts that were written long after the period from which these texts claim to draw their subject matter.¹²⁹ It does not follow from this, of course, that the information that they provide is 'incorrect', however we might measure that, but the way in which the texts present the women's filiation to their order may be more representative of the contexts in which they were written than of the period to which they refer.

A second problem lies in the act of connecting Wrocław and Zawichost with Prague in this way. The nuns who belonged to the Wrocław community in the early fourteenth century did, of course, state that the first nuns at Wrocław came from Prague in their chronicle of the monastery. But as it was written in the first half of the fourteenth century, and the first extant documentation for the community is from 1256, the chronicle may have been written at least several decades after the date on which the first group of nuns came together as a community in Wrocław. If a scholar's choice to use such source material

¹²⁶ Danuta Sułkowska, *Za klauzurą: Starosądecki Klasztor Klarysek od założenia do współczesności* (Stary Sącz: Miejsko-Gminny Ośrodek Kultury w Starym Sączu, 2006), p. 20; Sutowicz, 'Fundacja klasztoru klarysek wrocławskich', p. 125; Roest, *Order and Disorder*, p. 147.

¹²⁷ I discuss the problems in overstating the case for Elizabeth's influence on her nieces and other women of the Central-European ruling dynasties in Chapter Four. See pp. 187–95.

¹²⁸ See, for instance, Klaniczay, *Holy Rulers*, p. 207.

¹²⁹ Karczewski discusses this on pp. 43–44 of *Franciszkanie w monarchii Piastów i Jagiellonów*.

anachronistically doubtless derives from curiosity as to who comprised the early community, scholars may well also have been guided by the need to link Wrocław to Prague, which has garnered much prestige and visibility in ‘mainstream’ Franciscan scholarship because of its connections to Assisi. Interpretations such as Czachorowska’s may indicate a perceived need to link Wrocław back to a community that was in turn affiliated directly to a ‘source of Franciscanism’ in order that the Wrocław community too might be seen as having access to such an authority. This may too be why scholars have created filial links between Prague and Zawichost based on no evidence. And that there is no evidence for such a connection, nor material which links Stary Sącz, and Gniezno to Prague or Assisi, may well be a reason why Prague and Wrocław have enjoyed greater attention from Anglophone scholars.¹³⁰

If one direct consequence of this approach to filial constructs is that the communities of nuns that were not associated with Assisi are given a less secure Franciscan status than those that were, then another is the risk of leaving out monasteries that did not try to construct such filial connections. I discuss briefly in Chapter Three the community of nuns of St Francis at Doubravnik (Moravia), the evidence for which dates back to 1231 before the early evidence for the Prague monastery was produced. There has been very little study on this community, and despite the fact that it was given gifts by Agnes’s sister-in-law Kunegund, I have only been able to find one reference to it in studies that have sought to contextualise the Prague community within a wider Franciscan tradition.¹³¹ Removing narratives of filiation from the contexts in which they were produced and privileging them over communities’ own claims to Franciscan status can, thus, result in the erasure of entire communities’ histories. This is the reason why, rather than attempting to narrate the ‘spread’ of the order, this study examines the way in which the communities narrated their own affiliation. The choice made by the communities of nuns at Prague, Zawichost, Wrocław, Stary Sącz, and Gniezno to belong to the Order of San Damiano — or the Order of St Clare, for those established after 1263 — is proof enough of their genuine conviction for their adopted vocation, and their assured place in histories of the Franciscan women.

¹³⁰ That there is such little source material for Gniezno may be a reason why it has been the subject of very few studies, but this reasoning cannot be applied to the Zawichost and Stary Sącz communities.

¹³¹ See Christian-Frederik Felskau, ‘Agnes und die Anderen: Der Anteil der Frauen am evangelischen Aufbruch in Böhmen und Mähren während der ersten Hälfte des 13. Jahrhunderts’, in *Čirkev, žena a společnost ve středověku: svatá Anežka Česka a její doba*, ed. by Petr Polehla and others (Ústí nad Labem: Oftis, 2010), pp. 21–42 (p. 33). See also p. 125 of this thesis.

I.7 Conclusion

The narratives of filiation which appear in hagiographies are incredibly compelling, especially in the absence of other engaging source material for the order's origins. With this in mind, it is not difficult to see why scholars cling to the hagiographic Francis — or Clare as a satellite of Francis — either as the starting point for the order, or the point of origin for a movement that was then institutionalised away from the raw spirituality of these charismatic figures. Building on these stories also establishes compelling historical narratives in which Clare battles against a series of individual popes, determined to distort Francis's 'original message' by bestowing property on the San Damiano community, in order to preserve her Franciscan status.

As stated in the introduction to this chapter, it was not this chapter's intent to establish new narratives for the origins of the Franciscan order of nuns. In arguing for a rereading of the sources that are typically used to narrate early chronologies of the order, it has created more gaps than it has filled, and raised more questions than it answers. But these gaps and questions are important for this thesis and for scholarship on female religious more broadly. Once hagiographic chronologies and genealogies are removed from the scholarly narratives of the early period, we realise just how little we know about what Clare may have been thinking at any given point in time. This weakens arguments such as that of Alberzoni's and Mueller's that suggest Clare was motivated primarily by a desire to enact Francis's ideals in full. As a consequence, it breaks apart the myth of male origin and homogeneous male 'norm', which has led — as an analysis of Jacques de Vitry's 1216 letter demonstrated — to scholars questioning women's status as Franciscans where men's status is assured, even if men are sometimes characterised as deviating from the plan of the 'founder'.

In order to break this norm down further, it is important that we recognise that the forms of life that the papacy gave to the nuns were requested by the nuns in some form. Recognising that women had agency to choose their form of life — if not a wide range of choices — highlights the importance that San Damiano and Clare as spiritual authorities held in the imaginations of a great number of women. Monticelli asked to follow the San Damiano constitutions at what appeared to be a very early stage in the institutional development of both monasteries. The fact that many other monasteries also wanted to be affiliated to Assisi or San Damiano, or wanted to be involved with a wider project based on the renunciation of property, provoked the formation of an order of San Damiano, of which many other women,

including the communities at Prague, Zawichost, and Wrocław, desired to be a part. Later, after the order of St Clare was created, in part in response to enthusiasm for Clare, the communities at Sary Sącz and Gniezno would ask to be joined to this order. Acknowledging this does not refute scholarly arguments that the papacy created these orders out of a desire to construct a uniform juridical identity for the houses of women who wanted to take on a Franciscan identity. Viewing the origin narrative portrayed in Celano's *Life of St Francis* as a construct produced within the context of the events of the late 1220s and early 1230s suggests that the papal commissioner of the text was clearly building on enthusiasm for Assisi to fulfil a wider agenda. But in acknowledging this, we also have to acknowledge that this enthusiasm came from the women. It was this enthusiasm that facilitated the spread of the branch of the women's order.

Finally, this chapter has shown that it is beneficial to view the development and spread of the order as the product of a number of wills and agencies. Putting women's agency at the centre of our narratives of the order resists artificial constructs such as those that perpetuate the concept that one could be 'organically Franciscan'. It makes room for a wider range of voices, and avoids giving greater attention to institutions that have been falsely considered to be part of that category, such as that of San Damiano. Moreover, it has revealed a wider range of voices that should be at the centre of our histories of the early Franciscan order, and not as examples of monasteries that were less 'Franciscan' than San Damiano. It thus complements the following chapter, which demonstrates that early Franciscan models were not at all intended to be exclusive, but to be flexible in order to ensure the salvation of all souls.

Chapter Two

The treatment of the material world and the rejection of earthly ties in the early Franciscan documents

II.1 Introduction

The rejection of the world was as compelling an ideal in the Middle Ages as it was difficult to implement both juridically and practically within society.¹ Although the concept of renunciation originated in the gospels and was therefore hardly a new one within the remit of religious life, the development of this ideology by groups of men and women within the context of a regular life based on absolute voluntary poverty brought with it a number of interesting problems. The practice of fleeing the world as part of an apostolate that engaged directly with it was a complex ideal to articulate for those who developed this ideology. Those who shaped these ideals into a liveable model were faced with creating a form of religious life that was based on living in community, but which also deplored the stability and permanency of the monastery structure that was traditionally associated with groups of religious who lived in community.

Using the early normative Franciscan sources, this chapter examines how renunciation was codified in these documents. It examines the interactions between models of worldly renunciation and frameworks for social bonds within and outside of monastic communities. In order to form a context for the way in which Franciscan flight from the world was codified, it first looks at how monastic projects that came about before the Franciscans articulated the blend of rejection of and engagement with the world. It focusses on where the peculiar compound of engaging with and withdrawing from the world caused tensions; for instance, the revival in the central Middle Ages of eremitic solitude and the rise during this period of communal models based on spiritual friendship. It examines also where

¹ Kajetan Esser, in his famous survey of the Franciscan order in its earliest guise, was the first to argue that it was difficult for the witnesses to the early 'Franciscan movement' to communicate the 'newness' of the male order. Curiously, however, he then emphasises the clarity with which the renunciation of the world is expressed by Francis, the papacy, and the other witnesses to the early movement. Kajetan Esser, *Origins of the Franciscan Order*, trans. by Aeden Daly and Irina Lynch (Chicago: Franciscan Herald Press, 1970), p. 17. Originally published in German as *Anfänge und Ursprüngliche Zielsetzungen des Ordens der Minderbrüder*, *Studia et documenta Franciscana*, 4 (Leiden: Brill, 1966).

models that seem contradictory were able to co-exist; for instance, a complete withdrawal from lay society and the creation of social bonds based on gift exchange. Turning then to the normative Franciscan sources, it demonstrates how these models and the spiritual anxieties that they reflected continued within the Franciscan tradition. Though this chapter is based predominantly on normative texts and those related to male Franciscan piety, these sources are used to create a context for an examination of the way in which the communities at Prague, Zawichost, Wrocław, Stary Sącz, and Gniezno created their identities based on flight from the world while maintaining close bonds with their families. It therefore refrains from establishing a rigid androcentric model of ‘Franciscanism’ against which the identities and experiences of the women who inhabited the above institutions might be measured. A focus on spiritual anxieties, and the way in which monastic communities formed penitential models to remedy these, provides a much more appropriate context in which to understand the phenomenon of dynastic Franciscan institutions than comparing the experiences of the women who inhabited them against an artificial male norm.

II.2 Renunciation before the Franciscans

The act of renunciation is a metanarrative that has permeated the textual and visual language involved in the construction of monastic identities throughout the history of Christendom. In the late-antique and medieval period, the many models of renunciation promoted in the gospel texts sparked the proliferation of tales of extraordinary individuals who, having been inspired by these models, devised elaborate means by which they could escape worldly concerns.² These models also provided the basis for monastic conversion in the context of different forms of regular life, as those who shaped these forms of life strove to develop methods that would enable themselves and their contemporaries to adhere to the gospel teachings as closely as possible within the socio-religious contexts of their day.

Normative monastic models built on a number of gospel-derived forms of renunciation. These included the rejection of property, money, familial ties, social status, marriage, beauty, and sex.³ Some of the most powerful models of renunciation concentrated

² It is important to note that while texts relating to regular life drew their language of renunciation and escape predominantly from the Gospels, they also incorporated ideas from other scriptural books, including Old Testament texts. As I discuss later in this chapter, the *Regula non bullata* integrates ideas from Ecclesiastes on temporality.

³ Janet Burton has outlined and discussed the many types of monastic renunciation in the context of medieval England. Janet Burton, ‘Renunciation’, in *A Social History of England: 1200-1500*, ed. by Rosemary Horrox and W. Mark Ormrod (Cambridge: Cambridge University Press, 2006), pp. 356–68.

on just one of these forms; for instance, Felix Asiedu has argued convincingly that sexual renunciation is presented as the most important driving force behind Augustine's conversion in the *Confessions*.⁴ Others incorporated many types of renunciation. In his sixth-century *vita* of Susan, a hermit of the Syrian desert, John of Ephesus invokes separately the rejection of family, sex and status as important penitential acts.⁵ As I discuss later in this chapter, Thomas of Celano's narrative of Francis of Assisi's conversion builds the rejection of family, status, money and property into the image of Francis's rejection of his father; all of these forms are bound together inextricably. In these types of context, a convert's act of renunciation is sometimes depicted as an act of penitence in its own right, and is sometimes overtly articulated as the convert escaping or renouncing the world. Authors of monastic texts also frequently invoke the renunciation of the world without making any connections between worldly rejection and the rejection of a particular object or vice.

Those who employed the motifs of renunciation and escape from the world did so in many different ways, and chose to invoke and build upon scriptural models of rejection to varying extents. In order to understand the Franciscan models of renunciation as the product of the reaction to the socio-religious contexts in which they were formed, it is important to consider briefly the predecessors of these models in monastic tradition. To different degrees, Lester K. Little and Jacques Le Goff have argued that a component of the Franciscan ideology was formed against the values associated with the emerging mercantile economy in northern Italy; where money had begun to supplant land and property as the basis for transaction.⁶ Viewing the Franciscans as the product of this changing climate helps us to understand the novelty of the ideologies promoted by the order to some extent. However, it becomes clear upon examining the ways in which renunciation was articulated prior to the emergence of the Franciscans that they had built on a number of monastic structures that were shaped by pre-existing religious organisations. Understanding how and why the Franciscans took up and moulded — and, in some cases, rejected — these structures enables

⁴ Felix Baffour Asare Asiedu, 'Following the Example of a Woman: Augustine's Conversion to Christianity in 386', *Vigiliae Christianae*, 57 (2003), 276–306. See also Jacques Le Goff, *The Medieval Imagination*, trans. Arthur Goldhammer (London: The University of Chicago Press, 1992), pp. 98–99. For an overview of sexual renunciation in Early Christianity, see Peter Brown, *The Body and Society: Men, Women, and Sexual Renunciation in Early Christianity* (New York: Columbia University Press, 1988). Brown discusses Augustine's attitudes to the rejection of sexuality on pp. 328–427 of this book.

⁵ John of Ephesus, 'Life of Susan', in *Holy Women of the Syrian Orient*, ed. and trans. by Sebastian P. Brock and Susan Ashbrook Harvey (London: University of California Press, 1998), pp. 133–41.

⁶ Little argues that the Franciscan Order was formed against the backdrop of the shift from a feudal to a monetary economy in northern Italy. See Lester K. Little, *Religious Poverty and the Profit Economy in Medieval Europe* (Ithaca, NY: Cornell University Press, 1978), pp. 146–152. Le Goff states that this movement did play a role in the formation of the Franciscans' ideology, but it was one amongst many. See Le Goff, *Saint Francis*, pp. 97–155 esp. pp. 104–105.

us not only to gain a greater sense of what shaped Franciscan models of penitence. In recognising the plurality of models that were used by the Franciscans and the complex tradition of these models, we are also able to better view the male and female expressions of the Franciscan tradition as varied manifestations of the same set of ideals.

The seamless co-existence of a complete renunciation of the world and connections to lay society, created by monastic communities in the central-late Middle Ages, is an important context in which to place the women who formed Franciscan dynastic communities in Central Europe. During this period, a new set of tensions arose between a revival of late-antique desert eremitism and a penitential model that emphasised communal life and engagement with the world. The desert setting was reimagined as the forests of northern France, and in the Cistercian tradition it emerged alongside the concept of spiritual love between brothers and direct engagement with the laity.⁷ What is interesting for the purpose of this study is that the co-existence of direct engagement with the laity — which occurred predominantly in the form of gift-based relationships in which the monks and nuns would pray for the souls of their lay donors — and penitential models based on withdrawal from the lay world never proved to be a point of contention.

It is also important to consider where the conflict lay between a model that both incorporated ideals taken from desert eremitism and emphasised bonds of spiritual friendship. Cistercian thinkers pinpointed the tension between these models in the desert's lack of provision for benevolent correction. If a monk or nun withdrew into a solitary space, it meant that nobody could see any of their wrongdoing, and no-one could correct them. This could leave the individual blemished by a sin that they would carry into the afterlife, which was incredibly dangerous for the fate of the soul. This demonstrates the importance of social bonds. The Franciscan tradition too privileged total renunciation alongside close relationships between Franciscan subjects and lay people. Francis of Assisi used familial models in order to articulate the penitential framework for his brotherhood, and, as Chapter Three discusses,

⁷ In Baudri of D'ol's twelfth-century vita of Robert of Arbrissel, Robert's renunciation of the world is coupled with his retreat into the desert. *Dies affuit, quo ad eremum diu concupitam, ascito sibi quodam presbytero, mundo renuntians, convolavit*. *Patrologia Latina*, ed. by J.P. Migne, 162 (Paris: Apud Garnier fratres, 1854), col. 1049. See also Jacques Dalarun, Robert of Arbrissel: *Sex, Sin and Salvation in the Middle Ages*, trans. Bruce L. Venarde (Washington: Catholic University of America Press, 2006), pp. 22–31 (p. 22). See also Le Goff, *The Medieval Imagination*, pp. 52–59. For the Cistercians, see Mette Birkedal Bruun and Emilia Jamrozak, 'Introduction: Withdrawal and Engagement', in *The Cambridge Companion to the Cistercian Order*, ed. Mette Birkedal Bruun (Cambridge: Cambridge University Press, 2013), pp. 1–22.

those who gave property to the communities in Bohemia and the Polish duchies — who were, more often than not, family members of those who live within the communities — ensured that their donations would not violate the forms of life followed by the nuns and lay sisters. Social bonds were thus important for the survival of monastic communities, to provide for the community's sustenance, and to facilitate a level of surveillance that would ensure the community were adhering correctly to their forms of life.

Cistercian thoughts and anxieties about mixing, or not mixing, with people of both monastic and lay standing thus provide a context in which to place the development of a Franciscan way of life. The Cistercian order was developed in northern France, an area in which the monastic reimagining of desert eremitism occurred during the eleventh-thirteenth centuries. The Cistercians built their identity in part on the desert ideal, but were also anxious about the lack of room for benevolent correction in the eremitic penitential model. The author of the Cistercian *Exordium Parvum* (c.1140s) defined the space of the forest deliberately in contrast to that which was 'secular' when constructing the order's origin story.⁸ The passage narrating the foundation of Cîteaux reads: 'Understanding upon arrival that the more despicable and unapproachable the place was to seculars, the more suited it was for the monastic observance they had already conceived in mind [...] the men of God, after cutting down and removing the dense grove and thornbushes began to construct a monastery there'.⁹ But despite the strong connotation that the desert had as an 'unworldly' place in their core origin stories, the relationship between the Cistercian desert and the renunciation of the world began to sour as the desert became associated with the eremitical tradition that so many Cistercian thinkers deplored.¹⁰ Love and charity were core virtues within the Cistercian concept of monastic life, and ought to be expressed through the bonds between members of a

⁸ Bruun and Jamroziak, 'Introduction: Withdrawal and Engagement', p. 6.

⁹ 'Ad quem viri Dei venientes, locumque illum quem tante religioni quam animo iam conceperant et propter quam illuc advenerant habiliorem, quanto secularibus despicabiliorem et inaccessibilem intelligentes: nemoris ac spinarum densitate precisa ac remota, monasterium ibidem voluntate cabilonensis episcopi, et consensu illius cuius ipse erat locus construere ceperunt', in J.B. Van Damme, ed., *Documenta pro Cisterciensis Ordinis: Historiae ac Juris Studio* (Westmalle: Typis Ordinis Cisterciensis, 1959), p. 7. English translation in Chrysogonus Waddell, ed., *Narrative and Legislative Texts from Early Cîteaux*, *Studia et Documenta*, 9 (Cîteaux: Brecht, 1999), p. 421. See also Bruun and Jamroziak, 'Introduction: Withdrawal and Engagement', p. 6.

¹⁰ Bruun and Jamroziak, 'Introduction: Withdrawal and Engagement', pp. 6–7; Renna, 'The Cistercians and the Wilderness', pp. 185–88; Michael Casey, 'In communi vita fratrum: St Bernard's Teaching on Cenobitic Solitude', *Analecta Cisterciensia*, 46 (1990), 243–61 (pp. 252–56); Caroline Walker Bynum, *Jesus as Mother: Studies in the Spirituality of the High Middle Ages* (Berkeley: University of California Press, 1984), pp. 55–56.

Cistercian community, and the bonds between Cistercian communities.¹¹ In his treatise *On Spiritual Friendship*, Aelred explained that a ‘true’ friendship between two people represents the relationship between God and each person.¹² Similarly, in *The Mirror of Charity*, he argued that the display of a pure love towards a neighbour formed a direct precedent to the true love of God.¹³

The correction of a neighbour, within a monastic context, was another form of benevolent relationship that was important to the Cistercians, as outlined by Bernard and in Stephen Harding’s *Carta Caritatis*. These were virtues that could not be attained outside of the community structure. The desert is invoked in the Cistercian tradition, primarily through their foundation narratives, but the ‘Cistercian desert’ it is made distinct from the eremitical desert. Guerric of Igny, for instance, exulted that

in these deserts of ours [i.e. the Cistercian *coenobia*] we have the quiet of solitude without lacking the consolation of sweet and holy companionship [...] We are in the company of men but without a crowd.¹⁴

The monastery is constructed as a desert that allows an individual to escape from the ‘crowd’, but in which an individual still enjoys the spiritual companionship of others, unlike the eremitical desert.¹⁵ Guerric also placed stress on the importance of the benevolent correction that the Cistercian community provides: ‘It is possible for each of us to sit alone and be silent, for no-one interrupts us; and yet it cannot be said of us: Woe to him who is alone, for he has no-one to comfort him or lift him up when he falls.’¹⁶

Even though the male Franciscan form of life was not coenobitical in nature, the Franciscan community as prescribed in the early documents shares a number of

¹¹ The core primary texts for the Cistercian concepts of love, friendship and charity are Stephen Harding’s *Carta Caritatis* (c.1114–1119), and Aelred of Rievaulx’s *The Mirror of Charity* (c.1142) and *Spiritual Friendship* (c.1164–1167). See ‘Carta Caritatis Prior’ in Jean de le Croix Bouton and Jean Baptiste Van Dame, eds., *Les plus anciens textes de Cîteaux* (Achel: Abbaye cistercienne, 1974), pp. 89–102; Aelred of Rievaulx, *The Mirror of Charity*, trans. Elizabeth Connor, Cistercian Fathers Series, 17 (Indiana: Cistercian Publications, 1990); Aelred of Rievaulx, *Spiritual Friendship*, ed. by Marsha L. Dutton, trans. by Lawrence C. Braceland (Trappist, KY: Cistercian Publications, 2010). The most comprehensive overview of the Cistercian concept of charity in the earliest stages of its development is Martha G. Newman’s *The Boundaries of Charity: Cistercian Culture and Ecclesiastical Reform, 1098–1180* (Stanford, CA: Stanford University Press, 1996). See esp. the chapter entitled “‘The Consolation of Holy Companionship’: Individual Progress and Community Support”, pp. 42–66. See also Bynum, *Jesus as Mother*, pp. 59–81.

¹² Aelred of Rievaulx, *Spiritual Friendship*.

¹³ Aelred of Rievaulx, *The Mirror of Charity*. See also Bynum, *Jesus as Mother*, p. 64.

¹⁴ Guerric of Igny, *Liturgical Sermons*, 1, ed. Hilary Costello and John Morson (Kalamazoo: Cistercian Publications, 1970), pp. 136–38. English translation in Bynum, *Jesus as Mother*, p. 65.

¹⁵ Bynum, *Jesus as Mother*, p. 65.

¹⁶ Guerric, *Liturgical Sermons*, pp. 136–38. English translation in Bynum, *Jesus as Mother*, p. 65.

characteristics with the Cistercian community. It is useful to consider briefly here the *Rule for Hermitages*, written at some point between 1217 and 1221, as an insight into how the early Franciscans viewed the relationship between community bonds and solitude.¹⁷ The rule outlined a set of circumstances that were designed to facilitate the brothers' contemplative needs. Although many Cistercian thinkers opposed the eremitical tradition, the form of life outlined in the *Rule for Hermitages* does not disagree with Cistercian thought on solitude. The Franciscan hermitage was not meant to house lone brothers, but up to four brothers: two of which would take on the active role of Martha and act as mothers, and two of which would take on the contemplative role of Mary and act as sons.¹⁸ While the sons lived out a contemplative life, the mothers were to act as their protectors.

The form of life outlined in the *Rule for Hermitages* also resonates with the nature of the female Franciscans' form of life, which was a contemplative withdrawal from the world that took place within the structure of benevolent government. As Regis J. Armstrong has noted, the role of the visitor to the women's monasteries derived from the role of the Abbot of a mother house as outlined in the Cistercian *Carta Caritatis*.¹⁹ According to the form of life that Gregory IX had issued to the nuns of Pamplona in 1228, the nuns' visitor was required to 'inflare and enkindle them [i.e. the nuns] to the love of God and to mutual love for one another.'²⁰ This part of the nuns' form of life is clearly inspired by similar ideals to that which inspired the creation of the *Carta Caritatis*, and also those of spiritual friendship and charity promoted by thinkers such as Aelred.

Before moving on to discuss the Franciscan texts in more detail, it is also important to note that in choosing to reject the world, it was vital to the survival of communities of nuns and monks that they had connections with lay society. One of the most interesting examples of the significance that those involved in shaping regular life attributed to the interaction between religious communities and lay society is Robert of Arbrissel's advice to Ermengard,

¹⁷ For the edition of the *Rule for Hermitages* see *Die Opuscula des hl. Franziskus von Assisi: Neue textkritische Edition*, ed. by Kajetan Esser (Grottaferrata: Editiones Collegii S. Bonaventurae ad Claras Aquas, 1976), p. 409–10.

¹⁸ 'Illi, qui volunt religiose stare in eremis sint tres vel quattuor ad plus; duo ex ipsis sint matres et habeant duos filios vel unum ad minus. Isti duo qui sunt matres, teneant vitam Marthae et duo filii teneant vitam Mariae', Esser, *Die Opuscula*, p. 409.

¹⁹ CAED, p. 83, n. b.

²⁰ 'Qui, cum ad monasterium aliquod veniens fuerit ingressus, sic se per omnia exhibeat et ostendat, ut omnes de bono ad melius provocet, et ad Dei amorem et inter se mutuam caritatem semper inflammet et accendat'. *Escritos*, p. 229.

the countess of Brittany. The advice is found in a letter that he wrote to the countess in 1109. Ermengarde ostensibly wished to become a nun, but was unable to do so because she was married. Robert consoled her:

Your decision would be to leave the world, to renounce yourself, and naked to follow the naked Christ on the cross. But pray to your Lord that His will, not yours, be done concerning you.²¹

He went on to suggest that although Ermengarde was not able to renounce the world as she wished, she was still able to perform spiritual acts by giving alms to those who had renounced everything for Christ. In giving alms, Robert instructed her to be ‘merciful to all the poor, but still more toward the destitute and most of all to the servants of faith, those who have left the world for God’.²² In giving up her own property by giving alms, Ermengarde would stop poor religious from falling ‘into darkness’.

An element of lay-monastic exchange that Robert did not address in his letter, possibly because it was implicit, is the spiritual benefits that Ermengarde would have received for giving up her property to give to poor religious in the form of alms. In the coenobitic context, the practice of mendicancy finds a parallel in the long-developed practice of giving donations to monasteries in return for the intercession of the monks and nuns.²³ This practice ensured that the longevity of communities of monks and nuns, and was necessary also for the spiritual salvation of the laity.²⁴ For the most part, male Franciscans did not take up this tradition; however, as I discuss below, their ideal of almsgiving has some grounding in the practice of lay donations to coenobitic communities, in that, according to the *Regula non bullata*, the laity benefitted spiritually from giving away their property as this was a marker of their disregard for the temporal world.²⁵ The practice of intercession in exchange for donations to the community did find a place in the lives of the Franciscan nuns, who in identifying themselves as nuns would have taken on the spiritual role enacted by their predecessors in other religious orders. It is important to note that the spiritual renunciation of the world did not rule out interaction with those who were in it; in fact, the ability of the

²¹ Bruce L. Vernerde, trans., *Robert of Arbrissel: A Medieval Religious Life* (Washington, DC: The Catholic University of America Press, 2003), p. 79.

²² Vernerde, *Robert of Arbrissel*, p. 79.

²³ For a sociological discussion of gift exchange in the medieval monastic tradition, see Silber, ‘Gift- Giving in the Great Traditions’, 209–43.

²⁴ For discussion of this practice within the Cistercian context, see Bruun and Jamroziak, ‘Introduction: Withdrawal and Engagement’, pp. 10–17.

²⁵ See below, pp. 93. See also pp. 172–73 for discussion of the persistence of the spiritual economy of the gift in the context of the Wrocław friars.

religious to escape the world, however they chose to articulate their doing so, would have collapsed in the absence of this type of interaction.

It is within the context of this complex heritage that Franciscan thought on renunciation should be placed. The growing recognition by monastic thinkers of the importance of the bonds between members of a community, and the bonds between the community and lay society, to some extent relegated absolute solitude to the eremitical tradition. This is not to say, of course, that the contemplative element of the eremitic life could not be enacted within a communal setting, but that it was enacted within the context of a model based on both intra- and extra-mural social bonds. Recognising the importance of these bonds to monastic communities, and examining how they were adopted and shaped by the Franciscans enables us to view these bonds as necessary to the facilitation of the male and female Franciscan forms of life, rather than as barriers to the women's complete renunciation of the world.

II.3 Articulating the world in the Franciscan tradition before the *Regula bullata*

Although from 1223 the concept of worldly renunciation would begin to be associated by Franciscans officially with the image of Francis, the vocabulary of worldly renunciation was formed before this time within the context of descriptions of religious life. The previous chapter demonstrated that the *fratres minores* governed by the 1223 rule cannot necessarily be traced back to those discussed by Jacques de Vitry in his 1216 letter; however, it is possible that his writing may be indicative of a more widespread use of a vocabulary of rejection that was being developed within the new religious groups that were dedicated to the pursuit of absolute poverty.²⁶ It is also significant that he is the first to associate the designation *fratres minores* with flight from the world, although, interestingly, he does not provide any suggestion as to what form their life would take.

The letter that Honorius wrote to Hugolino in 1218 concerning the 'many virgins and other women' who wanted to live without possessions is the next extant document to discuss flight from the world within the context of a vocation in which women desired to live with

²⁶ See previous chapter for my analysis of the development of *fratres minores* as an official title for the male order, pp. 35–36. In addition to the *fratres minores* and *sorores minores*, he also states that he encountered the Humiliati, whom he portrays as a stalwart of orthodoxy amongst the cesspool of heretics in Milan. See *Lettres de Jacques de Vitry*, p. 75. See also Frances Andrews, *The Early Humiliati* (Cambridge: Cambridge University Press, 1999), pp. 137–38.

only the property necessary for them to live.²⁷ According to Honorius, these women wanted to ‘flee the pomp and wealth of this world’ and live without possessions other than ‘these homes and the oratories to be constructed for them’.²⁸ This is significant as the earliest papal document that we have for the poor women to make a connection between flight from the world and living without possessions. It is also noteworthy that Honorius makes an exception to their poverty for their ‘homes and oratories’ within the context of a letter in which he instructs Hugolino to accept officially all of their property on behalf of the Holy See. This may be an early indication of the problems inherent in articulating the concept of flight from the world within the context of communal life. Honorius does not attempt to expand on what the rejection of worldly things entailed in his 1219 bull *Cum dilecti*, in which he describes ‘Francis and his companions’ as having ‘rejected the vanities of this world’.²⁹ That he does not mention the nature of their worldly rejection may, however, be put down to the context of the letter. Where Honorius was concerned with creating the conditions that would best facilitate the women’s religious life in his letter to Hugolino, in this bull he is concerned with introducing the lesser brothers to the prelates of Latin Christendom as a papally-approved organisation. This would have been particularly important in the wake of the Lateran IV decree against unlicensed preaching, and is perhaps why he privileges this over the brothers’ poverty.

The first effort — or, rather the first attempt for which we have evidence — to turn the concept of the rejection of the world into a form of religious life is represented in the *Regula non bullata*.³⁰ All of the regular religious organisations that were formed during the medieval period — not to mention all of the images of charismatic founder figures that were created and through which the identities and spiritual ideals of these organisations would be promoted — were done so on an important paradox. The ‘novelty’ of their religious ways of life came from their attempts to adhere more closely to the precepts of the primitive Church

²⁷ BF, I, p. 1. I discuss this letter in more detail in Chapter One, in the context of the development of the women’s religious life.

²⁸ BF, I, p. 1.

²⁹ ‘Cum dilecti filii Frater Franciscus, & socii ejus de vita, & religione Minorum Fratrum, abjectis vanitatibus hujus Mundi, elegerint vitae viam a Romana Ecclesia merito approbatam; ac ferenda semina Verbi Dei Apostolica exemplo diversas circumeant mansiones’. BF, I, p. 2.

³⁰ There has been much debate in scholarship over whether another ‘coherent’ form of the rule had been produced before the *Regula non bullata* and when such a text may have been produced. Bernard Vollot argues that there was another rule that was approved by Innocent III in 1216 and has attempted to recreate the rule. Bernard Vollot, ‘La règle des frères mineurs de 1216’, *Franciscana: Bollettino della Società internazionale di studi francescani*, 2 (2001), 137–51. Scholarship also frequently refers to a *Regula primitiva* which was allegedly approved by Innocent III in 1209 and which is not extant today. Bernard Vollot argues that Hugh of Digne’s commentary on the Rule, written c.1242–1243, was based on the *Regula primitiva* rather than the *Regula non bullata*. See Bernard Vollot, ‘Hugues de Digne et la Règle de 1216’, *Collectanea Franciscana*, 66 (1996), 381–429.

outlined in the texts of the gospels.³¹ The *Regula non bullata*, which quotes from the texts of the gospels heavily and often at great length, is in part the result of a literal attempt to shape the teachings of the gospels into a form of regular life.³² It is in Francis's direct quotations from the gospels that his attitudes towards 'the world' are articulated most powerfully in the *Regula non bullata*, and in which his anxieties about contemporary social structures — particularly those associated with money and monetary exchange — appear to be communicated most clearly. It is also in his interweaving of the language of the gospels with that of contemporary social discourses that his most complex ideologies can be found.

The text itself has an interesting manuscript tradition. Although examination of the manuscript and printed evidence has ascertained thirteenth-century antecedents for the later copies, no copies from the thirteenth century are extant.³³ The date traditionally given to the text, 1221, is also questionable. Scholarship holds that this version of the Rule was announced at a general chapter that was convened in 1221.³⁴ The evidence for this dating of the Rule is from Jordan of Giano's chronicle of the spread of the Friars Minor into Germany, written in 1262.³⁵ Leaving aside the fact that the chronicle was written around forty years after the Rule was allegedly promulgated, it is also the case that Jordan never stated that the new Rule was mentioned during the 1221 chapter meeting. Rather, Francis gives Caesarius of Speyer 'the task of adorning the Rule, which he himself had drawn up in plain language, with

³¹ Jacques Le Goff, *Saint Francis of Assisi* (London: Routledge, 2004), p. 69.

³² As Jacques Le Goff argues: 'Certainly, Thomas of Celano defines Saint Francis as a 'homo novus' and Franciscanism as a 'sancta novitas', but this 'novelty' can be defined as the 'Gospel, nothing but the Gospel and the whole Gospel'. *Saint Francis of Assisi*, p. 69.

³³ Moreover, scholarship has only recently attempted a stemmatological arrangement of the available manuscripts. For the most recent edition of the rule, accompanied by detailed commentary on its manuscript tradition, see Carlo Paolazzi, 'La Regula non bullata dei Frati Minori (1221), dallo "stemma codicum" al testo critico', *Archivum Franciscanum Historicum*, 100 (2007), 5–148.

³⁴ See, for instance, FAED, I (London: New City Press, 1999), p. 63. Citing Karl Müller's thesis based on evidence from Jordan of Giano's chronicle, David Flood suggests in his 1967 study on the *Regula non bullata* that 1221 was the date on which the rule was announced. However, in his 1973 study on the Franciscan movement in its earliest years, co-written with Thaddée Matura, he advises that more caution should be exercised over the dating of the rule, and argues that it could be dated to any time between 1220 and 1223. See Karl Müller, *Die Anfänge des Minoritenordens und der Bussbruderschaften* (Freiburg i. B.: Mohr, 1885), pp. 12–13; David Flood, *Die Regula non Bullata der Minderbrüder* (Werl: Dietrich-Coelde-Verlag, 1967), pp. 19–22; David Flood and Thaddée Matura, *The Birth of a Movement: A Study of the First Rule of St. Francis* (Chicago: Franciscan Herald Press, 1975), pp. 15–19 (originally published as *La naissance d'un charisme: une lecture de la Première règle de François d'Assise* (Paris: Éditions Franciscaines, 1973). Kajetan Esser laments that it is not possible to date the various strata of the rule, but still agrees that 1221 is the date on which it was announced. Kajetan Esser, *Die Opuscula des hl. Franziskus von Assisi: Neue textkritische Edition* (Grottaferrata: Editiones Collegii S. Bonaventurae ad Claras Aquas, 1976), p. 376; Kajetan Esser, *Origins of the Franciscan Order*, p. 159.

³⁵ For Jordan's chronicle, see H. Boehmer, ed., *Chronica Fratris Jordani*, Collection d'études et de documents, 6 (Paris: Librairie Fischbacher, 1908). See p. 15 for Jordan's discussion of the rule.

the words of the Gospel.³⁶ Francis then summons a general chapter meeting, which takes place in 1221, on the feast of Pentecost.³⁷ Jordan's account of the proceedings of this chapter meeting does not mention any discussion of the Rule. The chronicle therefore does not provide evidence that the Rule was promoted at the 1221 Pentecost meeting of the General Chapter, or that it was in the state that it has come down to us at this point in time, only that Jordan thought that Caesarius of Speyer had embellished the Rule before this meeting.

Though the precise dating of the *Regula non bullata* does not have immediate, serious consequences for this chapter, it is necessary to point out the possibility that it was not necessary promulgated at the 1221 General Chapter. This is because the statement that Pentecost 1221 was the date on which the Rule was made known is a loaded one, and inadvertently contributes to narratives of decline within Franciscan histories. At best, the statement imbues the Rule's publication with a meaning that neither Jordan himself nor, as far as we know, other Franciscans assigned to it. At worst, it creates a definitive 'Weberian' moment in which Francis is forced to institutionalise his charismatic ideal of religious life.³⁸ Tying up the publication of the rule with the Franciscans' first General Chapter meeting can make it seem as if, all at once, the Franciscans went from comprising one charismatic man and a band of followers that were 'untainted by earthly structures', to an order that had a Rule and a structure of government overnight. This is a historical trope that feeds into a larger and more dangerous grand narrative of decline, one which ultimately contributes to the exclusion of those who are associated less readily with the Franciscan ideal in scholarship.

If scholars are to continue to use 1221 as a definitive date for the *Regula non bullata* or — more importantly — to consider the texts from the extant manuscripts as directly representative of a text that emerged from around this time, then it is clear that much more work needs to be carried out on this subject. However, whilst it is currently impossible to

³⁶ 'Et sic turbatoribus, Domino favente, subito sedatis ordinem secundum sua statuta reformavit. Et videns beatus Franciscus fratrem Cesarium sacris litteris eruditum ipsi commisit, ut regulam, quam ipse simplicibus verbis conceperat, verbis ewangelii [sic] adornaret.' *Chronica Fratris Jordani*, p. 15. English translation taken from E. Gurney Salter, ed., *The Coming of the Friars Minor to England and Germany* (London: Dent, 1926), p. 142.

³⁷ It is not possible to provide a more accurate date. Jordan gives the date, using the Roman dating system, as 'the tenth day before the Kalends of June', but Salter notes in his English translation of the text that Pentecost in 1221 actually fell on 30 May. See *Chronica Fratris Jordani*, p. 16, and *The Coming of the Friars Minor*, p. 143, n. 2.

³⁸ For a recent discussion of Max Weber's paradigm of 'charisma to institutionalisation' and its influence within scholarship on the hermit-preachers of northern France, see Robyn Parker, 'Creating the "Hermit-Preachers": Narrative, Textual Construction, and Community in Twelfth- and Thirteenth-Century Northern France' (unpublished doctoral thesis, University of Sheffield, 2014), esp. pp. 59–89 (pp. 60–62 discusses directly the impact of Weber's paradigm on scholarship produced on the hermit-preachers).

assign a precise date to the text, there is some evidence to suggest that it was produced at around this time. Although there is no reference in the 1223 *Regula bullata* to an earlier rule, the resemblances between the two texts may suggest that the 1223 rule was based on the *Regula non bullata*, which would in turn imply that the text emerged at some point before 1223. As the text resembles a regular form of life, it is conceivable that it emerged during a time at which the groups of men who were devoted to poverty had begun to be conceptualised as an order, or at least as a formal organisation. We know that the papacy had begun to refer to them as such in the 1219 bull *Cum dilecti*, in which Francis and his brothers are referred to as being of the ‘life and religion of the Lesser Brothers’.³⁹ Two bulls issued by Honorius in 1220, *Pro dilectis* and *Cum secundum*, refer to the brothers as an ‘order’.⁴⁰ Moreover, as David Flood and Thaddée Matura have noted, the *Regula non bullata* makes a direct reference to *Cum secundum*, suggesting that the rule was produced at some point after this bull was issued in 1220.⁴¹ It was probably then the case that the rule was announced at some point between 1220 and 1223, as the brothers were developing into a more coherent and widespread order and were in need of a formal and uniform set of guidelines for religious life.

A gospel parable frequently invoked by Francis in the *Regula non bullata* is the parable of the sower, and it is this parable that he uses to contextualise the only reference he makes in the rule to ‘leaving the world’:

Now that we have left the world, however, we have nothing else to do but to follow the will of the Lord and to please Him. Let us be careful that we are not earth along the wayside, or that which is rocky or full of thorns, in keeping with what the Lord says in the Gospel: The word of God is a seed.⁴²

As is the case in many other parts of his rule, what Francis understands by ‘world’ — and hence what he meant when he stated that the brothers had now ‘left the world’ — is, in itself,

³⁹ See previous chapter, pp. 35–36.

⁴⁰ For *Pro dilectis* see BF, I, p. 5, and for *Cum secundum consilium* see BF, I, p. 6.

⁴¹ Flood and Matura, *The Birth of a Movement*, p. 15. The pertinent section of the *Regula non bullata* reads: ‘Postea non licebit ei ad aliam religionem accedere neque “extra obedientiam evagari” iuxta mandatum domini pape, nam secundum evangelium nemo mittens manum ad aratrum et aspiciens retro aptus est regno Dei’. ‘La Regula non bullata’, p. 126. The corresponding section in *Cum secundum consilium* reads: ‘Inhibemus etiam, ne sub habitu vitae vestrae liceat alicui extra obedientiam evagari, et paupertas vestrae corrumpere puritatem’. BF, I, p. 6.

⁴² ‘Nunc autem, postquam dimisimus mundum, nichil aliud habemus facere, nisi ut solliciti simus sequi voluntatem Domini et placere ipsi. Multum caveamus ne simus terra secus viam vel petrosa vel spinosa, secundum quod dicit Dominus in evangelio: Semen est verbum Dei’. ‘La Regula non Bullata’, p. 142. Unless otherwise stated, all of the English translations of the *Regula non bullata* that I have used are taken from the translation in FAED, I, pp. 63–86.

ambiguous. Continuing to invoke the parable of the sower, he elaborates on the dangers of involvement with the world:

What fell among thorns, however, are those who hear the word of God and the anxiety and worries of this world, the lure of riches and other inordinate desires intrude and choke the word and they remain without fruit.⁴³

The concept of the ‘world’ retains most of its ambiguity; however, Francis’s citation of the ‘lure of riches’ in particular as an obstacle to an individual’s understanding of the word of God provides a little more insight into the image of the world that Francis developed in his rule. Although any involvement with the world is unequivocally repugnant to Francis — something which is orchestrated by the ‘malice and craftiness of Satan’ — he relates only occasionally the ambiguous ‘world’ of the gospels to the material world that surrounded him, and rarely elaborates on the dangers posed to the brothers’ avoidance of the world by the society in which they lived.⁴⁴ It is, of course, not problematic that Francis’s literal interpretation of the gospels preserves the ambiguity of the ‘world’ to which they refer, but it makes the instances in which he uses the gospel warnings against worldly concern to frame the instructions that he gives the brothers concerning their contemporary material world more prominent by comparison. Francis links concern for material wealth and economic exchange to the worldly anxiety against which Christ cautions, and in doing so indicates that the avoidance of this concern was one of the most central to his concept of worldly renunciation.⁴⁵

That Francis opposed the brothers’ involvement with money or worldly riches may not seem especially surprising or new; however, recognising the particular way in which he interprets the gospels within his own social context provides a useful starting-point for an analysis of how he positioned his vision of religious life in relation to the world surrounding him, or his conception of it. Interestingly, the section of the rule in which Francis expresses his attitude towards money itself, although its interpretation would cause problems later on in the order’s history, is perhaps the most clear within the context of the rule itself:

⁴³ ‘Quod autem in spinis cecidit, hi sunt qui verbum Dei audiunt, et sollicitudo et erumne istius seculi et fallacia divitiarum et circa reliqua concupiscente introeuntes suffocant verbum et sine fructu efficitur’. ‘La Regula non Bullata’, p. 143.

⁴⁴ ‘Et multum caveamus a malitia et subtilitate satane, qui vult ne homo mentem suam et cor habeat ad Dominum Deum, et circuiens desiderat cor hominis sub specie alicuius mercedis vel adiutorii tollere et suffocare verbum et precepta Domini a memoria’. ‘La Regula non Bullata’, p. 143.

⁴⁵ Jacques Le Goff notes that, despite the fact that it was such a prominent feature of the *Regula non bullata*, the regulated use of money within the Order would be made legitimate, and the acceptance of those involved with money would become an important feature of their apostolate. *Saint Francis of Assisi*, pp. 105–106.

The Lord teaches in the Gospel: Watch, beware of all malice and greed. Guard yourselves against the anxieties of this world and the cares of this life. Let none of the brothers, therefore, wherever he may be or go, carry, receive, or have received in any way coin or money, whether for clothing, books, or payment for some work — indeed, not for any reason, unless for an evident need of the sick brothers[...]we should not think of coin or money having any greater usefulness than stones.⁴⁶

Francis forms his express prohibition against the brothers' acceptance of money by interweaving Christ's teachings in Luke 12 and 21, and Matthew 13. Luke 12 warns against the expression of fear and concern over worldly things; in the verse from which Francis quotes, Christ warns especially against preoccupation with possessions.⁴⁷ Luke 21 and Matthew 13 are concerned with the potential of anxieties over the material world and carnal life to interfere with spiritual endeavour. In Luke 21, Christ cautions his followers to protect themselves against the dangers of the last days by refraining from becoming anxious over the 'cares of this life'. In Matthew 13, which narrates the parable of the sower, the 'care of the world' inhibits an understanding of the word of God.⁴⁸ Francis interweaves Christ's warnings on worldly anxieties — the ignorance of which has dire consequences — with the other gospel injunctions against concern over possessions to frame his own directives against the handling of money. As he continues to expound on the spiritual dangers of monetary exchange, he also invokes Ecclesiastes 1:2: 'If we find coins anywhere, let us pay no more attention to them than to the dust we trample underfoot, for *vanity of vanities and all is vanity*'.⁴⁹ Building on the connection that he makes between money and the world presented in the gospels, Francis equates the vain and transitory world — or temporal things 'under the sun' — described by Ecclesiastes with money. Whatever was meant to be understood by the 'care of the world' in the gospels, or by the vanities of Ecclesiastes, for Francis it is clearly

⁴⁶ 'Dominus precipit in evangelio: Videte et cavete ab omni malitia et avaritia; et: Attendite vobis a sollicitudinibus huius seculi et a curis huius vite. Unde nullus fratrum, ubicumque sit et quocumque vadit, aliquo modo tollat nec recipiat nec recipi faciat pecuniam aut denarios, neque occasione, nisi propter manifestam necessitatem infirmorum fratrum; quia non debemus maiorem utilitatem habere et reputare in pecunia et denariis quam in lapidibus'. 'La Regula non Bullata', p. 131.

⁴⁷ 'Videte, et cavete ab omni avaritia: quia non in abundantia cuiusquam vita ejus est ex his quae possidet'. Luke 12:15.

⁴⁸ See Luke 21:34 and Matthew 13:22.

⁴⁹ 'Et si in aliquo loco inveniremus denarios, de his non curemus tamquam de pulvere, quem pedibus calcamus, quia vanitas vanitatum, et omnia vanitas'. 'La Regula non Bullata', p. 131.

monetary exchange that invokes the image of the world that Christ and Ecclesiastes so severely condemned.⁵⁰

The motif of exchange and the dangers of monetary exchange would come to form a central theme in the texts and images that contributed to the construction of the Franciscan identity.⁵¹ Scholarly debate has focussed in particular on the implications of Francis's attitudes to money for the poor and rich.⁵² Most recently, Kenneth Baxter Wolf, in his self-described 'iconoclastic' indictment of Francis's ideal of poverty, criticised it as one that bore no resemblance to that of the 'true' poor and one that did not help to alleviate their poverty. While in many ways his thesis is the product of a modern value judgement and thus too ahistorical to be convincing, it is difficult to contest his argument that Francis's penitential model, due to the fact that it required its adherents to renounce their property and avoid concern over money, could not appeal to those without property.⁵³ However, his claim that Francis's model did not allow for its followers to become 'truly poor', only to become a pastiche of those who were, is flawed for many reasons.⁵⁴ One is that the image of the involuntary poor projected by Francis, and those who developed his ideals, was an idealised construct and served a rhetorical purpose within the context of the rule as a whole. It is therefore necessary to view the poor as they operate within Francis's model of renunciation as a creation of Francis's.⁵⁵ Another is simply that Francis's intention in composing a rule was to create a form of regular communal life. His ideal of poverty was to be achieved via an act of penitence. The very act of constructing a religious rule, which required its author to abide by the conventions of its genre, automatically implies that its author was creating a new mode of penitence and was also, therefore, carving out a socio-religious identity that was separate from those already in existence. Moreover, Francis's referral to the poor as a social

⁵⁰ Interestingly, Matthew 10: 9–10, a gospel passage often invoked in Franciscan writing that concerns the avoidance of money is not referenced at this point in the rule, which deals explicitly with money, but in an earlier passage which prescribes the way in which the brothers should 'go through the world' and reads: 'Quando fratres vadunt per mundum, nihil portent per viam neque sacculum neque peram neque panem neque pecuniam neque virgam.' Esser, *Opuscula*, p. 389.

⁵¹ For discussion of this theme, see in particular: Malcolm Lambert, *Franciscan Poverty: The Doctrine of the Absolute Poverty of Christ and the Apostles in the Franciscan Order 1210–1323*, 2nd edn (London: S.P.C.K., 1988), pp. 41–42; Lester K. Little, *Religious Poverty and the Profit Economy*, pp. 146–69; Lester K. Little, 'Religion, the Profit Economy and Saint Francis', in *Through the Eye of a Needle: Judeo-Christian Roots of Social Welfare*, ed. by Emily Albu Hanawalt and Carter Lindberg (Kirksville, MO: The Thomas Jefferson University Press, 1994), pp. 147–64; Le Goff, *Saint Francis of Assisi*, pp. 83–84 and pp.105–106; Kenneth Baxter Wolf, *The Poverty of Riches: Francis of Assisi Reconsidered* (Oxford: Oxford University Press, 2003).

⁵² See in particular Little, 'Religion, the Profit Economy and Saint Francis' and Wolf, *The Poverty of Riches*.

⁵³ This is also an issue that has been explored by Little. See Little, 'Religion, the Profit Economy and Saint Francis' pp. 157–61.

⁵⁴ Wolf, *The Poverty of Riches*, p. 4.

⁵⁵ Little discusses the many ways in which 'poor' could be interpreted in the Middle Ages. Little, 'Religion, the Profit Economy and Saint Francis', p. 154.

category that is separate from that of the brothers within his rule demonstrates that he saw them as two distinct social identities. To give an example, Francis writes that the brothers ‘must rejoice when they live among people considered of little value and looked down upon, among the poor and the powerless, the sick and the lepers, and the beggars by the wayside’.⁵⁶ Francis does not state that the brothers should live as the poor but amongst them.⁵⁷ And it is not just the poor that they should live among, but other ‘downtrodden’ groups of thirteenth-century society also. Francis’s positioning of the poor alongside these other groups indicates that he was using the poor as a symbolic measure of social and legal ‘lowliness’ rather than stating that the brothers were supposed to adopt the social identity of the poor. Karl Bosl has, for instance, argued convincingly that *pauper* as a label was formulated in opposition to *potens* not *dives* in the Middle Ages. To be poor meant a lack of social status, not a lack of property.⁵⁸ Finally, it is important to note that, although it would seem that the Franciscan tradition did not advocate for the absolute emulation of the poor, one of the arguments against the legitimacy of Franciscan poverty was that as the Franciscans shared the same rights of ownership that were enjoyed by the involuntary poor — who had the canonical right to use and to exercise *dominium* over goods in times of extreme necessity — they could never truly renounce the rights of *usus* or *dominium*.⁵⁹

As Wolf and Little have argued, Francis’s message was intended to appeal to the rich, in particular the mercantile classes, rather than the poor of society.⁶⁰ The penitential model that Francis laid out in his rule would, at least on paper, have worked most effectively for those who were involved with property and money in their pre-conversion life. The very first instruction given to the brothers in the rule was the gospel injunction to sell everything they had and give it to the poor.⁶¹ As with any other form of regular life that demanded poverty from its adherents, the penitential efficacy of this injunction relied on the convert having property in the first instance, and would have improved the more property that a convert had prior to their conversion.

⁵⁶ ‘Et debent gaudere quando conversantur inter viles et despectas personas, inter pauperes et debiles, infirmos et leprosos et iuxta viam mendicantes’. ‘La *Regula non Bullata*’, p. 132.

⁵⁷ Little has argued that ‘The Friars were not really the poor, but rich people dressed up as the poor’. Little, ‘Religion, the Profit Economy and Saint Francis’, p. 162. I challenge this below.

⁵⁸ Karl Bosl, ‘Potens und pauper: Begriffsgeschichtliche Studien zur gesellschaftlichen Differenzierung im frühen Mittelalter und zum “Pauperismus” des Hochmittelalters’, in *Alteuropa und die moderne Gesellschaft: Festschrift für Otto Brunner*, ed. by Alexander Bergengruen (Göttingen: Vandenhoeck & Ruprecht, 1963), pp. 60–87.

⁵⁹ Virpi Mäkinen, ‘The Rights of the Poor: An Argument against Franciscans’, in *Nordic Perspectives on Medieval Canon Law*, ed. by Mia Korpiola, Publications of the Caloni Society, 2 (Saarijärvi: Gummerus Kirjapaino Oy, 1999), pp. 41–49 (p. 45).

⁶⁰ Little, ‘Religion, the Profit Economy and Saint Francis’, esp. p. 159. Wolf, *The Poverty of Riches*, pp. 77–90.

⁶¹ I discuss this in greater detail below, in relation to the issue of familial rejection.

What is interesting, and perhaps unique, about the *Regula non bullata*, however, is the way in which it creates a dialogue between the convert's pre- and post-conversion life. The directives that concern the avoidance of money can only relate to people who have known money — or, more specifically, have been involved in monetary exchange — in their pre-conversion life, and the avoidance of money and economic exchange would therefore only have had value as a penitential activity for this particular social group. This demonstrates that it was necessary for Francis to invoke worldly social structures in order to reject them, but also that he needed to refer to a convert's pre-conversion life in the post-conversion directives that he issued. Although conversion in the Augustinian sense was supposed to represent a break from 'worldly' life to religious life, Francis could not avoid referring to a convert's pre-conversion life as he needed to do so in order to stress the penitential significance of their conversion. It is, however, important to understand that, in doing this, Francis would have understood that he was inventing a model that facilitated complete conversion away from the world, as evidenced in how Francis relates the gospel texts concerned with 'the world' to contemporary social structures. The model of conversion prescribed by Francis was a complex dialogue between pre- and post-conversion life that was presented in terms that were very familiar, and which appeared straightforward.

Francis's model of worldly renunciation did not, then, describe a way in which his followers could transform into the poor of thirteenth-century society, because the involuntary poor did not have wealth or high status to renounce and, therefore, could not renounce these things as a penitential endeavour. It is important to note, however, that neither were the type of converts denoted by Francis's model, as Little has argued, 'rich people dressed up as the poor'.⁶² They were instead very deliberately 'not-rich', or 'not-moneyed'. The princesses in Bohemia and the Polish dukedoms who joined the Order of San Damiano or the Order of Saint Clare — around whom the identities of the institutions that they joined would be formed — were from royal or noble rather than mercantile social backgrounds, but it was possible for them to take on and adapt the religious identity outlined in the *Regula non bullata* and developed in many of the other important texts that promoted the orders' identities. This is because the conversion model upon which Francis was drawing assured that the richer a convert was, the more 'not-rich' they would automatically become post-conversion, and the more spiritually lucrative the act of conversion would be.

⁶² Little, 'Religion, the Profit Economy and Saint Francis', p. 162. It is important to note, however, that Little does not refer directly to the *Regula non bullata*.

It is important to notice too that while Francis condemns involvement with money and demands that the brothers sell all of their property, he does not condemn the rich or those with property to spare themselves.⁶³ Moreover, he does not rule out interaction or exchange with people who have property. The brothers' receipt of alms is a complex form of exchange that benefits those who give and receive in exactly the same way:

The brothers who work at acquiring them [that is, alms] will receive a great reward and enable those who give them to gain and acquire one; for all that people leave behind in the world will perish, but they will have reward from the Lord for the charity and almsgiving they have done.⁶⁴

As a penitential performance of humility, begging would secure spiritual benefits for the brothers. In giving alms to the brothers, those in society who had property to donate would too gain spiritual rewards. It was necessary for the brothers to leave the world by avoiding direct or emotional involvement with money; however, it was also necessary for them to be involved with those who did have wealth or superfluous property as part of their pastoral role.

For all the complexity of the ideal that was promoted by Francis, it is not too difficult to see how dynastic institutions such as those in Prague and in the Polish duchies, and the royal or ducal women associated with these institutions, situated their identity within this model. The interaction between these institutions and the ruling families to which they were closely tied, and the donations given by these families to the institutions, could be facilitated within Francis's model of almsgiving. This type of model was, of course, not new, but its affirmation within Francis's rule is important as it is the richness of dynastic institutions and the model of 'Franciscan' poverty that are seen by modern scholars as contradictory in the context of these communities' identities.

A feature of the conversion model laid out in the *Regula non bullata* that seems less easy to reconcile ideologically with the identities of the dynastic foundations was Francis's view of familial ties as posing as great an obstacle as property to spiritual perfection. In the very first chapter of the *Regula non bullata*, Francis uses Christ's injunctions to form the

⁶³ As Little states: 'They preached to, they ministered to the rich. But they did not threaten the rich; instead they gave them comfort by justifying their ways of making money'. Little, 'Religion, the Profit Economy and Saint Francis', p. 162'. See also Le Goff, *Saint Francis*, pp. 83–84 and pp.105–106 and Wolf, *The Poverty of Riches*.

⁶⁴ 'Et fratres qui eam acquirendo laborant, magnam mercedem habebunt et faciunt lucrari et acquirere tribuentes: quia omnia que homines relinquunt in mundo, peribunt, sed de caritate et elemosynis quas fecerunt, habebunt premium a Domino'. 'La *Regula non bullata*', p. 132.

context in which he prescribes the dual abandonment of family and property as a necessary pre-requisite to entering regular life:

The rule and life of the brothers is this, namely: to live in obedience, in chastity, and without anything of their own, and to follow the teaching and footprints of our Lord Jesus Christ, Who says: If you wish to be perfect, go, sell everything you have and give it to the poor, and you will have treasure in heaven; and come, follow me... And: If anyone wishes to come to me and does not hate father and mother and wife and children and brothers and sisters and even his own life, he cannot be my disciple. And: Everyone who has left father or mother, brother or sisters, wife or children, houses or lands because of me, will receive a hundredfold and will possess eternal life.⁶⁵

In the gospel, the rejection of property was linked closely with the rejection of family and so in Francis's conception it was too. He makes it very clear here that ties of kinship or marriage represented links between an individual and the world that were akin to those created by the ownership of property. These bonds could not be accommodated in a vision of the apostolic life based on a literal interpretation of the gospel texts, and they were all seen by Francis as being of equal hindrance to those who desired to achieve apostolic perfection. To him, the family of an individual was another vestige of the material world that a potential convert was required to despise and abandon in order to become a true follower of Christ.

That the very first instruction given by Francis to his followers was to renounce their familial ties jointly with their property may make the very nature of a dynastic institution seem irreconcilable with Francis's ideal. Yet the familial identity of the princesses and duchesses who joined such institutions in Bohemia and the Polish dukedoms would unashamedly be incorporated firmly within their post-conversion identities, and the identities of their institutions. By examining the way in which familial and other social models are employed in the *Regula bullata*, it is possible to ascertain how dynastic institutions were still able to take on and continue to shape this complex identity.⁶⁶

⁶⁵ 'Regula et vita istorum fratrum haec est, scilicet vivere in obedientia, in castitate et sine proprio, et Domini nostri Jesu Christi doctrinam et vestigia sequi, qui dicit: Si vis perfectus esse, vade et vende omnia quae habes, et da pauperibus et habebis thesaurum in caelo; et veni, sequere me... Item: Si quis vult venire ad me et non odit patrem et matrem et uxorem et filios et fratres et sorores, adhuc autem et animam suam, non potest meus esse discipulus. Et: Omnis, qui reliquerit patrem aut matrem, fratres aut sorores, uxorem aut filios, domos aut agros propter me, centuplum accipet et vitam aeternam possidebit'. 'La *Regula non Bullata*', p. 125.

⁶⁶ I discuss the development of the concept of familial renunciation in relation to Thomas of Celano's *Life of St. Francis* later in this chapter.

II.4 The *Regula bullata* and Rule for Hermitages

The *Regula bullata* — or the form of the rule written for the Friars Minor that received approval from the papacy — was approved by Honorius III on 29 November 1223. This rule is noticeably shorter than the *Regula non bullata*, and cuts out much of the lengthy gospel quotations included in the earlier rule. Although the sentiments behind the directives concerning property and money generally do not change, there are some interesting differences between the ways in which these directives are presented in the two texts. The instructions regarding property in the *Regula bullata* differ only slightly in nature from those of the previous rule: the men are still required to sell all of their property, although if they are not able to give the proceeds to the poor then ‘their good will may suffice’.⁶⁷ In terms of how Francis interprets the world as presented in the gospel in relation to the monetary economy of the society in which he lived, the changes made to the passage concerning the avoidance of money are noteworthy. The brothers are still forbidden from receiving money under any circumstance, but the section is far shorter and omits the references to the gospel passages on the dangers of worldly anxieties.⁶⁸ This makes the precept itself far clearer and it is still evident that it was meant to concern those involved with money; however, it loses the sense of why Francis saw money in particular as an obstruction to an individual’s conversion away from the world. That the association between money and the world outlined in the gospels remains a prominent theme in texts central to the formation of the orders’ identities, even though it is not incorporated into the official rule of the Friars Minor, perhaps indicates the wide transmission and authority of this ideal.

Another significant difference between the two rules is that the beginning of the text of the *Regula bullata* is missing the gospel directive that ties the rejection of family so closely to the rejection of property. The only passage in this rule that addresses this thread of thought at all is concerned with the married converts’ need to leave their wives in order to enter monastic life:

⁶⁷ ‘...vadant et vendant omnia sua et ea studeant pauperibus erogare. Quod si facere non potuerint, sufficit eis bona voluntas’. Esser, *Die Opuscula*, p. 367.

⁶⁸ The passage reads ‘Praecipio firmiter fratribus universis, ut nullo modo denarios vel pecuniam recipiant per se vel per interpositam personam. Tamen pro necessitatibus infirmorum et aliis fratribus induendis, per amicos spirituales, ministri tantum et custodes sollicitam curam gerant secundum loca et tempora et frigidas regiones, sicut necessitati viderint expedire; eo semper salvo, ut, sicut dictum est, denarios vel pecuniam non recipiant’. Esser, *Die Opuscula*, p. 368.

And if[...]they do not have wives, or, if they have, and if they have already entered a monastery or they have given them [their husbands] permission on the authority of the diocesan bishop, having made known a vow of continence, and of those wives who are of such an age that it is not possible for suspicion to emerge from them, let them [the ministers] speak to them the words of the Gospel, that they must go and sell everything of theirs and they should take pains to appropriate it to the poor.⁶⁹

This section, the legal principle of which is taken from Gratian's *Decretum*, does not appear in the earlier Rule.⁷⁰ Its inclusion demonstrates not only that there was a need for legal clarification in this area that was not offered in the previous Rule. This legal formulation also reminds us that Francis's insistence on the rejection of family was hardly new. The issue of the problematic familial relationships of clerics, for instance, was central to the eleventh-century reforms and, crucially, the religious movements that came about in their aftermath.⁷¹

It is important to our understanding of Francis' concept of family and its ideological significance to the construction of Franciscan dynastic identities that we also recognise that Francis did not remove familial terminology from his vocabulary altogether, or reject the relational ties implied by their use in his own writing. Both Jacques Le Goff and Jacques Dalarun have noted the contradiction in Francis's writings between his directive that converts must spurn their families, and his recommendation of the family as an 'ideal social schema'.⁷² Central to Francis's proposed structure for his collective was his concept of *fraternitas*: the idea that his followers should organise themselves as a brotherhood, in opposition to traditional monastic models where a prior would exercise superiority. Le Goff and Dalarun both offer detailed discussions on Francis's comprehension and prescription of this model. In addition to his instruction in the *Regula non bullata* that no one within the community should

⁶⁹ 'Et si... uxores non habent, vel, si habent, et iam monasterium intraverint uxores vel, licentiam eis dederint auctoritate dioecisani episcopi, voto continentiae iam emisso, et illius sint aetatis uxores, quod non possit de eis oriri suspicio, dicant illis verbum sancti Evangelii, quod vadant et vendant omnia sua et ea studeant pauperibus erogare'. Esser, *Die Opuscula*, p. 367.

⁷⁰ C. 27 q. 2 c. 22, in Emil Friedberg, ed., *Corpus Iuris Canonici*, I (Graz: Akademische Druck- u. Verlagsanstalt, 1959), p. 1069. The English translation of the *Regula bullata* in Armstrong's collected edition of the early documents on Francis's life refers the reader to the use of Gratian. See Regis, J. Armstrong, ed., and others, ed., FAED, 1, p. 100, n. 'b'.

⁷¹ The popes of the eleventh century who condemned clerical nicolaism and nepotism were not the first to identify these practices as abuses. Yet they were the first to implement strict measures for the purpose of dealing with these abuses. Jacques Dalarun has suggested that Robert of Arbrissel's (c.1045–1116) guilt over the fact that he had inherited his benefice from his father and over his (possible) marriage, may have been a motivating factor behind his penitential experiment at Fontevraud. See Dalarun, *Robert of Arbrissel*, esp. pp. 10–17.

⁷² Jacques Le Goff, *Saint Francis of Assisi* (London: Routledge, 2004), pp. 75–6 and p. 114; Dalarun, *Francis of Assisi and the Feminine*, pp. 54–56; Jacques Dalarun, *Francis of Assisi and Power* (Saint Bonaventure, NY: Franciscan Institute Publications, 2007), pp. 57–8, originally published as *François d'Assise ou le pouvoir en question* (Paris: De Boeck & Larquier, 1999).

be called a ‘prior’, and that all his followers should refer to themselves as ‘lesser brothers’, Francis proposed a set of models across his writings that developed the framework of *fraternitas* using ideas drawn from other familial relationships.⁷³ Their analysis focuses predominantly on the models outlined by Francis in his *Rule for Hermitages* (1217–1221) and the *Regula bullata*.

Although the dynastic institutions in Bohemia and the Polish duchies were not hermitages, it is crucial that the familial model prescribed in the *Rule for Hermitages* is taken into consideration as a text that was just as important to Francis’s conception of religious life and one that deals with how the Franciscans envisioned contemplative, rather than active, life. This is because, despite numerous works that have demonstrated convincingly that mendicant poverty could be enacted within an enclosed setting in the female Franciscan context, scholars are still reticent to associate a mendicant vocation with claustration, perhaps because the stock (gendered) schema of a Franciscan is a poor friar begging in a town square.⁷⁴ And yet, here, the most iconic of these friars allows for mendicants to adopt a contemplative form of life. In the *Rule for Hermitages*, Francis states that those wishing to stay in hermitages should form a mother-son relationship:

Let those who wish to stay in hermitages in a pious way be three brothers or, at the most, four; let two of these be the mother and have two sons or at least one. Let the two who are mothers keep the life of Martha and the two sons the life of Mary.⁷⁵

As Dalarun explains, while subverting relational ties in order to establish a system of organisation that does not imply a set of power relationships, Francis ‘remains caught up in the mental and social structures of his time’.⁷⁶ While power is something to be despised, it is impossible for him to conceive of a non-hierarchical community. As adopting the role of father would be problematic as that would mean that they were assuming patriarchal power, and also because, in Francis’s imagination, it was God who was always to assume the role of father, the brothers who were to exercise ‘superiority’ in this situation necessarily had to adopt a feminine and thus less powerful role, that of mother.⁷⁷ Again, this is not a completely

⁷³ ‘Et nullus vocetur prior, sed generaliter omnes vocentur fratres minores’. Esser, *Die Opuscula*, p. 382.

⁷⁴ See, for instance, Mueller, ‘Female Mendicancy: A Failed Experiment?’, pp. 59–81.

⁷⁵ ‘Illi, qui volunt religiose stare in eremis sint tres vel quattuor ad plus; duo ex ipsis sint matres et habeant duos filios vel unum ad minus. Isti duo qui sunt matres, teneant vitam Marthae et duo filii teneant vitam Mariae’. Esser, *Die Opuscula*, p. 409.

⁷⁶ Dalarun, *Francis of Assisi and the Feminine*, p. 56.

⁷⁷ Dalarun, *Francis of Assisi and the Feminine*, p. 56–57; Le Goff, *Saint Francis of Assisi*, pp. 75–76.

original concept of Francis's; Caroline Walker Bynum has explored the tradition in twelfth-century Cistercian writing of the abbot as mother of the community.⁷⁸ In addition to conceiving of his own role as abbot in terms that were maternal, Bernard of Clairvaux reminds those abbots who attempt to exercise lordship over their communities that their role is not to inspire fear, but love, and that they might elicit a loving response from their community more effectively by adopting a motherly role: 'Learn that you must be mothers to those in your care, not masters; make an effort to arouse the response of love, not that of fear'.⁷⁹ Vertical bonds of love were just as important as horizontal ones in the Cistercian context. It should be noted, however, that immediately after these injunctions Bernard states that, should the need for correction arise, that the method of correction should be 'paternal rather than tyrannical' in nature.⁸⁰ Where Francis reserves the role of father for God only, Bernard opposes an abbacy based on the traditional roles of both parental figures to one based on dominion.

Francis, of course, did not place an abbot at the head of his community, and so he was prescribing the maternal role within a different organisational framework. Francis did not ascribe maternal roles to his brothers to advise how the leader of his community should act, but in order to negate the role of leader. In advising that the brothers take on the nurturing role of mother, he implements a type of hierarchical structure, but one based on service. To some extent this idea is also present in the *Regula bullata*, which also indicates that Francis imagined the community in familial terms. It prescribes that:

Wherever the brothers may be and meet one another, let them show in turn that they are among family. Let each one confidently make known his need to each other, for if a mother loves and cares for her son according to the flesh, how much more diligently must someone love and care for his brother according to the spirit?⁸¹

⁷⁸ Bynum, *Jesus as Mother*, pp. 110–169. She also argues that the conception of 'abbot as mother' was not a unique one of the Cistercian theologians but stemmed from an older monastic tradition (see esp. p. 112).

⁷⁹ Jean Leclercq, Henri Rochais, and Charles H. Talbot, eds., *Sancti Bernardi Opera*, 1 (Roma: Cistercienses, 1957), pp. 139–40. Bynum, *Jesus as Mother*, p. 118. This translation from the Latin and the following one is Bynum's, based on Kilian Walsh's translation in *On the Song of Songs*, Cistercian Fathers' Series 4, 1 (Spencer, MA: Cistercian Publications, 1971), p. 27.

⁸⁰ *Sancti Bernardi Opera*, 1, pp. 140. Bynum, *Jesus as Mother*, pp. 116, 118.

⁸¹ 'Et ubicumque sunt et se invenerint fratres, ostendant se domesticos invicem inter se. Et secure manifestet unus alteri necessitatem suam, quia, si mater nutrit et diligit filium suum carnalem, quanto diligentius debet quis diligere et nutrire fratrem suum spirituale?' Esser, *Die Opuscula*, p. 369.

Here, Francis again organises his community using an ‘earthly’ familial structure. The difference is that Francis employs a concept of, what Dalarun terms, ‘relative motherhood’.⁸² In order to elevate the spiritual relationship of the brothers, upon which the community’s organisational structure rests, above the fleshly relationship of a mother and her son, Francis has to use the image of a nurturing mother as a relational marker. He anticipates that the brothers all might be in need at some point. As a brother in need of aid places himself at the mercy of, or hierarchically ‘below’, an ordinary brother, Francis had to formulate an organisational structure that would counter the hierarchical nature of this relationship. He firstly brings to the reader’s mind the image of the mother-son relationship, before negating even this form of hierarchical relationship by stating that the non-fleshly, and therefore anti-‘worldly’, spiritual relationship of the brothers ought to be considered as superior to the mother-son relationship. In doing this though, he has to invoke the earthly models not only of motherhood but of brotherhood. This results in Francis’s prescription of a complex and contradictory, if oddly coherent, set of models for the brothers to follow. It also indicates that his ideals were not rigidly established against earthly structures but were flexible and appealed to these same structures. It is within the context of this fluidity that we should situate the establishment of the grand monastic institutions that housed royal converts to the Franciscan order, the ideals and aspirations of which did not contradict the Franciscan ideal as might be expected, but were able to find a place within the flexibility of this ideal.

II.5 The ‘Hugolinian’ Form of Life, the Benedictine Rule, and the ‘Privilege of Poverty’

While the instances in which the rules governing the Friars Minor discuss worldly renunciation require careful reading, they are usually fairly easy to identify. As it is difficult and sometimes impossible to know which form of life a given community of poor women was following, or precisely what such a form of life entailed, at any given time, it is considerably less easy to pinpoint the image of renunciation that those involved in creating these texts wanted to evoke. The textual media in which the precepts governing the women’s lives were prescribed were also very different to that in which the men’s were dictated. Where the men were given one uniform rule to follow that appeared to have been written by their founder, the women’s lives were governed by two texts. In the 1220s, the women were given the Benedictine Rule, accompanied by either the ‘Hugolinian’ form of life or the

⁸² Dalarun, *Francis of Assisi and Power*, pp. 57–58.

constitutions of San Damiano.⁸³ It is impossible to identify how, or if, worldly renunciation took shape in the early San Damiano constitutions in particular, given that we only have evidence that they existed, and not for what they actually demanded of their adherents.⁸⁴

The evidence of the *forma vitae* issued by Gregory IX in 1228 to a community of ‘poor enclosed nuns’ in Pamplona (Navarre) illustrates this point. This form of life is the oldest extant version of what scholars have traditionally referred to as the ‘Hugolinian rule’ or the ‘Hugolinian *forma vitae*’.⁸⁵ Many scholars have assumed that this text is representative of the constitutions that were given to the communities in Siena, Monteluce and Lucca in Honorius III’s 1222 letters to these communities, which reconfirmed the prescription of these constitutions by Hugolino in 1219.⁸⁶ This may well have been the case; however, as the constitutions given to these communities in 1219 have not survived it is impossible to be certain of the similarity between these texts.

The 1228 *forma vitae* begins after an introduction to the text by Gregory IX, in which he explains that he delivered the *forma vitae* to ‘all the poor enclosed nuns when [he was of] a lesser rank’.⁸⁷ The first section of the text explains that the women have been given a form of life because they ‘have chosen [...] to lead a poor life in order to gain eternal riches’.⁸⁸ Although the nature of the women’s poverty, or how they were to enact it, is never explained by Hugolino/Gregory in the text, it is noteworthy that the author of the text presents it as a defining feature of their life and the impetus behind the provision of a form of life for the women. The formulation does not use overtly the language of ‘rejection’ or ‘flight’ to articulate the women’s religiosity; however, in its juxtaposition with ‘eternal’, the word ‘life’ in this construction is given a temporal, transitory quality. It is therefore possible to surmise that Gregory understood — or wanted to portray — the women’s poverty as a struggle against, or disregard for, the temporal.

⁸³ This would be superseded by Innocent IV’s form of life in 1247, and by Urban IV’s form of life in 1263. Some communities, including the Wrocław community and quite possibly the Prague community, asked to follow the form of life that Clare wrote, and which the papacy approved shortly before her death in 1253.

⁸⁴ I discuss the prescription of these forms of life to groups of poor women in Northern Italy and the problems posed by lack of evidence in the previous chapter.

⁸⁵ Though see my discussion of Tugwell’s discovery of a potentially earlier text of Hugolino’s form of life, on pp. 43–45 of the present study.

⁸⁶ Regis J. Armstrong warns that the text reflects ‘later tensions’ to some extent, and is not necessarily directly representative of the text which was issued in 1219; however, he ultimately dates the text to 1219. At the start of the text, Gregory IX states that he issued it ‘when in a lesser rank’. *Escritos*, p 217. For the full text, see *Escritos*, pp. 217–232.

⁸⁷ *Escritos*, p 217.

⁸⁸ ‘Quapropter, dilectae in Domino filiae, quia divina vobis gratia inspirante, per arduam vitam et arctam quae ad vitam ducit, incedere et vitam pauperem ducere pro aeternis lucrands divitiis elegistis...’ *Escritos*, p. 218.

The second section is concerned with the prescription of the Rule of St Benedict as the monastic rule that the women were to follow. Perhaps employed by Hugolino in order to ensure that the women's form of religious life could not be perceived as a transgression of Canon Thirteen of Lateran IV, it is clear that Hugolino was also invoking the Rule as a 'time-honoured' authority on monastic life:

We give to you the Rule of the Most Blessed Benedict, which is known to embody the perfection of virtue and the greatest discretion. It has been devoutly accepted from the very beginning by the holy Fathers and venerably approved by the Roman Church'.⁸⁹

Despite the fascinating variations between the forms of monastic life that emerged during the Middle Ages, the spiritual value of such a form of life did not stem from its innovative qualities but from its longevity and how closely it resembled the purported life of the early Church. In the context of the women's form of life, the power of the Benedictine Rule lay in its history and its perceived origins in the spiritual climate of the Church Fathers. Although it was much younger than the Rule of St Benedict, in claiming that it was formed on the gospels, the *Regula bullata* also derived its value from the fact that its origins lay in the primitive Church. However, where the *Regula bullata* was formed against the socio-religious backdrop of the thirteenth century, the Benedictine Rule was the product of a much earlier religious climate. The Benedictine Rule does, of course, discuss disassociation with the world as a penitential activity, but as it was not the product of the thirteenth century, it cannot be used to discern what made the identity of the 'poor enclosed women' unique in the context of their contemporary world. The fact that we do not have access to any of the texts of the Benedictine Rules that were given to the women's communities also makes it difficult to use the content of the text to determine the type of identity that was carved out for the women by those who were involved in forming the women's lives.

The only other place in which the concept of worldly rejection is mentioned in the *forma vitae* is in the context of Hugolino's initial prescription of enclosure:

Therefore, after abandoning and despising the vanity of the world, it is proper and becoming to all who have resolved to embrace and hold to your

⁸⁹ 'Regulam Beatissimi Benedicti, in qua virtutum perfectio et summa discretio noscitur instituta, quae et a Sanctis Patribus a principio devote suscepta est et ab Ecclesia Romana venerabiliter approbata, vobis tradimus observandam in omnibus'. *Escritos*, p. 219.

religion to observe this law of life and discipline, and remain enclosed the whole time of their life.⁹⁰

Here, the rejection and deploring of the ‘vanity of the world’ is portrayed as a precursor to enclosure. As the women are instructed to remain enclosed ‘*after* abandoning and despising the vanity of the world’ — the abandonment of the world and the adherence to enclosure are presented as two separate actions here — it is difficult to know how far Hugolino was attempting to articulate a form of religiosity in which enclosure facilitated continued worldly renunciation as a penitential activity. It is not an idea that he develops in the remainder of the *forma vitae*, which takes on an instructional rather than a charismatic tone. Perhaps because of the text’s instructional voice, or perhaps because the women were to have as little interaction as possible with the world outside of the cloister, there is no sense in Hugolino’s *forma vitae* of how the long-standing concept of worldly renunciation was understood in relation to the contemporary world in which the women lived, or in which they once lived after entering the monastery. Unlike the men, the women were meant to withdraw from the world rather than operating within it, but it is interesting that this text provides no indication as to what the women were withdrawing from.

We are able to gain a little more insight into how renunciation took form in the lives and identities of at least some of the women’s monasteries by examining the bull *Sicut manifestum est*, known more commonly in modern scholarship as the ‘Privilege of Poverty’. The bull, issued to the San Damiano community in 1228, stated that the community could ‘be compelled by no-one to receive possessions’.⁹¹ The ‘privilege’ was issued by Gregory IX to the Monteluce community on 16 June 1229, and to the Prague community, also by Gregory and in a slightly different form, on 15 April 1238.⁹² As Mueller has pointed out, this injunction did not stipulate that the women were required to live without any possessions at all, but it does allow for the possibility that they might do so.⁹³ Whether the implication of the text was that the women should live without possessions or not, it is interesting that it did not put in place any measures that would accommodate for the women’s sustenance, given that they were addressed as ‘enclosed nuns’, and — assuming that the title reflected reality — were therefore not meant to have any interaction with the outside world. In the context of

⁹⁰ ‘Omnes itaque, quae, saeculi vanitate relicta pariter et contempta, religionem vestram assumere voverint et tenere, hanc eas legem vitae et disciplinae ferventer oportet et convenit observare’. *Escritos*, p. 219.

⁹¹ ‘Sicut ergo supplicastis, altissimae paupertatis propositum vestrum favore apostolico roboramus, auctoritate vobis praesentium indulgentes, ut recipere possessiones a nullo compelli possitis.’ BF, I, p.771.

⁹² BF, I, p.50, and pp. 236–37, respectively.

⁹³ Mueller, *The Privilege of Poverty*, p. 40.

Sicut manifestum est, however, the lack of formal provision for the women seems to enhance the spiritual value of their renunciation:

As is evident, you have renounced the desire for all temporal things, desiring to dedicate yourselves to the Lord alone. Because of this, since you have sold all things and given them to the poor, you propose not to have any possessions whatsoever, clinging to all things to the footprints of Him[...]Who for our sake, was made poor. Nor does a lack of possessions frighten you from a proposal of this sort; for the left hand of the heavenly Spouse is under your head to support the weakness of your body.⁹⁴

It is clear here that by the renunciation of the ‘desire for all temporal things’, the author of the text meant the renunciation of the desire for property. Where the text does not outline any formal temporal provisions for the women’s sustenance in light of the fact that they had sold their worldly possessions in order to follow Christ, it does make mention of a heavenly provision: the left hand of Christ. This spiritual ‘security blanket’ offered by Christ also provides the motivation for the women’s renunciation of possessions. Where the Hugolinian *forma vitae* is predominantly instructional, it is interesting that, in a text that left open the possibility for the women to live without possessions, Gregory developed the spiritual imagery of worldly renunciation but did not develop any practical mechanisms by which they could remain poor. Similarly to the way in which the Hugolinian *forma vitae* prescribed enclosure shortly after stating that the women had abandoned the ‘vanity of the world’, the women’s act of renunciation is presented in *Sicut manifestum est* as part of their conversion — an act that, in the time-frame of the text, has ‘already’ happened — rather than as a continued penitential activity. In later texts relating to the lives of the women in which the concept of worldly renunciation was explored, the renunciation of the temporal is linked closely with enclosure; however, there is no evidence in *Sicut manifestum est* or the Hugolinian form of life to suggest that enclosure either facilitated the women’s renunciation of the world, or negated the need for those who wrote texts on the women’s lives to develop this ideology after stating that the women were enclosed.⁹⁵

⁹⁴ *Sicut manifestum est*, cupientes soli Domino dedicari abdicastis rerum temporalium appetitum; propter quod, venditis omnibus, & pauperibus erogatis, nullas omnino possessiones habere proponitis, illius vestigiis per omnia inhaerentes, qui pro Nobis factus est pauper, via, veritas, atque vita; nec ab hujusmodi proposito vos rerum terret inopia; Nam laeva Sponsi caelestis est sub capite vestro ad sustentandum infirma corporis vestri, quae legi mentis ordinata caritate stravistis. BF, I, p. 771.

⁹⁵ On the relationship between poverty and enclosure in the writings of Clare of Assisi in particular, see Williams, *Mirror of Eternity*, pp. 14–17 and pp.131–151.

II.6 Thomas of Celano's *Life of St Francis*

As a canonically-approved *vita* of Francis, Thomas of Celano's *Life of St Francis* (1228–29) provides a clear example of how the ideal of familial and worldly rejection, present so far only in the rules for the order, was solidified as part of an approved text and a blueprint for Franciscan life. The famous scene from the *vita* in which Francis renounces his father has been discussed by a number of scholars in various different contexts.⁹⁶ The episode itself takes place in the court of the bishop of Assisi. Prior to this scene, Francis has sold the goods of his father's cloth business and has attempted to give the revenue to a church in Foligno. When the priest of the church refused the money, Francis threw it into the dust on a windowsill. Angry at his son, Francis's father marched him to the bishop and ordered his son to return all of his property and to relinquish his right of inheritance. In the presence of the bishop, Francis complies with these orders immediately:

When he was in front of the bishop, he neither delayed nor hesitated, but immediately took off and threw down all his clothes and returned them to his father. He did not even keep his trousers on, and he was completely stripped bare before everyone.⁹⁷

As Bynum has explained, the meaning of Francis's public denuding would have been clear to a thirteenth-century audience. A number of elements make up this image. In returning everything he owned, even down to the clothes on his back, Francis had made himself absolutely poor. As Francis's father was a cloth merchant, the clothing is imbued with meaning as a symbol of Francis's current income and future inheritance. To a contemporary audience, Francis's stripping would have symbolised not only a rejection of any property that he currently owned, but also any familial financial security that he might enjoy at any point of his life. In addition to this, his clothing would also have been recognised as indicative of his status within society. Now naked, Francis was without status, and hence without power or societal identity.

⁹⁶ Lambert, *Franciscan Poverty*, p. 61–62; Caroline Walker Bynum, *Holy Feast and Holy Fast: The Religious Significance of Food to Medieval Women* (Berkeley and Los Angeles, CA: University of California Press, 1987), p. 98; Goodich, 'Childhood and Adolescence among the Thirteenth-Century Saints', pp. 294–95; Little, *Religious Poverty and the Profit Economy*, p. 146–48.

⁹⁷ 'Cumque perductus esset coram episcopo, nec moras patitur nec cunctatur de aliquo, immo nec verba exspectat nec facit, sed continuo, depositis et proiectis omnibus vestimentis, restituit ea patri. Insuper et nec femoralia retinens, totus coram omnibus denudatur'. *Legendae S. Francisci Assisiensis: saeculis XIII et XIV*, p. 14.

It is interesting that the passage from Jerome that is often associated with the Franciscans, ‘naked, follow the naked Christ’, is not invoked by Celano here. Instead, in the passage following Francis’s renunciation, Celano invoked the passage from a homily of Gregory the Great, in which Gregory used a wrestling match as a metaphor for the dangers of preoccupation with temporal goods. In his homily, Gregory argued that it is dangerous for a clothed person — in other words, a person concerned with possessions — to wrestle with a naked person — the devil, in Gregory’s homily — because the naked one is able grab onto the clothed one’s clothes and drag them to the ground.⁹⁸ Only the person who casts off their clothing will avoid succumbing to the devil. The passage from Celano reads: ‘Look! Now he wrestles naked with the naked. After putting aside all that is of the world he is mindful only of divine justice’.⁹⁹ As clothing was symbolic of all of Francis’s worldly connections, it is possible that Celano felt that an allusion to Gregory’s homily would add greater poignancy to Francis’s conversion than if he had invoked Jerome. Clare also drew upon the passage from Gregory in her first letter to Agnes of Bohemia (c.1234), in which she congratulated the princess for turning away from worldly things in order to follow Christ: ‘For I firmly believe that you know[...]one clothed cannot fight another naked, because she who has something to be caught hold of is more quickly thrown to the ground’.¹⁰⁰ It is difficult to tell whether Clare was influenced directly by Celano’s story, or whether both Celano and Clare found separately the wrestling metaphor to be apt to describe an individual’s conversion from the world, but it is fascinating that the metaphor forms a central part in both of their imaginings of conversion.

In his study on the portrayal of childhood in the *legendae* written on the saints that were canonised in the thirteenth century, Michael Goodich drew our attention to the first chapter of the *Vita prima*, which comprises a scathing indictment against Francis’s parents for raising him to love the world. Francis’s adolescence — a time at which, Goodich argues, he was ‘freed from parental constraints’ — is depicted by Celano as an internal battle between his parentally-instilled devotion to the world, and the spiritual allure of absolute poverty.¹⁰¹ His denuding thus would have represented both his rejection of patrimony, and his complete

⁹⁸ ‘Nudi ergo cum nudis luctari debemus. Nam si vestitus quisquam cum nudo luctatur, citius ad terram dejicitur, quia habet unde teneatur. Quid enim sunt terrena omnia, nisi quaedam corporis indumenta? Qui ergo contra diabolum ad certamen properat, vestimenta abjiciat, ne succumbat. Nihil in hoc mundo amando possideat, nullas rerum labentium delectationes requirat, ne unde ad votum tegitur, ad casum inde teneatur.’ *Patrologia Latina*, ed. by J.P. Migne, 76 (Paris: Apud Garnier fratres, 1857), col. 1233.

⁹⁹ ‘Ecce iam nudus eum nudo luctatur, et depositis omnibus, quae sunt mundi, solius divinise justitiae memoratur.’ *Legendae S. Francisci Assisiensis: saeculis XIII et XIV*, p. 14.

¹⁰⁰ ‘Credo enim firmiter vos novisse quod...vestitum cum nudo certare non posse, quia citius ad terram deicitur qui habet unde teneatur’. *Clare d’ Assise: Écrits*, p. 88–90. See also CAED, p. 46. n. 3 for Regis J. Armstrong’s commentary on the passage.

¹⁰¹ Goodich, ‘Childhood And Adolescence’, p. 294.

unlearning of the values of the transitory world that were taught to him by his parents; in particular, his father. Celano set up Francis's parents as such strong symbols of worldliness that Francis's need to renounce them in order to reject the world would have become increasingly clear throughout the first few chapters of the *Vita prima*. Only then, naked both literally and symbolically, would Celano's Francis be able to pursue a religious life based on the gospel texts.

II.7 Conclusion

Rejection of lay social models did not stand at odds with engagement with the laity. As professed religious were responsible not only for their own souls but those of lay people, these two penitential endeavours could not be seen as contradictory, but were mutually beneficial. A constant throughout the Franciscan normative sources is not any one symbol or fixed way of renouncing the world, but the seamless invocation of renunciation of the world alongside engagement with worldly people and worldly models. Francis's own 'world' was that of the emerging cash economy, with its emphasis on profit. The emphasis placed by Celano, for instance, on Francis's rejection of this model by using his personal narrative was not meant to provide a blueprint for imitation, but to inspire others to seek out what was spiritually wrong with their own worlds and correct this. This comprised a convert's own complete renunciation of their world, but, within this flexible model, the convert also had a responsibility to help others, through receiving alms from them, for instance. This impetus would emerge in the penitential model espoused in the royal communities of Bohemia and the Polish duchies in the form of the nuns performing intercessory prayer in exchange for gifts.

What is also noteworthy about this type of model is that the position of the rich in society is not negated, but even affirmed. This is not to say that Francis, for instance, would have been at ease with the rich's superfluity of wealth, but rather that he appears to have noted that this lay societal group was in need of help to achieve salvation, perhaps even more so than others. Moreover, if the rich did not exist then the Franciscans would have no sustenance. The almsgiving dynamic put forth by Francis was a mutually beneficial model

that emphasised the salvation of both giver and receiver, and affirmed both of their roles in society.¹⁰²

The way in which Francis played on societal models is another important observation of this chapter. Contrary to Wolf's critique, Francis did not intend that his brothers' form of life would imitate wholly the life of the involuntary poor and did not require directives that required the brothers to administer to the poor directly. His was a blueprint for religious conversion that did not advocate the swap of one lay model for another. Instead, it encouraged the recognition and rejection of what was problematic about one's own society in favour of a religious life that worked to correct this problem.

Those who had property to renounce, either completely or in the form of alms, undoubtedly would have identified more closely with Francis's penitential framework than those who did not. The higher status that a subject held, the more they would be stirred by Francis's model as a critique of their way of life and one through which they could gain greater spiritual riches by virtue of the fact that the renunciation of their privileged status would have been especially dramatic. Although the women of the dynastic communities in Central Europe would not follow the male Rule, we will see in chapters three and four that this is the type of model with which these communities were trying to engage. In contrast, the female model put forth in Gregory IX's constitutions — which would be superseded in 1247 by those of Innocent IV — left the question of how a subject might renounce the world within the communal setting somewhat unanswered. Renunciation, according to Gregory's model, was something that had already occurred at the point of conversion, but it did not provide a model that would allow one to prove that they had continued to do so. However, as chapters three and four make clear, renunciation of wealth and status is combined in the penitential model articulated by those who lived within the royal Franciscan communities with a strong obedience to the rule and enclosure. Moreover, great emphasis is placed by both the women and the papacy on the need for the nuns to secure pastoral care and confessors from the Franciscan friars. The model of renunciation followed by the women appears to be a blend of the withdrawal from one's society with obedience to the penitential model outlined in their rule.

The way in which links to earthly family were articulated in the early Franciscan documents is even more complex, but might be read within this model. Francis's unequivocal

¹⁰² I discuss this in relation to gift exchange specifically, with reference to Ilana Silber's interpretational model, in Chapter Three, pp. 111–17.

instruction that a convert should reject their family co-existed along his framework for correction that invoked the earthly family structure. That the Central-European dynastic communities retained very close bonds with their families did not negate or diminish their Franciscan status. Even if all other Franciscans severed their ties with their blood families, this would still hold true. But it is interesting to consider how the retention of family ties by those who lived in dynastic communities fit within the same context as normative directions to reject these ties. Francis did not reject familial social relationships altogether but appealed to these bonds as a metaphor for benevolent correction. This was a model that would have appealed to potential converts as a set of relationships with which they could identify. It is therefore unsurprising that this would have appealed to royal dynasties as a group in society that placed familial relationships at the central part of their model.

Turning now to examine the salvific function of the gift in the context of the dynastic communities in Bohemia and the Polish Duchies, perhaps the most important point to take away from this chapter is that religion cannot be divorced from society. This is an obvious point, but it also remains the case that part of the reason that the royal Central-European case studies have been excluded or marginalised in Franciscan scholarship — Prague aside, perhaps — is that they do not seem ‘Franciscan’ enough. That is, we are rarely able to identify in the evidence associated with these monasteries the clear signs and symbols that we might identify most closely with the Franciscan order; for instance, absolute poverty, mendicancy, and lack of stability. Having reassessed the Franciscan penitential model in this chapter, this attitude now seems especially outmoded because part of the success of the Franciscan model is that it comprised a flexible response to social ills, by grounding very deliberately its ideas about renunciation within contemporary social schema. When trying to understand a model that was designed to ensure the salvation of as many people as possible, and which was created in the wake of a Church council designed to appeal to and correct as many souls as possible, it is imperative that we do not forget about the people with whom the Franciscans’ penitential model was incredibly successful. It is thus important that, when examining gift exchange, an act which necessitated involvement with property, we do not identify this act immediately as something fundamentally opposed to the Franciscan model. Instead, we must consider engagement in this practice as one of the central features of the Franciscan identities of these institutions.

Chapter Three

The sacred exchange and dynastic Franciscan identities in the records of donors and donations

As arenas of redemption, monasteries did not reserve their salvific benefit exclusively for the penitents who lived within their bounds. The corporate identities of the monasteries of Prague, Zawichost, Wrocław, Stary Sącz, and Gniezno were all shaped by benefactors who used the monasteries as instruments for their salvation. A gift to a monastery was a symbol of the earthly and heavenly welfare of its donor. It represented, as so many scholars have discussed, the donor's partial renunciation of wealth on earth in order to shore up their riches in the afterlife.¹

The Franciscans and their guardians often articulated this incentive using the language of 'sacred exchange'. The most famous example of the Franciscans' use of the economic language of exchange to communicate the renunciation of the earthly for the heavenly is the *Sacrum commercium Sancti Francisci cum Domina Paupertate*. The date of the text's composition is unknown, but it is likely that it was written in the second or third quarter of the thirteenth century.² The text portrays Francis of Assisi on a knightly quest to seek the hand of his lady, who is a human allegory of the virtue of poverty. Throughout the text, those who desire poverty — the Friars Minor — are exalted as perfect religious, and those who do not — the poor, the rich, secular clergy, and other monastic movements — are ridiculed. The 'sacred exchange' in the text and in other contexts is, thus, the act of giving up goods on earth in order to gain riches in heaven. The previous chapter discussed how the act of gift-giving, or almsgiving, to professed religious was taken up in the Franciscan tradition, and how the

¹ See in particular Patrick Geary, *Living with the Dead in the Middle Ages* (Ithaca, NY: Cornell University Press, 1994), pp. 77–92; Silber, 'Gift-Giving in the Great Traditions', 209–43; and Arnoud-Jan Bijsterveld, *Do ut des: Gift Giving, Memoria, and Conflict Management in the Medieval Low Countries* (Hilversum: Verloren, 2007); and Robert Bartlett, *Why Can the Dead Do Such Great Things?* (Princeton, NJ: Princeton University Press, 2013), pp. 105–12.

² The editor of the *Sacrum commercium*, Stefano Brufani, suggested that it was prepared in response to attacks made on the friars' poverty by the secular clergy in the 1250s. However, Neslihan Şenocak has argued convincingly that the Franciscan intellectualisation of poverty and the identification of poverty with the Franciscan form of life occurred during the 1230s and 40s also, and so the text may well have been written during this period. For the edition see Stefano Brufani, ed., *Sacrum commercium sancti Francisci cum domina Paupertate* (Assisi: Porziuncola, 1990). There is an English translation of the text in FAED, I, pp. 529–54. The translator of the text argues that it was likely written by the friar Caesarius of Speyer at some point between 1237–1239 (see the introduction to the text on pp. 526–27). For Şenocak's interpretation see her *The Poor and the Perfect: The Rise of Learning in the Franciscan Order, 1209-1310* (Ithaca, NY: Cornell University Press, 2012), pp. 124–25.

early Franciscan texts rearticulated the existing pressures placed by monastic movements on those with property to relinquish this property. This type of sacred exchange did not only encompass those who wished to be professed religious, but those who could act as benefactors or almsgivers to the order, and whose existence was necessary to ensure the order's longevity.

This chapter discusses the ways in which the identities of the Bohemian and Polish dynastic Franciscan monasteries were shaped by those who imprinted their identities onto the monasteries via their donations to the monasteries. Records of donation, which appear in a number of media, are fascinating examples of how a monastery acted as a host not only to the renunciation of the professed religious that it housed, but to those with access to material goods in the space outside of the monastery walls. The identities of the donors as expressed through donation records were not separate from those of the monasteries; instead, their identities were implicated in, and shaped, the corporate identities of the monasteries. This chapter considers the sources that we would expect to document transactions, such as charters, as well as papal bulls, hagiography, chronicles, and manuscript illustrations. Alongside its analysis of the ways in which royal Franciscan identities were the products of transactional exchange, it also examines how they were products of a dialogue that took place between a number of figures. By reading the relevant evidence in the context and order in which it was produced, this chapter charts how dynastic Franciscan identities developed over time in these institutions, and uncovers the multiple voices that created these identities.

It should be noted that although this chapter and the following chapter both invoke the normative Franciscan texts — such as the Rules — or texts in which the author self-consciously explores aspects of the Franciscan vocation — such as the *Sacrum commercium* — as points of reference, they do not do so in order to legitimise or condemn the behaviour of the institutions under examination. References to, for instance, the *Sacrum commercium* are not employed as a way of demonstrating that Anna of Silesia's and Salomea of Cracow's donations of property to the monasteries with which they were associated were permissible because texts such as the *Sacrum commercium* put such a great deal of pressure on the rich to renounce their property. The types of idea promoted in these text fed into how the nuns, along with their guardians and donors, devised their own Franciscan 'norm', but they are as important as the other ideas that influenced the nuns' ability to identify themselves with property and the Franciscan tradition; the need to protect the *beata stirps*, for instance. Moreover, the normative texts themselves, as the previous chapter demonstrated, did not

themselves escape the concept of the proprietary *pro anima* exchange. For instance, in the *Regula non bullata*, Francis of Assisi lists one of the benefits of mendicancy as the salvation of the rich who give alms to the friars. In addition to facilitating the friars' penitential performance of humility, the donor or almsgiver would receive a reward in heaven for showing disregard for their own property. The normative texts have been invoked in this chapter, rather, in order to demonstrate how pervasive the discourse of gift-giving or almsgiving was within cultures of professed religious, and as a critique of scholarship that relies heavily upon the normative texts whilst failing to place them within a pre-existing tradition of gift exchange. The way in which renunciation was articulated in relation to salvation may have differed between and within religious organisations, although those who belonged to the same movement might employ a common set of codes to express renunciation. However, the need for redemption and the need to preserve the religious communities that facilitated this redemption were concerns that all those who had property to spare — whom the message of these religious organisations was targeting predominantly — shared in common.

III.1 Transforming property: the gift economy and the myth of foundation

Examining the partial proprietary renunciation made by benefactors to the monasteries before considering the ways in which the nuns' total renunciation — however the nuns or their guardians might have conceptualised this — as Franciscan subjects was articulated may seem illogical. However, it is not possible to consider the renunciation that nuns made on joining a community before re-evaluating the position that foundation holds in histories of the monasteries examined here, and the most effective way to do this is to expose foundation as a form of donation in the context of these monasteries' histories, rather than something that marked the 'beginning' of these monasteries' lives. Foundation is often used as the starting point of the institutional histories of professed religious. The act of foundation is always given a date — the date that marks the coming into being of the institution — and allotted an agent responsible for the act: a founder. The foundation moment has been considered for so long to be a necessary part of a monastery's history, to the extent that the establishment of a monastery's moment of foundation has driven scholars to cherry-pick narratives that seem to be relevant to foundation, remove them from the contexts in which they were produced, and weave them together in order to construct a monastery's moment of foundation. Scholars who

have worked on the monasteries under consideration have done so without contemplating the ways in which the context in which these narratives were produced shaped these narratives. They also ignore how such narratives were moulded by their authorial voice and the intention in writing that was conveyed by this voice. Moreover, they do not consider what ‘foundation’ meant to the communities, and how far foundation was conceptualised as a ‘beginning’ for the communities in question. As such, the construction of foundation moments for these monasteries by scholars has wiped out a number of voices that shaped the monasteries’ identities. It is therefore necessary to examine the way in which foundation was created in the origin stories created by the communities themselves and by scholars, in order to recover the voices that have been buried by the impetus to construct a foundation moment. In examining foundation as something which was formed as the product of proprietary and dialogic exchange, within the contexts in which these exchanges took place, rather than trying to create a narrative of foundation to use as starting points for the histories of the monasteries under consideration, we can begin to recover these voices.

In the development of an effective framework through which to interpret the foundation phenomenon, Amy Remensnyder’s study of the foundation legends produced by and on the Benedictine abbeys of southern France between the early eleventh and mid-thirteenth century provides a useful point of departure. Remensnyder criticised the tendency of historians who, when reconstructing the origins of a monastery, place genres of text that describe foundation into a hierarchy of reliability.³ She argues that ‘[l]egends do not represent fiction any more than the foundation charters represent reality’; in other words, the foundation process is as a narrative construct in sources that some historians have classified as ‘documentary’, as it is in legendary sources.⁴ Therefore, one type of source does not necessarily prove more useful than the other when trying to construct a historical narrative of a monastery’s origins. Instead of attempting to strip legendary sources, for instance, of ‘literary flourishes’ in a quest to recover a ‘historical kernel’ of truth, Remensnyder cautions that we should read all sources that depict foundation firmly within the historical context in which they were produced, taking into account the effects of authorship and textual

³ Amy Remensnyder, *Remembering Kings Past: Monastic Foundation Legends in Medieval Southern France* (Ithaca, NY: Cornell University Press, 1995). See especially the book’s introduction (pp. 1–15) and the chapters entitled ‘The Historical Process’ and ‘The Legendary Process’ (pp. 19–41 and pp. 42–86, respectively).

⁴ Remensnyder, *Remembering Kings Past*, p. 42. See also Bijsterveld, *Do ut des*, p. 61.

convention — not in terms of how they distort a ‘real event’, but in how they develop the moment of foundation.⁵

Where the praxis used in this study departs from Remensnyder’s is that it does not establish the textual construction of foundations, or of founders, in relation or contrast to a notion of the ‘actual foundation’, as Remensnyder has termed it.⁶ In exploring the textual characteristics of the foundation charter, Remensnyder states that ‘[f]oundation charters were the memory, commemoration, and interpretation of the process of foundation, not the phenomenon itself’.⁷ This begs the question: what was the ‘phenomenon itself’ if not that which was constructed through text? Other aspects of Remensnyder’s study seem to be governed by the idea that there was a ‘real process of foundation’ that the foundation charter distorted. She argues that the foundation process encompassed a number of acts — the ‘election of an abbot[...]the construction of a church and claustral buildings, the endowment of a community with relics, [and the consecration of the church]’ — that were condensed by the foundation charter into one single act.⁸ In this procedure of condensation, the foundation charter took a number of different moments that comprised the ‘foundation’ of a monastery and wrote them into one single ‘moment’.⁹ This interpretation implies that we are able to recreate what it was that communities believed ‘foundation’ might have comprised, outside of the origin narratives that were created for the edification of the community.

Although she focusses on the creation of the Cistercian order in its entirety rather than on any individual house, the work of Constance Hoffman Berman shares much with that of Remensnyder. Although Berman avoids stating that the available evidence for the Cistercian order obscures ‘what actually happened’, she still views the order’s origin as a circumscribed, linear, and measurable process, with a clear start and finish. Berman’s central argument is that the Cistercian order was not an ‘order’ until around the third quarter of the twelfth century, because the central elements of the order’s governance — the General Chapter and a process of ‘quality control’ that determined the admittance of houses into the order — had not been implemented until around that time.¹⁰ She also argues that foundation was not the

⁵ Remensnyder, *Remembering Kings Past*, p. 7; pp. 42–3.

⁶ Remensnyder, *Remembering Kings Past*, p. 19.

⁷ Remensnyder, *Remembering Kings Past*, p. 21.

⁸ Remensnyder, *Remembering Kings Past*, p. 28.

⁹ Remensnyder, *Remembering Kings Past*, p. 20. Constance Hoffman Berman has characterised foundation charters in this way. See Constance Hoffman Berman, *The Cistercian Evolution: The Invention of a Religious Order in Twelfth-Century Europe* (Philadelphia: Pennsylvania University Press, 2000), p. 175.

¹⁰ See in particular the preface to Berman’s *The Cistercian Evolution*, pp. xi–xxiv.

singular act that is often implied in the myths of ‘apostolic gestation’ that were created by Cistercian communities as a way of theorising their origins. These were the types of myth that would claim a founder, usually male, dissatisfied for some reason with the form of life followed in the community to which he belonged, broke away from said community — Cistercian or otherwise — and founded a new monastery, along with twelve followers. Foundation was, instead, a process.

In much the same way as Remensnyder argues that there were a number of mechanisms or features that had to be in place before a monastic house was considered to have been founded — and which the language of foundation charters and hagiographic origin stories diverge from and distort — Berman’s argument is that there were certain features that had to be in place before we can consider the Cistercian order to have been ‘created’ as an order — features that were, again, ignored or distorted by foundation charters or hagiographic narratives of origin. This is problematic as it elevates our sense of what needed to be present for a religious house or an order to be considered ‘founded’ over what it was that an individual community or individual monk saw as their point of origin.¹¹

This chapter, therefore, employs the sensitivity to foundation and origin as textual constructs that is called for by Remensnyder, while resisting the idea that certain texts or textual genres can be used to reconstruct a phenomenon that we perceive to have existed outside of the texts themselves. It is useful to invoke directly Foucault’s notion of the ‘pre-discursive’ here. As the subjectivity of foundation is brought into being via discourse, we cannot refer to a pre-discursive phenomenon of foundation.¹² In other words, this chapter discusses the motifs of foundation and origin as discursively constructed — mostly through textual evidence but also in art and architecture — and not as an act which occurred outside of discourse, or which some types of evidence are able to narrate more accurately than others. This approach also prevents the conflation of foundation with an act that signified the

¹¹ In addition, Martha G. Newman points out that in focussing on charters and ‘primitive documents’ — the early Cistercian origin stories — Berman’s study ignores other sources in which Cistercian administrative structures, the establishment of which Berman claims to mark the beginning of the order, are discussed. See Martha G. Newman, ‘The Cistercian Evolution: The Invention of a Religious Order in Twelfth-Century Europe. By Constance Hoffman Berman’, *The Catholic Historical Review*, 87 (2001), pp. 315–16.

Chrysogonus Waddell has also criticised the book based on a number of mistakes in detail and in Berman’s interpretation of the manuscript evidence, especially her insistence that some of the evidence consisted of ‘falsifications’ allegedly perpetuated by the Cistercians. See Chrysogonus Waddell, ‘The Myth of Cistercian Origins: C.H. Berman and the Manuscript Sources’, *Cîteaux: Commentarii Cistercienses* (2000) 299–386.

¹² Michel Foucault, *The Archaeology of Knowledge and the Discourse on Language*, trans. by A.M. Sheridan Smith (New York, NY: Pantheon, 1972).

beginning of a monastic institution's life, in instances where those who constructed the identity of the monastic institution did not refer to these two entities as interchangeable.

In the source material that is examined in this chapter, foundation is conceptualised in part as a type of donation or gift, where it is discussed at all. All of the records of gift exchange in the source material relating to the Bohemian and Polish communities under consideration in this study are donations *pro anima*; that is, donations that were made by donors for the benefit of their souls and, usually, that of their ancestors. *Pro anima* gifts were normally given by donors to a monastic community with the understanding that the community would pray for the donor after they had died. It should be noted that the evidence for the case study-communities never specifies that the community would pray for the souls of its donors, most likely because this form of exchange was so commonplace by the thirteenth century.¹³ Emilia Jamroziak has also reminded us, however, that the act of gift-giving *pro anima* could be beneficial to one's soul not just — or, perhaps, not even — in terms of the prayers offered for it after death, but also because giving up one's property was a spiritually virtuous act of self-denial.¹⁴

Marcel Mauss' 1925 exploration of the role of gift exchange in non-European societies has provided the foundation for studies that have examined gift giving within the Latin Christian monastic tradition in the Middle Ages.¹⁵ Mauss argued that gift exchange played an important role in building, mediating, and defining social relationships between people because gifts are never given without an expectation that a counter-gift will be given in return. As Mauss's theory was based largely on gift-giving practices in Polynesia, Melanesia and the Pacific Northwest, the universal application of his theory in its entirety has been disputed; however, the basic premise of his argument has been adapted by many historians, sociologists and anthropologists to extract meaning from acts of gift exchange in a wide range of societies.¹⁶

¹³ With reference to the extant charters detailing donations to Rievaulx Abbey in Yorkshire, Emilia Jamroziak has noted that explicit requests for prayers in *pro anima* clauses were rare for Rievaulx. This might not indicate that they were universally rare, but Jamroziak's study demonstrates convincingly that gifts were given to Rievaulx *pro anima*, and thus provides a useful point of comparison. See Jamroziak, *Rievaulx Abbey*, p. 58.

¹⁴ Jamroziak, *Rievaulx Abbey*, pp. 58–59.

¹⁵ For Mauss's study, see Marcel Mauss, 'Essai sur le don. Forme et raison de l'échange dans les sociétés archaïques', *L'Année sociologique* (1923), pp. 30–186.

¹⁶ For a detailed outline of how scholars have developed Mauss's theory, see Chapter One of Bijsterveld's *Do ut des*, pp. 17–50.

The sociologist Ilana Friedrich Silber adapted Mauss' theory into a framework applicable to gift exchange involving medieval monasteries. Silber analysed the social meanings of donations to monasteries in, as she terms it, 'the medieval West'.¹⁷ Although this aspect of her research takes as its case study male monasteries in ninth- to twelfth-century western Europe, the methodological framework established by Silber applies well to the recorded instances of exchange associated with my case-study monasteries. Silber critiqued the division in sociological studies of the gift between those that focus on the 'gift-in-theory' or 'ideological gift' — in other words, and in the monastic context, the theological and eschatological significance of the gift — and those that focus on the socio-economic 'gift-circuit' — the role of the reciprocal nature of the physical gift in cementing earthly social bonds. Silber demonstrates that the nature of donations to monasteries cannot be separated out into these two categories, or be forced to fit in one or the other. She argues that gifts to monasteries should be theorised as a 'total gift'; that is, one that is multivocal in its knitting together of a multiplicity of social threads (eschatological, political, and socio-economic, to give a few examples). Her model allows us to view gifts to monasteries as the result of interaction between two different social groups — monastic communities and lay donors — and therefore to view monastic communities and their lay donors as belonging to two distinct social groups in the process of exchange, and one in which shared ideals, enacted differently, became intertwined. Although gifts to monasteries were 'total' gifts, the social identities professed by those who were lay and those who were religious were contradictory. One was predominantly anchored to — and thrived as the result of engagement with — this world, and the other was formed as a product of their subjects' engagement with the next. Donations to monasteries, then, in Silber's words, 'became the locus of convergence between extant conceptions of spiritual and material welfare'.¹⁸ The gift was the physical articulation of a set of negotiations and compromises made between these two social models, negotiations and compromises in which both models were not negated but affirmed. The lay donor's relinquishment of property is the result of their partial rejection of the world, a process in which they would gain spiritual benefits alongside affirming the otherworldly profession of the religious community, and acceptance of material property by the monastic community, while described using other-worldly terminology, affirmed the profession of the lay person as one motivated by material capital. Applying Silber's model to the dynastic Franciscan institution enables us to understand why, although religious and lay social identities may have

¹⁷ Silber, 'Gift-Giving in the Great Traditions', pp. 209–43.

¹⁸ Silber, 'Gift-Giving in the Great Traditions', p. 226.

been antithetical, their interaction does not represent a contradiction and enables us to see how all parties implicated in the relationship shaped each other's identities. Interpreting the gift as a multivocal phenomenon also ensures that marginalised voices — those of female religious — are included in analyses of exchange.

Bijsterveld's application of Silber's paradigm of the multivocal gift to his case studies, all of which were located in the Low Countries, highlights another important use of this model to the present study. Bijsterveld argues that examining gift exchange as a multivocal event aids in the creation of new narratives that resist 'traditional' narratives of linear progression.¹⁹ By examining the creation of Franciscan dynastic identities as a process using Silber's model, we can avoid viewing the emergence of a Franciscan dynastic identity as a sign of inevitable decline from the order's origins.

This chapter therefore rejects scholarly linear narratives which are anchored by a moment of foundation or point of origin and a point of decline, and replaces them with narratives that chart the construction of the dynastic Franciscan identities of the communities under study as a series of processes of exchange. It begins, therefore, not with the origin or foundation of each community — as these moments should always be read as constructs — but the earliest evidence detailing exchanges with these communities.

III.2 Reconceptualising 'beginning': The early evidence for the Prague, Zawichost, Wrocław, Stary Sącz, and Gniezno monasteries

III.2.1 Prague

The first extant trace of the monastery of Franciscan women at Prague appears in a charter issued by King Wenceslas I, the brother of Agnes of Bohemia, on 21 March 1234. The charter documents Wenceslas' receipt of a cloister that was constructed 'in honore sancti Francisci', and a hospital which 'pertained' to the monastery ('ad item pertinens'), under

¹⁹ Bijsterveld, *Do ut Des*, pp. 53–54.

royal protection.²⁰ It does not indicate the order to which the cloister belonged, or whether it was to house a male or female community; however, as the charter indicates that the monastery was built ‘next to [the church of] St Castulus’ — the church next to which the community of Franciscan women were housed from around 1234 — it is fairly safe to assume that the charter refers to the monastery of the Prague community of Franciscan nuns.²¹ This is not to say that the building should be elevated over the text as evidence for the community’s gender, but rather to suggest that the author of the text may not have felt the need to make the gender of the community clear if the monastery was known to have housed religious of a certain gender.

The next instance in which we encounter the monastery is also the first to connect Agnes of Bohemia with the monastery. On 30 August 1234, Gregory IX issued the bull *Sincerum animi*, addressed to Agnes, in which he praised Agnes for joining the ‘order [‘religio’] of poor enclosed Nuns’ and confirms her as abbess of the Prague monastery. Produced in response to requests made by the Bishop of Prague, then John II, and Wenceslas, the bull documented the papacy’s receipt of the Prague monastery and a hospital that was attached to it into the care of the Apostolic See, and confirmed ‘the freedoms and immunities granted to them by the king, bishop and chapter, and said apostolic authority’.²² It states that Wenceslas had given a ‘fundum’ to the Roman Church, for the purpose of ‘building a

²⁰ ‘Ad abstergenda igitur totius ambiguitatis vestigia noscat tam presens hominum etas quam in Christo successura posteritas, quod nos claustrum Prage in honore sancti Francisci constructum et hospitale ad idem pertinens, situm apud sanctum Castulum, et omnia, que ad ipsa nunc pertinent, vel in posterum iusto sunt titulo habitura, in regiam protectionem suscipimus’. CDB, III, p. 66.

²¹ On the location and layout of the Prague monastery, see the archaeological surveys of the monastery carried out by Barbara Sasse and Helena Soukupová: Barbara Sasse, ‘Das Doppelkloster der Premyslidenprinzessin Agnes in Prag’, in *Agnes von Böhmen 1211-1282: Königstochter – Äbtissin – Heilige*, ed. by Jaroslav Polc, *Lebensbilder zur Geschichte der böhmischen Länder*, 6 (Munich: Oldenbourg, 1989), p. 219–20; Soukupová, *Anežský klášter v Praze*, pp. 47–51; Soukupová, *The Convent of St. Agnes of Bohemia* (Prague: National Gallery in Prague, 1993).

²² ‘Nos eorumdem Regis, Episcopi, & Capituli precibus inclinati praefatum Monasterium, & Hospitale in jus, & proprietatem, ac tutelam, Apostolicae Sedis suscipimus, & praesentis Scripti patrocinio communimus; libertates, & immunitates concessas eis a Rege, Episcopo, & Capitulo supradictis auctoritate Apostolica confirmantes; & districtius nihilominus inhibentes, ne quis Archiepiscopus, Episcopus, vel quilibet, alius Praelatus in dictum Monasterium, & Hospitale, vel personas existentes ibidem excommunicationis, suspensionis, & interdicti audeat sententiam promulgare; quam contra prohibitionem nostram prolatam decernimus non tenere.’ BF, I, pp. 134–35.

monastery along with a hospital in Prague in honour of the blessed Francis'. According to the bull, Wenceslas' donation had been 'divinely inspired by your [Agnes's] purpose'.²³

If the responsibility for the monastery's foundation was understood by anyone, at that point, to have been attributed to a single person, neither Wenceslas' charter nor Gregory's bull tells us who this person was. Moreover, neither of them attempts to construct a single moment of foundation, or posit a 'foundation moment' as a moment on which the monastery began. Wenceslas's charter tells us simply that the monastery, or 'cloister', had been built. Gregory's bull provides a few more 'details' of the monastery's establishment — the land on which the monastery was built was donated by Wenceslas, perhaps as a result of Agnes's persuasion — but does not name a founder or fixed date on which the monastery was founded.

The removal of the hagiographical *vita* of Agnes from its context and its interpretation by scholars outside of this context to try and reconstruct 'what actually happened' contributes to the tendency to associate one definitive date of foundation and one founder, Agnes, with the Prague monastery. Written at some point between 1283 and 1322, the *vita* states that after choosing to embrace some form of religious life, Agnes gathered the Friars Minor of Prague

²³ 'Unde carissimus in Christo Filius noster illustris Rex Bohemiae Germanus tuus pie considerans, te ex alto virtute Spiritus roboratam, & charitatis ardore in Christo succensam, tuoque proposito divinitus inspirato, cohibitis germanae dilectionis affectibus, grata benignitate concurrens, fundum ad construendum Monasterium cum Hospitali apud Pragam in honorem Beati Francisci, in quo te cum aliis Sororibus claudere statuisti, Ecclesiae Romanae concessit'. BF, I, p. 134–35. In his English translation of *Sincerum animi*, Armstrong includes this passage within the bull: 'With an affectionate embrace, therefore, We have the firm hope that, through the dedication of your mind, *the Order planted there according to your desire* should ever increase from good to better' (my emphasis). However, it is difficult to understand which part of the letter he has taken this from. There is nothing in the Latin text of the edition in the *Bullarium Franciscanum* to suggest that Gregory wrote this. The corresponding part of the text reads: 'Quia igitur devotae mentis, & affectio amplectenda, & circa sacrae Religionis novella plantaria humanae sollicitudinis cura debet propensior adhiberi, ut uberes flores, & fructus proferant honestatis [...]'. Armstrong's version should, therefore, be read as a mistranslation. CAED, p. 352.

with whom she discussed the Rule of St Clare.²⁴ Deciding that this was the vocation that she wanted to embark upon, she sold everything that she had and gave it to the poor, and then built a hospital and a monastery for the Friars Minor, both dedicated to St Francis. ‘She also’, the hagiographer tells us,

built the famous convent for the sisters of the Order of St Clare, dedicated in honour of the saviour of the world, and this convent she richly furnished with important relics of the saints, sacred vessels, and precious ornaments pertaining to divine services, for she loved the beauty of the house of the Lord God.²⁵

Agnes then joins the monastery herself, along with five ‘sisters of the Order of St Clare’ from Trent and seven Bohemian noblewomen.²⁶ This is not the only part of her *vita* in which she is given agency for the construction of the monastery that would house the nuns, along with the hospital and the monastery of the Friars Minor. In narrating her death, which, according to the hagiographer, occurred in ‘1270, on the sixth day of the nones of March’, the hagiographer writes:

On this day the venerable lady, Sister Agnes, died, daughter of the king of Bohemia, foundress of the monastery of St Francis in Prague, and of the

²⁴ For discussion of the authorship of the text, see Vyskočil, *Legenda blahoslavené Anežky*, pp. 68-74, who argues that the author was a Franciscan friar. I agree with Vyskočil’s claim that the author was likely a Franciscan. In the prologue to the *vita*, the author states that they had been asked to write the text by their ‘minister’; possibly the minister general of the Franciscan order but more likely the author’s provincial minister. The *vita* also frequently extols the virtues of a Franciscan life. This does not rule out the possibility that the text was written by a member of another religious order or the secular clergy, but it would be odd for them to suggest that the Franciscan way of life was more perfect than their own. What Vyskočil does not explain, however, is why he thinks that the author was a man. There is no language in the text that would indicate the gender of its author, and the author never admits to having fulfilled any roles that could only be performed by a man (hearing confession or administering the sacraments, for instance). Vyskočil explains that the version of the text in what he refers to as the Milan manuscript, the oldest known manuscript of the text, depicts a chalice flanked by the initials P.B. at the end of the text. He believes that P and B were the author’s initials, and that the chalice indicates that the author was a priest, but also admits that it was a different person who drew the picture of the chalice, possibly the owner of the codex. Vyskočil, *Legenda blahoslavené Anežky*, p. 72. For the purposes of the present study, it is not necessary to determine exactly who the author of the text was, but we do not yet have evidence to rule out female authorship.

²⁵ After stating that Agnes had built [‘construxit’] the hospital dedicated to St Francis, he states that she also built the monastery of Friars Minor that was dedicated to St Francis, and ‘nec non famosum coenobium pro sororibus ordinis sancte Clare in honore salvatoris mundi, quod gloriosis reliquiis sanctorum, uasis ac ornamentis preciosis ad cultum diuinum pertinentibus, utpote diligens decorum domus dei mirabiliter decoravit’. *Vita Agnetis*, p. 106. Translation in *The Legend of Blessed Agnes of Bohemia* p. 147.

²⁶ I discuss this aspect of the hagiographical material in greater detail in the following chapter.

hospital at the foot of the bridge, as well as of the church built there in honour of the same St Francis.²⁷

The hagiographer's labelling of Agnes as a foundress ('fundatrix'), and the narration of the monastery's establishment in the way that we often expect — a linear process in which the founding figure is inspired to establish the monastery, the monastery is built, and the monastery is populated with nuns — means that the hagiographical *vita* has lent itself well to the reconstruction of the monastery's origins by scholars of Agnes and the Prague institution. However, this is not to say that scholars have employed the chronological narrative thread of Agnes's *vita* in its entirety. Where the *vita* states that Agnes joined the 'Order of St Francis' in 1236, scholars have chosen to place Agnes's entry into the monastery in the year 1234, based on Gregory IX's bull *Sincerum animi*, discussed above, in which he congratulates Agnes on becoming a nun. So while scholars take the *vita* as the main narrative backbone in reconstructing the early events of the Prague monastery, they modify certain aspects with details laid out in other sources. This approach, of course, is not necessarily problematic in itself; however, it ignores that the way in which material is presented in sources other than hagiography, papal bulls included, is subject to narrative pressures such as authorial voice and intent, the voice of the recipient, and the form in which the text was written.

Agnes's date of entry into the monastery is not the only part of the *vita* that scholars have chosen to ignore. At the beginning of the *vita*, the *vita*'s author gives the reader the following caveat:

In order to avoid confusion, in the course of this history, I have not always described the events in chronological order, but I have brought together all the facts pertaining to a particular subject, whether these facts took place at the same time or happened at different times; and as far as I was able, according to the measure of my simplicity, I have written a more succinct and more convenient narrative, in order that the persons who prefer brevity

²⁷ 'Hic obiit uenerabilis domina soror Agnes filia regis Bohemie fundatrix monasterii sancti Francisci in Praga et hospitaliis in pede pontis simul et ecclesie ibidem constructe in honore eiusdem sancti Francisci'. *Vita Agnetis*, p. 135. Translation in *The Legend of Blessed Agnes of Bohemia*, pp. 189–90.

may have no reason to disdain it, and in order that the desire of the faithful may be aroused to imitate this remarkable virgin more earnestly.²⁸

The author explains, therefore, that they have arranged the information available to them in an order other than the one that they consider to be chronological. To have placed the events into a chronology that they considered to be correct would have precluded the purpose of the text: to inspire others to imitate Agnes.

It is tempting to criticise the scholarship that has employed hagiographical material to build a chronological narrative of the nascent years of the monastery when the author themselves has warned that their narrative is not chronological.²⁹ However, as it is not possible to ascertain the sense of ‘chronological reality’ from which the author felt that they were deviating, such a critique is unproductive. The failure of scholars to pay attention to the red flag raised by the author of the hagiography over the purpose in writing the hagiographical text is more intriguing. The authorial caveat acts as a sharp reminder that the material considered by the author to be factual worked in dialogue with the purpose and form of the text, and in doing so was shaped by the purpose of the text. As so many scholars have highlighted, the *vitae* of saints served a number of purposes.³⁰ The most obvious were, of course, to encourage the canonisation of the saint by the papacy, to commemorate the would-be saint, and to promote their cult. They also served to place sites with which the saint was associated on the pilgrimage map, promote the family bloodline of the saint, and, particularly in the case of Agnes’s *vita*, encourage others to imitate the saint.³¹ The author’s characterisation of Agnes as a founding figure, and their attribution of the construction of the hospital and monasteries to her worked to inscribe her charitable acts for posterity. Recording her charitable acts would work simultaneously to encourage her canonisation by the pope, and to encourage her veneration as an important donor to the monastery.³² The latter is

²⁸ ‘In processu uero huius hystorie non secundum semper ordinem temporis res gestas descripsi propter confusionem uitandam, sed quecumque alicui materie competebant siue eodem siue diuersis patrata forent temporibus, pro simplicitatis mee modulo sicut compendiosius et conueniencius potui, coaptaui, ut breuitate gaudentes materiam fastidiendi non habeant, et ut affectus fidelium ad imitationem huius praeclare uirginis ardentius inflammetur’. *Vita Agnetis*, p. 100. English translation in *The Legend of Blessed Agnes of Bohemia*, p. 138.

²⁹ Such as Mueller, who so far as to state that Agnes used her dowry to finance the construction of the institution. See Mueller’s, *The Privilege of Poverty*, p. 55.

³⁰ For an outline of the purposes that historians have identified, see Geary, *Living with the Dead*, pp. 9–29.

³¹ Although it is important to note the debate over whether the inspiration of *imitatio* was ever really a goal of hagiographers. Geary outlines this debate on p.22 of his *Living with the Dead*.

³² For discussion of Agnes’s failed canonisation process, see Christian-Frederik Felskau, ‘Vita religiosa und *paupertas* der Přemyslidin Agnes von Prag: zu Bezügen und Besonderheiten in Leben und Legende einer späten Heiligen’, *Collectanea Franciscana*, 70 (2000), 413–84.

particularly important when considering the portrayal of founders and foundations. The holy founder strengthened the identity of the institutions that they founded as locations of spiritual importance by joining the boundaries of the temporal and eternal lives; the act which they allegedly performed on earth for spiritual benefit is re-enshrined in hagiography as the act of a heavenly agent. The particular portrayal of the monastery's foundation in Agnes's *vita* was shaped by a number of pressures and voices that we cannot separate out, as in doing so the act of foundation loses meaning.³³ In removing the constructed process of foundation from its hagiographic context and using it to reconstruct the early history of the monastery, scholars have diminished the meaning of this process and have written out the voice of the author from histories of the monastery.

It is thus important that we pay attention to the ways in which agency over donation was attached to certain figures within the contexts in which we find evidence for this agency. For instance, we do have evidence that Agnes was known as the person responsible for the construction of the hospital that was adjoined to the monastery. From around 1235 Agnes is identified as having been responsible for the construction of the hospital of St. Francis.³⁴ The bull *Cum relicta saeculi*, issued by Gregory IX on 18 May 1235, stated that the hospital and the monastery were to be treated as conjoined institutions as far as property was concerned and, consequently, that all the possessions owned by the hospital were also to come under the ownership of the monastery. What is telling about the letter is that he states that Agnes 'built' the hospital, but does not give any indication that she built the monastery:

[W]e, extolling with worthy praise your pious and holy intent divinely inspired in you, and bending to your entreaties, carrying out the actions of grace, granted the hospital of St. Francis, next to your monastery, which you, daughter abbess, built within the foundation of the Roman church, with its appurtenances to that monastery in perpetuity.³⁵

³³ Remensnyder, *Remembering Kings Past*, p. 7; pp. 42–43.

³⁴ The earliest extant source that cites Agnes as the founder of the hospital is the bull *Cum relicta saeculi*, issued by Gregory IX on 18 May 1235. BF, I, p. 165.

³⁵ 'Nos pium, & sanctum vestrum propositum inspiratum vobis divinitus dignis in Domino laudibus extollentes, ac prosequentes actionibus gratiarum, vestris supplicationibus inclinati hospitale sancti Francisci, iuxta monasterium vestrum situm, quod tu filia abbatissa in fundo Romanae Ecclesiae construxisti, cum pertinentiis suis eidem monasterio perpetuo duximus concedendum[...]' BF, I, p. 165. Translating this part of the text into English can make it seem as if the bull is stating that Agnes built the monastery. However, because 'monasterium' is in the accusative case, it seems more likely that 'quod' refers back to the nominative 'hospitale'. 'Quod' could, of course, refer back to a noun in the accusative case, but as it cannot refer back to both 'hospitale' and 'monasterium', it seems more likely that it is referring back to 'hospitale'.

This is insufficient evidence to negate the possibility that Agnes was considered to have been accountable for the monastery's construction, and it is important to note that we do have evidence to suggest that an individual or a group wanted her to be known as having had some influence on the establishment of the monastery. We should recall here that the bull *Sincerum animi* stated that Wenceslas' donation of the land on which the monastery was to be built was 'divinely inspired by your [Agnes's] purpose'. This demonstrates that Agnes was perceived to have exercised some agency in the monastery's construction. However, the acts of gift-giving and of urging the monastery to be constructed are two different types of act. We need to pay attention to the efforts made by those who performed such acts, and exercise greater sensitivity when assessing the types of act that they performed. In removing Agnes's foundation of the monastery from its context in Agnes's *vita* and placing it at the beginning of their chronologies of the Prague monastery, scholars have blotted out the voices and agencies of those who gave gifts to the monastery or who contributed to its construction. This may not apply only to donors of whom we know, such as Wenceslas, but potentially a host of unknown benefactors.

If we are not, however, to begin our narratives with Agnes establishing the monastery in 1234, then where do we begin? This question is concerned not so much with establishing a fixed point in time at which to begin a chronology, but with what we consider to be the point at which we can begin to chart the monastery's construction of its identity. The archaeologist Barbara Sasse has argued that we cannot assume knowledge of the events comprising the monastery's establishment before Wenceslas issued the charter which documented his receipt of the Prague monastery and hospital into royal protection.³⁶ Wenceslas' charter does provide a good starting point for the history of the monastery, but not because it provides evidence that the monastery had been established, or for *how* it had been formed. There is no evidence from this time period as to what would need to be present in order for those who lived there to consider that the monastery was an 'established' institution. Rather, as the earliest piece of evidence relating to the monastery and the first evidence of exchange, it makes useful starting point for a history of how identities were developed through donations to the monastery.

Having established Wenceslas's charter as the starting point for our narrative, as the earliest piece of evidence detailing the act of exchange with the community, and by

³⁶ Sasse, 'Das Doppelkloster', p. 220.

employing an exchange paradigm as a mode of analysis, we can now begin to chart the identities carved out by those who were involved in donating to the Prague monastery or charting these donations. The charter's documentation of the placement of the monastery under royal protection marked the Prague monastery as one that would exhibit identities that were formed in part by royal influence, from its formative stages. The claim that the monastery was dedicated to St Francis shows that the influence of Wenceslas and the adoption of Francis as the monastery's saint were not incompatible, or separable, phenomena. In fact, these two acts — the placement of the monastery under royal protection and the dedication of the monastery to St Francis — are what began to shape the monastery as one that was influenced by the developing trend in the establishment of royal Franciscan institutions.³⁷

It is worth considering here the influence of Elizabeth of Hungary on the trends in royal involvement in the religious orders in Bohemia and the Polish duchies. Her impact on the spiritual identities of the communities and the problems in how scholars have evaluated the role that she played in forming these identities will be discussed in greater detail in the next chapter. Though I argue that she had less of an impact on the identity of the nuns than is suggested by current historiography, it is clear that the Prague monastery was taking up the trend made popular by Elizabeth of Hungary's involvement in the construction of the hospital dedicated to Francis at Marburg. It is possible that the Marburg hospital brought into existence the concept of a royal holy institution that was dedicated to a Franciscan saint. The idea that the Prague monastery was building on such an archetype becomes more plausible when we consider that the Prague monastery was not the first female Franciscan community that enjoyed royal patronage in Bohemia. In 1231, Gregory IX confirmed the possessions, and their receipt into apostolic hands, of a women's monastery dedicated to St Francis in Doubravnik located within the diocese of Olomouc in Moravia.³⁸ In another papal bull that was issued in connection with the monastery, they are referred to as the 'poor enclosed of the

³⁷ For the development of the relationship between the ruling dynasties of Central Europe and the order of Franciscan women see Franz Machilek, 'Die Přemysliden, Piasten und Arpaden und der Klarissenorden im 13. und frühen 14. Jahrhundert', in *Westmitteleuropa, Ostmitteleuropa: Vergleiche und Beziehungen. Festschrift für Ferdinand Seibt zum 65. Geburtstag*, ed. by Winfried Eberhard et al. (Munich: Oldenbourg, 1992), pp. 293–306.

³⁸ CDM, II, pp. 231–32. Very little has been written on the Doubravnik monastery during the years prior to its destruction by the Mongols in 1243, after which it was rebuilt and took on a different religious character altogether. Felskau has discussed it in the context of what he terms 'the women's evangelical poverty movement' in Bohemia and Moravia. See his 'Agnes und die Anderen', p. 33. Libor Jan has discussed the nature of the religious character of the monastery in the years after it was rebuilt: 'Premonstrátky nebo augustiniánky? (opět k počátkům kláštera v Doubravnice)', *Časopis matice moravské*, 113 (1994), 15–24.

Diocese of Olomouc'.³⁹ Unfortunately, perhaps due to the fact that the monastery was destroyed by a Mongol invasion in 1243 and rebuilt as an Augustinian canonry, the only other piece of evidence for the development of the monastery's juridical identity is a charter issued in 1233 by Constance of Hungary, Agnes of Bohemia's mother, in which she donates a vineyard to a monastery of 'enclosed sisters' in Doubravnik.⁴⁰ As the titles given to the women by those who did not belong to the papal curia were rarely consistent with their papal designations, we should not read too much into Constance's omission of the fact that they were poor from their name. It may be the case that the women were more readily identified by lay powers by their enclosure than their poverty, although in the absence of supporting evidence it is only possible to speculate. What is interesting is that Constance of Hungary was a patron of the monastery. Constance was Elizabeth of Hungary's aunt. Her donation to the Doubravnik monastery is perhaps an indication that royal familial links to Elizabeth provided a vehicle for the transfer into Bohemia of the concept of a monastic institution dedicated to St Francis that was also linked to the ruling families of Central Europe.

The development of the monastery as a royal space, and one that would act as an agent of salvation for the royal family, is also attested to in *Sincerum animi*. The bull's record of Wenceslas' donation of land to the monastery was not solely an act of the pope. As I have discussed above, the bull was produced in response to requests made by Wenceslas and the bishop of Prague that the Prague monastery be taken under the protection of the papacy, and that the papacy ratify the 'freedoms and immunities' granted to the monastery by the crown and the bishop. If we read the bull as a response to these requests, it tells us that an agent acting on behalf of Wenceslas made it known, probably as part of these requests, that Wenceslas had donated land to the Church for the purpose of building the monastery. Asking for the land that Wenceslas had donated to be placed under the care of the papacy resulted in a document from the most powerful body in Christendom, which demonstrated that this body was aware that the act had occurred. Identifying Wenceslas as a donor to the Prague monastery made Wenceslas's renunciation more spiritually efficacious, and worked to mark out the boundaries of the monastery as a royal space in its earliest years.

³⁹ CDM, II, p. 249.

⁴⁰ 'sororum inclusarum in monasterio quod constructum esse dinoscitur in villa Dubraunik.' CDM, II, p. 259. For the document detailing the destruction of the Doubravnik monastery by the Mongols, see CDM, III, p. 20.

III.2.2 *Zawichost*

By examining how Wenceslas I and Gregory IX formed the identity of the Prague monastery through dialogues of donation, we thus reveal a number of problems with the positivist approach that has been employed by scholars of the monastery's history. Though it has not been studied to the same extent as Prague, similar — if more complex — problems can be found in scholarship on the community of St Francis at Zawichost in the earliest years of its existence.⁴¹

Those who have attempted to construct a chronology for the Zawichost community have structured their narratives around the life of Salomea of Cracow (c.1211/12–1268).⁴² Salomea was the daughter of Grzymisława of Lutsk, of the Rurik dynasty, and the Piast Duke Leszek I of Cracow. By virtue of her marriage to Kálmán, King of Halych–Lodomeria, the son of the Árpád King of Hungary, she became Queen of Halych–Lodomeria. At some point after Kálmán's death in 1241, she joined the community of Franciscan nuns at Zawichost. Due to the fact that scholarly narratives are based on the hagiographic chronology in Salomea's *vita*, although the earliest extant document for the Zawichost community is a bull that was issued by Pope Alexander IV in 1255, scholars normally begin their histories at a much earlier date. Moreover, despite the fact that we have no evidence for the monastery's foundation — if those who were linked to the monastery wanted to create a foundation narrative, then there is no extant evidence for this — scholars have settled on a date of foundation for the monastery, which is usually taken as the date of Salomea's entry into the monastery. This date has been extrapolated from her *vita* and an entry in the *Rocznik Małopolski*, a collection of Polish chronicles associated with the region of Małopolska, or 'little Poland'. Salomea's *vita* was written in around 1290. Unlike the *vitae* of other

⁴¹ See also my discussion of the scholarly myth that the Zawichost community consisted of nuns from Prague in Chapter One, p. 72.

⁴² In fact, there are no surveys of the Zawichost community (which relocated to Skała in c.1258–1260) that consider this community as an entity unto itself. The only studies that have focussed on the Zawichost monastery are those of Andrzej Pleszczyński, who has placed the Zawichost monastery in the context of a building programme that was designed by Bolesław V in order to further his political and military interests. These surveys, given their subject of study, do not, however, consider the activity of the community. See Pleszczyński, 'Fundacja opactwa klarysek w Zawichoście w 1245 roku', pp. 177–92, and his 'Podłoże polityczne i ideowe fundacji Bolesława Wstydlivego dla zakonu klarysek w Zawichoście', pp. 381–92. Bogusław Krasnowolski has considered the monastery alongside a number of others that were established in the thirteenth century as a part of the town planning efforts of Salomea, Bolesław, and Kinga of Poland (the Árpád princess to whom Bolesław was married, and who founded a community of nuns at Stary Sącz after Bolesław's death). Similarly to Pleszczyński's studies, the activity of the communities who lived in these monasteries is not considered by Krasnowolski. See Bogusław Krasnowolski, 'Kraków, Zawichost, Nowe Miasto Korczyn, Skała, Sącz: Plany urbanistyczne jako źródło badań nad epoką Bolesława Wstydlivego, bóg. Salomei, św. Kingi', *Nasza Przeszość*, (2004), 149–96.

Franciscan nuns such as Clare of Assisi or Agnes of Bohemia, the monastery is not used extensively as a setting for Salomea's penitential activities in her *vita*. The *vita* does not even go as far as to state that she joined a monastery, it simply states that she was consecrated, joined the Order of Saint Clare — which, the author states, followed the 'Rule of Saint Francis' — and lived for twenty-eight years 'in chastity, prayer, almsgiving, the construction of churches and the reformation of monasteries'.⁴³ As her *vita* states that she died in 1268, this would mean that, according to the author of the *vita*, she joined the monastery in 1240. Wojciech Kętrzyński, the editor of Salomea's *vita*, has pointed out that this date stands at odds with the date cited in the *Rocznik Małopolski*, which places Salomea's consecration in 1245.⁴⁴ Scholars, most likely building on Kętrzyński, seem to have considered the *Rocznik Małopolski* a more 'reliable' source for the date on which Salomea entered the monastery, as 1245 is the date that has always been assigned to this event in modern scholarship. Scholars have therefore assumed that 1245 is also the date on which the Zawichost monastery was founded.⁴⁵

However, the composition history and manuscript tradition of the *Rocznik Małopolski* limits its use as a text from which we can pluck out single dates for the purpose of constructing our own chronologies. Bielowski's 1878 edition of the 'text', which appears in the *Monumenta Poloniae Historica*, is actually comprised of four texts from four different manuscripts.⁴⁶ The four texts that Bielowski includes are taken from the following codices: the Kuropatnicki codex, the Lubin codex, the Szamotuły codex and the Królewiec codex.⁴⁷ The four manuscript sources are all chronicles which document events that took place in Małopolska from 964 to 1419: the date that the text in the Lubin manuscript ascribes to the baptism of Mieszko I, which is thought nowadays to have happened in 966, to the last date mentioned by the text in the Kuropatnicki manuscript, which is the text that has the latest end-date chronologically out of the four. In his edition, Bielowski places the Kuropatnicki

⁴³ 'Quo rege Colomano mortuo, hec sancta Salomea pretendens voti castitatem, rediit ad natalem patriam regnante protunc Prandotha episcopo Cracoviensi, qui eciam ipsam per impositionem veli in signum virginitatis, sacro suscepto ordine sancte Clare sub regula sancti Francisci a fratre Reimundo ministro Polonie, consecravit. Que XXVIII annis castis visceribus in devotis oracionibus, in exemplaribus demonstracionibus, in elemosinarum elargicionibus, in ecclesiarum construccionibus et in coenobiorum reformationibus, tamquam regina humilis vixit.' *Vita Salomeae*, p. 779.

⁴⁴ Kętrzyński, ed., 'Vita Salomeae Reginae Halicensis', in MPH, IV, pp. 779–80, n. 2.

⁴⁵ Pleszczyński, for instance claims that the monastery was most probably constructed shortly after Salomea had received consecration as a nun. 'Podłoże polityczne i ideowe fundacji Bolesława Wstydlwego', p. 386. Klaniczay does not mention the *Rocznik* but states that Salomea became a 'Poor Clare' in 1245. Klaniczay, *Holy Rulers*, p. 207.

⁴⁶ For the edition, see MPH, III, pp. 135–202.

⁴⁷ See Bielowski's introduction to the edition of the *Rocznik*, MPH, III, pp. 135–39.

and Lubin chronicles alongside each other in parallel, and the Szamotuły and Królewiec chronicle alongside each other. As Bielowski explains in far more detail in the introduction to his edition, the reason that he has included the texts under one title is because they overlap significantly in content, even though there are also many differences between them. Because of the differences between the texts, however, it is more appropriate to refer to them as four separate chronicles.

For the purposes of the present study, the first salient point in Bielowski's introduction is that all four texts, in their extant forms, were written and/or compiled long after 1245. The texts in the Lubin, Szamotuły, and Królewiec codices were compiled in the fifteenth century and the Kuropatnicki codex has evidence of both fifteenth- and sixteenth-century hands.⁴⁸ The Lubin chronicle ends in 1283, the Szamotuły version ends in 1340, the Królewiec version ends in 1345 and, as mentioned above, the Kuropatnicki version ends in 1419. Although Bielowski argues that these texts all show evidence of having incorporated other material that was written much earlier, it is important that we take into consideration that the date 1245 forms part of a chronology created in just one text and therefore reflects just one version of the chronology of this period. By using this chronology as the basis for a historical narrative of the Zawichost monastery, scholars have therefore ignored the way in which the compiler's method for composing the chronology affects their use, and our reception, of 1245 as the date for Salomea's consecration.

Another factor that scholars have never taken into consideration is that only two out of the four chronicles, the Kuropatnicki and the Królewiec versions, include Salomea's entry into religious life in their narratives, and that, out of these two, only the Kuropatnicki version states that it happened in 1245. According to Bielowski's edition, the Królewiec version places the event in 1282. This is most probably the result of an error in transcription or in editing. Almost all of the dates in the Królewiec text are out by a certain number of years, and there appears to be a pattern to the discrepancy that develops as the chronicle progresses.⁴⁹ The three entries in the Królewiec chronicle which precede the entry that details Salomea's consecration are, in chronological order, the Mongol incursion into Poland, Prandota's

⁴⁸ MPH, III, pp. 138–39.

⁴⁹ Wojciech Drelicharz, who has worked extensively on the Królewiec chronicle as well as the other chronicles included in the MPH's version of the Rocznik, has pointed out the discrepancies given in the Królewiec chronicle. See his *Annalistyka małopolska XIII–XV wieku: Kierunki rozwoju wielkich roczników kompilowanych* (Cracow: Polska Akademia Umiejętności, 2003), p. 87. See pp. 72–90 for his detailed discussion of the manuscript tradition of the Królewiec chronicle.

consecration as Bishop of Cracow, and Bolesław's flight from war at Suchodol (Bohemia).⁵⁰ The discrepancy between the dates given to these events by the *Królewiec* chronicle (1276, 1277, and 1282) and the dates given by the *Szamotuły* and *Kuropatnicki* chronicles (1241, 1242, and 1243) are 35, 35 and 39 years, respectively.⁵¹ The discrepancy between the date that the *Królewiec* chronicle gives to Salomea's consecration (1282) and the date that the *Kuropatnicki* chronicle gives to this event (1245) is 37 years. As the three events that immediately follow this event in the *Królewiec* chronicle are out by 39 years, and the discrepancy continues to increase in number — the final entry on the page on which Salomea's consecration appears is out by 44 years — the difference between the dates assigned by the *Królewiec* and the *Kuropatnicki* chronicles to Salomea's entry into religious life does not fit with the general pattern in discrepancy between the dates in the *Królewiec* chronicle and the other two chronicles.⁵² It might be the case that this entry is an exception to the rule. It is also possible that the *Królewiec* chronicler, or the author of the material from which he/she was working, thought that Salomea's consecration occurred in 1243, which means that there would be a 39-year discrepancy between the dates provided by the *Królewiec* and *Kuropatnicki* chronicles, which would fit in with the pattern in date-

⁵⁰ None of the chroniclers specify the Bolesław to whom they are referring, but presumably they mean Bolesław V (Wstydlivy/'The Chaste'), Salomea's brother, who at that time would have been the Duke of Sandomierz.

⁵¹ As not all of these events can be corroborated by sources outside of the *Rocznik*, and to avoid pursuing questions of 'reliability', as well as to avoid falling into the trap of placing the *Rocznik* into a hierarchy of reliability with other sources, I have chosen to measure the dates given to the events in question in the *Królewiec* against those given by the other chronicles included in the *Rocznik* (apart from the Lubin chronicle, which does not mention any of these events). For the purposes of the present study, I am not attempting to ascertain the exact pattern of discrepancy; rather, to gauge roughly how the discrepancy is manifested in the text in order to alert other scholars who may work on Salomea or Zawichost to this problem.

⁵² Salomea's entry into religious life is the first entry on the page, and reads: '1282. Frater Remundus minister in Polonia capitulum celebravit in Sandomiria et velavit sanctam Salomeam'. The entries that follow it directly are as follows: the war with the Lithuanians, which the *Królewiec* chronicle places in 1282, and the *Szamotuły* and *Kuropatnicki* chronicles place in 1246 (the Lubin chronicle does not mention this event, or any of the following events); the receipt by Godfrey the Preacher of a fifth from the priesthood and the granting by Jacob, a papal legate, of the consumption of meat after Septuagesima, which the *Królewiec* chronicle places in 1286, the *Szamotuły* chronicle does not mention, and the *Kuropatnicki* chronicle places in 1247; the discovery of a salt deposit in Bochnia, which the *Królewiec* chronicle places in 1291 and the *Kuropatnicki* chronicle places in 1252. The remaining entries on the page are as follows: the canonisation of St Stanisław of Cracow, which the *Królewiec* chronicle places in 1293, the *Szamotuły* chronicle places in 1254, and the *Kuropatnicki* chronicle places in 1253 (indicating a 39/40-year discrepancy between the *Królewiec* chronicle and the other two); the death of a 200-year old knight, which the *Królewiec* chronicle places in 1294, the *Szamotuły* chronicle places in 1255, and the *Kuropatnicki* chronicle places in 1254 (a 39/40-year discrepancy); the capture of the Bishop of Wrocław by the Duke of Silesia, which the *Królewiec* chronicle places in 1297, the *Szamotuły* chronicle does not mention, and the *Kuropatnicki* chronicle places in 1256 (a 41-year discrepancy); an earthquake, which the *Królewiec* chronicle places in 1299, and the *Szamotuły* and *Kuropatnicki* chronicles place in 1257 (a 42-year discrepancy); the handing of the *ius Teutonicum* to the city of Cracow, which the *Królewiec* chronicle places in 1300, and the *Szamotuły* and *Kuropatnicki* chronicles place in 1257 (a 43-year discrepancy); and the beginning of a penitential Order of Martyrs, which the *Królewiec* chronicle places in 1301, the *Szamotuły* chronicle does not mention, and the *Kuropatnicki* chronicle places in 1257 (a 44-year discrepancy). MPH, III, p. 169.

discrepancies. Without having seen the original manuscript, however, it is hard to tell which is the more likely.

Whether it is the case that the chronicler did not agree with the dates given by his/her near-contemporaries to the events that he/she outlines, or whether an editorial error has concealed the fact that the chronicler believed 1243, 1245, or another date altogether is less important than the fact that no scholar has thus far noticed the entry for Salomea's consecration in the *Królewiec* chronicle.⁵³ Although Bielowski has placed the ostensibly similar texts alongside each other in his edition in order to highlight the differences between them, the *Rocznik* has been treated as one single text and, perhaps as a result of this, scholars have not noticed the second reference. As 1245 is the date on which so many assumptions about the foundation of Zawichost lie, it is concerning that the listing of Salomea's consecration in the *Królewiec* has slipped the attention of scholars for such a long time.

Another problem with beginning the monastery's chronology in 1245 is that it assumes from the fact that Salomea was consecrated in 1245 that the life of the community also began in that year. There is simply no evidence surviving from the time period examined in this thesis that allows us to create a credible 'foundation event' for the monastery, let alone posit a date for the monastery's foundation. The absence of the monastery setting in Salomea's *vita* extends to the monastery's foundation, which simply does not seem to have been an event worthy of inclusion in its narrative. The foundation of the monastery — or any element of its institutional development — does not feature at all in the *Rocznik Małopolski* either.

The problems with extrapolating information from documents that were produced much later than the events that are 'recalled' by such documents have been discussed at length at various points in this thesis. It is worth pointing out, however, that attempts made by scholars to assign a date to the foundation of the Zawichost monastery reveal another problematic feature of using evidence in this way: the ordering of genres of text into a hierarchy of 'reliability'. Although scholars are not explicit in their reasons for choosing the date posited by the *Rocznik Małopolski* over that which is posited in Salomea's *vita*, the fact that they do so seems to be driven by concerns over reliability. When discussing the date that

⁵³ Dariusz Karczewski has noted the scholarly debates over the manuscript tradition of the *Rocznik Małopolski*, but lists the date of Salomea's consecration as 1245 regardless. See his *Franciszkanie w monarchii Piastów i Jagiellonów w średniowieczu. Powstanie – Rozwój – Organizacja wewnętrzna* (Kraków: Avalon, 2012), p. 24, p. 50.

Salomea's *vita* suggests for her consecration, Kętrzyński does not overtly dismiss hagiography as an 'unreliable' source. However, he does state that in suggesting that Salomea spent 28 years as a nun, the *vita* disagrees with the date proposed in the *Rocznik*, and therefore with the 'truth'.⁵⁴ In doing so, he does imply that the *Rocznik* might not have been correct, but settles on 1245 as the date of the monastery's foundation anyway.

As stated before, the present thesis is not concerned with questions of 'truth' or 'reliability', and so it does not seek to judge whether 1240 or 1245 is the most likely date of Salomea's conversion. However, privileging certain genres of text over others — in this case, chronicles over hagiographic texts — when reconstructing a past event gives greater legitimacy to certain voices as being more valid, even when there are no grounds for considering it to be so. Here, the voice of the author of the chronicle is more valid than that of the hagiographer. This is problematic in the case of the institutions examined in this thesis, in which the hagiographies related to these institutions build their narratives in part on stories that were told by the women who lived in these institutions. The implicit privileging of the *Rocznik* over Salomea's *vita* — even when they are both sources that were produced long after the event in question is supposed to have happened, and it therefore makes little sense to do so — creates another barrier to the inclusion of women's voices in scholarship. This is not to suggest that we should read sources back unquestioningly, irrespective of the problems associated with each source, but rather to highlight a scholarly practice that takes legitimacy away from women's voices.

As hagiographic narratives often form the backbone of the scholarly chronologies that this thesis challenges, it is interesting also to consider the problems associated with an ostensibly more 'critical' usage of hagiography as evidence. In many fields, the dismissal of hagiographic evidence in favour of evidence from, for instance, chronicles is often followed as standard scholarly practice when reconstructing an event using evidence that was produced after the event in question. However, as the example of the date of Salomea's consecration highlights, this comes with its own set of problems. Considering this case in relation to how hagiographic chronology is often used otherwise in the fields of Franciscan studies and monasteries in Central Europe — to form the core chronologies of individual studies —

⁵⁴ 'Rocznik Małop. M.Pol III 168 pod rokiem 1245 umieszcza wiadomość o wstąpieniu do klasztoru ś. Salomei. Jeżeli tak istotnie było, to następnie określenie czasu – lat 28 – w klasztorze aż do śmierci, zaszłej w roku 1268 nie zgadza się z prawdą. Upłynęłoby bowiem tylko lat 23 życia klasztornego.' Kętrzyński, ed., 'Vita Salomeae', pp. 779–80, n. 2.

demonstrates that these fields are still struggling to use, and assess the role of, hagiography as evidence effectively.

Before moving on to consider the earliest extant evidence for the monastery of Zawichost and how the monastery builds a set of identities under the influence of contemporary ideological models of renunciation, it is necessary to discuss the scholarly treatment, or surprising lack thereof, of the person who was behind the establishment of Zawichost.⁵⁵ Unlike the other case studies under examination in this thesis, only one scholar, Andrzej Pleszczyński, has suggested that the Zawichost monastery was constructed at the insistence of one person. He states that the monastery was built with the funding, and under the volition of, Salomea's brother, Bolesław V (1226–1279), who was Duke of Sandomierz (1232–1279) and the High Duke of Poland (1243–1279).⁵⁶ The monastery, according to Pleszczyński, was built as part of Bolesław's attempts to construct a town, Zawichost, that would act as a stronghold on the routes leading from Poland into Ruthenian and Mongol territory. The monastery would act as a dynastic and spiritual centre for this endeavour.⁵⁷

There is no reason to argue that the female Franciscan monastery was not understood to have played this role in Bolesław's efforts. However, given both that Bolesław is never cited in any medieval sources as the initiator of the monastery's construction, and that we do not have any evidence that he helped to fund the construction of the monastery, it is too much of a stretch to suggest that the establishment of the monastery came at his volition. Pleszczyński's desire to place one founder at the beginning of a Zawichost's story has erased the potential for the presence of a number of people who may have urged the institution towards its inception. This is most probably the result of the fact that there is little source material available on the individual nuns who made up the monastic community. However, it is important when reconstructing histories of monastic communities that we do not lose sight of the volition of those who were professed religious in the formation of a religious community — whether these religious are named or unnamed.

⁵⁵ As will be discussed below, the pope cites Salomea as having been responsible for the construction of the community at Skala, to which the Zawichost community relocated in c.1258–1260 in order to avoid being attacked by Mongols. However, no scholar to my knowledge has tried to claim that Salomea founded Zawichost.

⁵⁶ Pleszczyński, 'Fundacja opactwa klarysek w Zawichoście w 1245 roku a aspiracje polityczne Bolesława Wstydlwego', p. 177.

⁵⁷ Pleszczyński, 'Fundacja opactwa klarysek w Zawichoście w 1245 roku a aspiracje polityczne Bolesława Wstydlwego', pp. 177–92 (p. 178).

As well as not being supported by evidence, the claim that Bolesław was responsible for the monastery's foundation is problematic also because of the gender bias present in this assumption.⁵⁸ Why, if there is no evidence to indicate that Zawichost had one clear founder, does Pleszczyński not discuss the possibility that Salomea, for example, might have been the founder? Moreover, why does scholarship frequently ignore that, in order for someone to found a female community, there had to be a certain level of desire from a group of women to embrace religious life and form a community? Reading the documents associated with monasteries within the context in which they were produced, as opposed to confining the information that they give us to a traditional narrative of foundation, can help us to consider the roles of a wider range of voices and volitions in the evolution of the identities of these institutions.

III.2.3 *Wrocław*

In contrast with Zawichost, there are a number of pieces of evidence associated with Wrocław that posit individual people as founding figures, or as having contributed to the monastery's construction. Our first encounters with the Wrocław monastery occur on 13 December 1256, in a series of bulls issued by Alexander IV. In one of the bulls, addressed to the bishops of Wrocław and Lubiąż, Alexander explained that Anna, the widow of Henry II, the Duke of Silesia and Greater Poland, had proposed the construction of a monastery of the Order of San Damiano in fulfilment of her late husband's desire to build such an institution. The bull tells us that Henry died before he was able to fulfil this wish and therefore Anna had decided that, for the salvation of her own soul and that of her husband's, she would complete 'by costly works' the construction of the monastery.⁵⁹ The bull instructs the bishops that

⁵⁸ One extant charter, allegedly produced in 1257, states that Bolesław was responsible for the foundation of the Zawichost monastery; however, this charter states that the monastery belonged to the Order of St Clare, an entity that did not exist until 1263, and so is likely a later creation. It could, of course, have been the case that someone did produce the charter in 1257 and was not sure of the correct terminology for the order; however, as Clare had only been canonised for two years at this point, and there is nothing else from this time to suggest that Zawichost had developed a cultic devotion to Clare, it is more plausible that the charter was a later creation. It is also possible that the charter name of the order was updated retrospectively in the copy of the charter, to remain in keeping with current practice at the time that the charter was copied. It remains the case, however, that there is no contemporary material extant which states that Bolesław was the monastery's founder. For the charter, see KDM, I, pp. 52–53.

⁵⁹ 'Cum, sicut ex parte dilecte in Christo filie Anne relicte inclite recordationis H(enrici) [sic] Zlesie magneque Polonie ducis fuit propositum coram nobis, dux ipse firmum haberet propositum, dum vivebat, aliquod in civitate Wratislaviensi ordinis sancti Damiani monasterium construendi et tam pii operis propositum, quod idem dux morte preventus adimplere non potuit, eadem relicta pro ipsius ducis ac sue anime salute effectu cupiat prosequente complere, in curia Wratislaviensi monasterium edificare opere sumptuoso'. SUB, III, p. 132.

anyone who was opposed to the building works ought ‘to be restrained’.⁶⁰ We learn in another bull issued on the same day, addressed this time to all of the Christian faithful, that Anna herself was unable to finance the completion of the ‘costly works’ herself. The bull states, interestingly, that the abbess and the sisters of the monastery of San Damiano at Wrocław desired to build their monastery afresh but that they lacked the resources necessary to do so.⁶¹ The bull offers a remission of sins to anyone who, through ‘good works’, helps to complete the construction of this ‘new’ monastery.⁶² In a third bull issued on 13 December 1256, Alexander granted to all of the faithful in Christ in Wrocław, Cracow and Olomouc (Moravia) a remission of sins for visiting the monastery’s church, once it had been constructed, on the feast day of Saint Clare, on the anniversary and day on which the church was consecrated, and during the octave of these festivals.⁶³ This bull makes no mention of Henry or of the monastery’s community, but instead states simply that it was Anna who proposed that the monastery should be built.

These bulls make clear that there was no one person to whom responsibility for the foundation of the monastery or financing the monastery’s construction was attributed. The impetus for the construction of the monastery, or a ‘new’ monastery, of the Order of San Damiano at Wrocław is attributed to different entities in these three bulls, and is framed by the pope in slightly different ways. In two out of three of the bulls, it is Anna who proposes the construction of the monastery, but only one of these bulls invokes the memory of Henry’s wish and frames the proposition as the fulfilment of this wish. The remaining bull states that it is the community who wish to build the monastery, but they wish to build anew [‘de novo’]

⁶⁰ ‘fraternitatem vestram rogamus et hortamur attente vobis per apostolica scripta mandantes, quatinus relictam ipsam habentes pro nostra et apostolice sedis reverentia commendatam eam circa executionem concepti propositi favoribus auxiliis debiti benignus pertractetis, omnes vestre ditioni subiectos et alios etiam, qui se illis super hoc temere duxerint opponendos, auctoritate nostra districtius compescendo’. SUB, III, p. 132.

⁶¹ ‘Cum igitur dilecte in Christo filie...abbatissa et conventus monasterii sancte Clare Wratislaviensis ordinis sancti Damiani, sicut accepimus, monasterium ipsum ceperint edificare de novo et ad consumationem ipsius eis proprie non suppetant facultates’. SUB, III, p. 132.

⁶² ‘universitatem vestram rogamus et hortamur in domino in remissionem vobis peccaminum iniungentes, quatinus de bonis vobis a deo collatis pias elemosinas et grata eis caritatis subsidia erogetis, ut per subventionem vestram opus inceptum valeat consumari et vos per hec et alia bona, que domino inspirante feceritis, ad eterne possitis felicitatis gaudia pervenire’. SUB, III, p. 132.

⁶³ ‘Cum igitur dilecte in Christo filia Anna relicta bone momerie [sic] ... Zlesie et magne Polonie ducis quoddam monasterium ordinis sancte Damiani in civitate Wratislaviensi ad honorem beate Clare edificare proponat, nos ad promerenda sempiterna gaudia causam dare fidelibus populis cupientes universitatem vestram rogamus, monemus et hortamur in domino in remissionem vobis peccaminum iniungentes, quatinus ad ipsius monasterii ecclesiam, cum constructa fuerit, cum devotione ac reverentia accedatis veniam a domino vestrorum peccaminum petitori. Nos enim omnipotentes dei misericordia et beatorum Petri et Pauli apostolorum eius auctoritate confisi omnibus vere penitentibus et confessis, qui ecclesiam ipsam in die festi eiusdem sancte et in anniversario et consecrationis die ipsius ecclesie et usque ad octo dies sequentes accesserint annuatim, unum annum de iniuncta sibi penitentia singulis annis misericorditer relaxamus.’ SUB, III, p. 133.

the monastery in which they are staying. Whereas the other two bulls suggest that the monastery that is being built is an entirely new institution, this bull suggests that there was already a monastery and a community in place. The necessity of crowd funding due to the monastery's financial difficulties adds an indeterminate number of people to the list of figures who helped to facilitate the early stages of the monastery's development.

Driven by the need to find a clear point of origin for the monastery, scholars have glossed over these discrepancies — not to mention the fact that the construction of the monastery is never expressed using the language of foundation — and instead assign the responsibility of the monastery's foundation either to Henry and Anna as a joint endeavour, or to Anna alone.⁶⁴ Some are more sensitive than others to the differing levels of agency given to Henry and Anna: Edmund Małachowicz states that that they both had the idea to found the monastery, not that they were 'founders', and Ewald Walter and Anna Sutowicz both state that Anna founded the monastery in fulfilment of Henry's request.⁶⁵ However, they still understand and communicate the information given in the earliest documents associated with the monastery in terms of foundation, where these documents do not describe this process using such terms. Outlining the scholarly debate over the date of the monastery's foundation, Walter concludes that it must have been founded at some point between 26 February 1253 and 13 December 1256. He does so based on the fact that the land on which the monastery would be built was transferred by Anna and her two sons to the Friars Minor on that date, and so was not yet available for the monastery to be built on.⁶⁶ He agrees that we cannot assign a definitive date of foundation to the monastery, but does so based on the idea that such a discrete event occurred. Along with other scholars who have written on the 'foundation' of the Wrocław monastery, he ignores wholly the sisters' request that the monastery be built 'de novo'.

⁶⁴ Those who cite both Henry and Anna as founders include: Edmund Małachowicz, *Książęce rezydencje, fundacje i mauzolea w lewobrzeżnym Wrocławiu* (Wrocław: Oficyny Wydawniczej Politechniki Wrocławskiej, 1994), p. 28; Sutowicz, 'Fundacja klasztoru klarysek wrocławskich', 122–40 (pp. 126–27). Those who cite Anna as sole founder include: Janina Eysymontt, 'Architektura pierwszych kościołów Franciszkańskich na Śląsku', in *Z dziejów sztuki Śląskiej*, ed. by Zygmunt Świechowski (Warszawa: Państwowe Wydawnictwo Naukowe, 1978), pp. 41–92. Winfried Irgang, 'Beiträge zur Silesia Franciscana im 13. Jahrhundert', *Archiv für schlesische Kirchengeschichte*, 47–48 (1990), 219–47 (p. 225); Felskau, "'Imitatio" und institutionalisierte Armenfürsorge', pp. 21–42 (p. 72). Ewald Walter cites Anna and Henry as joint founders in 'Zu den Anfängen des Franziskanerklosters St. Jakob und des Klarissenklosters St. Klara auf dem Breslauer Ritterplatz', *Archiv für schlesische Kirchengeschichte*, 53 (1995), 225–40 (pp. 230–31), but cites Anna as sole founder, albeit that she founded the monastery in fulfilment of Henry's wish, in Ewald Walter, 'Zur Gründungsgeschichte des Breslauer Klarenstifts', *Jahrbuch der Schlesischen Friedrich-Wilhelms-Universität zu Breslau*, 32 (1991), 21–28 (pp. 21–22).

⁶⁵ Małachowicz, *Książęce rezydencje, fundacje i mauzolea*, p. 28; Walter, 'Zur Gründungsgeschichte des Breslauer Klarenstifts', pp. 21–22; Sutowicz, 'Fundacja klasztoru klarysek wrocławskich', pp. 126–27.

⁶⁶ Walter, 'Zur Gründungsgeschichte des Breslauer Klarenstifts', pp. 22–23.

In addition to the fact that scholarship on religious organisations is often prone to the construction of a distinct moment of foundation for their subject, it is clear that the above conclusions are also shaped by scholars' projection backwards of the fourteenth-century chronicle of the monastery. The lack of scholarly commentary on the bull which cites the community's request that the monastery be rebuilt can possibly be explained by the contents of two texts, one of which is known now as the *Notae Monialium Sancte Clare Wratislaviensium*, which was written in the first half of the fourteenth century, and another which does not have a title but appears to be a set of notes on the life of Henry of Bren, and of the role played by Henry the Pious and Anna in the construction of the monastery.⁶⁷ Both texts state that the community, made up of sisters of the Order of Saint Clare who had come to Wrocław from Prague on 14 April 1257, lived first in a wooden monastery while they were waiting for a stone monastery to be built, and then moved in to the stone edifice in 1260.⁶⁸ Walter notes the discrepancy between Alexander's 13 December 1256 bull which states that a community had already formed in Wrocław by that time, and the *Notae's* supposition that the community arrived in Wrocław from Prague on 14 April of the following year. In order to explain the discrepancy, Walter gives the example of the 1134 Cistercian *statuta*, which prescribed that a group of monks could not move from one monastery to another, in order to begin a new community, unless the building was fully completed (the refectory, oratorio, dormitory, and guesthouse were components that had to be in place before a new community

⁶⁷ I discuss this text in more detail later in this chapter, pp. 170–181. It can be found in MGH SS, IX, pp. 533–536. The manuscript is in BUW IV F 193, fols 155r–56r, and a later, expanded version can be found in BUW IV F 173, fols 123r–28r.

⁶⁸ The *Notae* reads: 'Sorores ordinis sancte Clare de Praga Wratislaviam venerunt anno Domini 1257, in festo sanctorum martirum Tyburcii et Valeriani, et habitaverunt primo in ligneo claustrillo, ubi nunc est curie procuratoris, expectantes donec lapideum claustrum fuit...Post claustrum consecrationem factam, ut predicatur anno Domini 1260, sorores de ligneo habitaculo se transtulerunt ad lapideum claustrum eodem anno in festo beati Mathei apostoli et ewangeliste in eo usque adhuc Domino servientes.' MGH SS, IX, p. 534. The note on Anna's and Henry's roles in the monastery's early development reads: '...sorores ordinis sancte Clare de Praga in Wratislaviam venerunt et habitaverunt primo in ligneo claustrum, ubi nunc est curia procuratoris, expectantes donec lapideum claustrum, in quo morantur, fuit consumatum, quod videlicet beatissima Anna de propriis expensis totaliter consumavit sicut sequens pictura evidenter declarat'. *Scriptores rerum silesiacarum oder Sammlung schlesischer Geschichtschreiber*, ed. by Gustav Adolf Stenzel, II (Wrocław: Schlesische Gesellschaft für Vaterländische Kultur, 1839), p. 132. The latter text is followed by a picture which displays Anna and Henry holding up a building that was presumably intended to resemble the Wrocław monastery. Małachowicz writes that there are studies which attest to the presence of a wooden monastery, but he does not cite these and I have not, thus far, been able to identify any such studies. Małachowicz, *Książęce rezydencje, fundacje i mauzolea*, p. 31.

moved in).⁶⁹ Postulating that the women from Prague who allegedly came to Wrocław would have followed the same protocol, Walter suggests that Agnes of Bohemia sent a few nuns and an abbess over to Wrocław first — the ‘community’ to whom Alexander refers in the bull — and then sent the rest over once the wooden monastery had been constructed.⁷⁰

Aside from the fact that Walter neglects to account for the possibility that the Wrocław community was not composed solely of nuns from Prague, and therefore that the Prague nuns may have joined a pre-formed group of nuns in 1257, there is no reason to doubt that the series of events arranged by Walter may have happened. However, in taking the narrative from the *Notae* out of its fourteenth-century context and mapping it back onto the earliest available evidence for the monastery, Walter transforms the complex picture of the monastery’s nascent years that is painted by the bulls into something far simpler. The narrative of the *Notae* — or, more accurately, the way in which it is employed by Walter — reconciles the differences between the 1256 bulls. But these are differences that need to be recognised more than they need to be explained. The differences tell us that, at this point in time, there was no one, clear narrative of progression for Wrocław’s formation, but several; the co-existence of which resists modern scholars moulding it into such a clear, progressive narrative. The convergence of different narratives represents the many pressures that were put on Wrocław’s early development by the different agencies that were part of the monastery. In reconciling these narratives, we lose not only the voices of these different agencies, but the idea of a situation in which it was possible for these voices to co-exist.⁷¹

Removing the narrative of the *Notae* — and other texts related to the monastery that were produced after 1256 — from the context in which it was produced also poses obstacles to our understanding of how the monastery’s identity is developed in the *Notae*. The narrative is allowed, not just in Walter’s foundation narrative but in others too, to take precedence as evidence for the monastery’s ‘foundation’ over the information presented in the bulls, and to

⁶⁹ ‘Zur Gründungsgeschichte’, pp. 24–5. Walter cites the statutes published in *Statuta capitulorum generalium Ordinis Cisterciensis, ab anno 1116 ad annum 1786*, ed. by Joseph Canivez, 1 (Louvain: Bureau de la revue, 1933), p. 15. Since the publication of Walter’s article, Chrysogonus Waddell has produced another edition of the *statuta* which disputes much of the dating of Canivez’s edition. For Waddell’s edition, see *Twelfth-Century Statutes from the Cistercian General Chapter: Latin Text with English Notes and Commentary* (Cîteaux: Commentarii cistercienses, 2002).

⁷⁰ Walter, ‘Zur Gründungsgeschichte’, p. 25.

⁷¹ In addition to the conflation of different origin narratives, Janet Burton has identified another problem with studies that attempt to reconstruct the origins of a monastery: the splitting up of origin narratives for different monasteries that were part of the same text. Burton has discussed how the text that includes the foundation narratives for the English Cistercian abbeys of Byland and Jervaulx is often separated into two parts, as if each abbey had produced its own text. See Janet Burton, *The Foundation History of the Abbeys of Byland and Jervaulx*, Bothwick Texts and Studies, 35 (York: University of York Press, 2006), pp. viii–ix.

control and shape these texts. This is because the evolutionary sequence of events that it presents is less subversive to a modern concept of how a monastic foundation narrative ought to unfold than the number of sequences that we can glean from the 1256 bulls. The passing of this modern judgement on the text seems to give scholarship permission to remove it from its context; an act which in turn results in the loss of the significance of the way in which the *Notae* chose to narrate the monastery's early development. This fourteenth-century text will be analysed more closely later in this chapter, but for now it is worth focussing on the passage which tells us that the Wrocław community consisted of nuns from Prague. This is taken as fact in scholarship; we have already seen that for Walter it provides a reconciliatory narrative that redresses the divergence between the bulls issued by Alexander. What these scholars have failed to consider is that the narrative trope of a monastic community being formed by members who belonged to another prominent community — a trope which Berman has titled the myth of 'apostolic gestation' — is a common trope in monastic origin stories.⁷² The *vita* of Agnes of Bohemia, for instance, states that the Prague community of nuns were formed originally of seven noblewomen from Prague and five sisters of the Trent community of the Order of Saint Clare. Noticing the prevalence of the 'apostolic gestation' myth in monastic foundation myths does not give us license to challenge the claim that the Wrocław sisters may have come from Prague, but it does alert us to thinking about why the author of the *Notae* might have chosen to craft their narrative in this way. It is interesting to note, for example, that the fourteenth-century text of the *Notae* is the first extant text to mention an institutional connection between the communities of Franciscan nuns at Prague and Wrocław. Whether this is the result of earlier evidence being lost or of the gestation myth only being developed later is difficult to tell. Perhaps the author chose to emphasise the link between the two — whether this link was based on a genuine understanding that the Wrocław community had originated in Prague or not — in order to align Wrocław with another powerful royal Franciscan community, as a means of cementing the Wrocław monastery's royal Franciscan identity. Interestingly the *Notae* is also the earliest text in which Anna is cited as the monastery's 'fundatrix'.⁷³ It is possible that, as Anna became recognised increasingly as the founder of the Wrocław monastery by the community, those who shaped the Wrocław community's identity sought to connect the institution to those with whom the founder was linked. It may also simply have been the case that the author wanted to

⁷² Berman discusses the myth of apostolic gestation throughout her book *The Cistercian Evolution*. See in particular, however, Chapter One of this book.

⁷³ 'Anna ducissa, filia regis Bohemie, coniunx ducis Henrici et ducissa Wratislaviensis, fundatrix monasterii sancte Clare, obiit anno Domini 1265'. MGH SS, XIX, p. 534.

incorporate the ‘apostolic gestation’ trope in order to strengthen the legitimacy of the story’s status as an origin narrative, by conforming to the formulae that the intended reader would have expected to be present in this type of text. In any case, when following the development of the Wrocław monastery as a royal Franciscan institution, it is crucial that we read the texts associated with the monastery on their own terms and, where we do know about the circumstances in which they were produced, within these contexts.

It is crucial to our understanding of the way in which the Wrocław community took up the concept of exchange and used it to shape their royal Franciscan identity that we maintain the differences between the three bulls, and pay attention to the differing levels of agency that was given to each ‘founding figure’ as the institutional identity of the monastery developed. As outlined in greater detail in Chapter Two, the concept of exchange — rooted in a longer monastic tradition of gift-giving — was an important concept that was then taken up by Franciscans and developed in Franciscan contexts. The act of giving up goods to be used by the monastery was an important penitential endeavour for those who had not chosen to live as professed religious. In the case of the construction of the monastery at Wrocław, the endeavour of contributing to the monastery’s completion was rewarded with a formal remission of sins. A longstanding role of the monastic community in the world was to pray for the soul of a benefactor in exchange for goods; this is something which has long been recognised in monastic scholarship. In examining the documents that were associated with the Wrocław community, we see glimpses of Anna’s concern that she would not be remembered as a donor after her death. Ignoring the discrepancies between the three bulls discussed above means that we also ignore the number of potential donors with whom Anna had to compete in order to be included in the prayers of the community. That she might be forgotten was a very real anxiety. It is important that we take this socio-religious pressure into consideration when discussing the development of the Franciscan identities of the Wrocław community, as it provides a context for instances in which concern over ‘worldly’ things was shown by those who were associated with the monastery.

III.2.4 *Stary Sącz*

The monastery of the Order of St Clare at Stary Sącz is the only case study examined in this thesis to have produced a document in which a person assumes direct responsibility for the monastery’s foundation. Kinga of Poland was a Hungarian princess who became duchess of

Cracow and Sandomierz on her marriage to Bolesław V. In 1257, Bolesław gave Kinga Sary Sącz as a way of reimbursing her for his use of her dowry to pay the knights he had employed to fight against the Mongols.⁷⁴ In the charter documenting this gift, Bolesław explained that due to the fact that his funds had depleted whilst fighting the Mongols, he had no money to pay his knights, so he paid them using Kinga's dowry.⁷⁵ Because he was unable to pay back his wife, he gave Kinga the land of Sary Sącz. In 1280, Kinga issued a charter that stated that she was going to found the Sary Sącz monastery for the glory of God and of Mary, the mother of God, and of the blessed confessor Francis; for the propagation of the *sacrum religio*, as well as for the health of the soul of Bolesław — who had died in 1279 — and for her own soul.⁷⁶

In its description of the community that was to be housed in the monastery, the charter quotes from Matthew 7:14, stating that the nuns who will serve in the monastery have chosen 'to enter the door of life through the narrow road and constricted gate'.⁷⁷ Although not unique to Franciscan writing, many Franciscan authors, including Clare of Assisi, employ this passage to communicate a Franciscan subject's renunciation of worldly wealth. Whether the charter's invocation of the passage was influenced by other Franciscan texts or not, it is interesting that its author chooses to articulate the act of foundation using this passage given that it goes on to describe the large amount of land that Kinga had donated to the monastery. Kinga had donated twenty-eight estates with all of their appurtenances to the monastery, to be held in perpetuity. Despite attributing the charter's allusion to Matthew 7 to Franciscan tradition, Bolesław Kumor has interpreted Kinga's donation of lands, as well as the monastery's receipt of other properties and rents later in its life, as a mark of decline in the Franciscan poverty movement, which had been 'born in protest against the rich church'.⁷⁸ Kumor's interpretation raises the question of why the charter's author thought it appropriate to indicate that the monastery was diverging from Franciscan poverty by being endowed with large amounts of land, if it was simultaneously professing an ostensibly Franciscan sentiment in invoking Matthew 7:14. Surely the author's combination of this invocation with its description of the properties that Kinga had donated to the monastery suggests that the author

⁷⁴ KDM, II, pp. 106–108.

⁷⁵ See also Krasnowolski, 'Plany urbanistyczne', p. 180.

⁷⁶ 'cenobium seu claustrum sanctimonialium ordinis sancta Clare ad Dei gloriam et sancta Dei genitricis Marie ac beati Francisci gloriosi confessoris honorem, necnon sacre religionis propaginem ac pro salute animarum tam nostri prefati mariti, quam nostre, in ipsa civitate Sandech fundandum statuimus et etiam construendum'. KDM, II, p. 145.

⁷⁷ KDM, II, p. 145.

⁷⁸ Kumor, 'Fundacja starsądeckiego klasztoru', p. 161.

did not see such a combination as problematic? This is not to argue that other members of the order would not have found a problem in this combination. It does rather suggest, however, that the author did not view the monastery's ownership of this land as having been contradictory to the nuns' entry to heaven, and perhaps even viewed this as something that would support this spiritual endeavour.

As the only foundation charter amongst the evidence for the thirteenth- and fourteenth-century foundations that were linked to the Piasts, this charter is the only piece of evidence we have that was produced at the insistence of the person who wanted to be recognised as founder, and who wanted to portray themselves as the instigator of the monastery's creation in the narrative of its inception. To some degree, this charter reflects the narrative of the foundation of Sary Sącz that Kinga wanted to portray. In this narrative, she is the sole founder; the monastery is founded for the salvation of her husband's soul, but Kinga is the only agent. Unfortunately, this element of the charter's existence has gone completely unnoticed in histories of the Sary Sącz monastery, meaning that we lose the significance of Kinga's agency. Rather, it fulfils the same role in these histories as we have seen the hagiographies and chronicles play in twentieth and twenty-first century histories of the other communities that are examined in this thesis: to establish the date of foundation, and to assess the reason for the foundation.

As the charter expresses, to the scholars that have used it, a clear date of foundation for Sary Sącz, it has received even less attention than the sources that have been used to determine the foundation dates for the other monasteries under examination in this thesis, as we have seen in the debate over whether the *Rocznik* chronicle(s) or Salomea's hagiography provides the most reliable date of foundation in the case of Zawichost. Where the charter has been treated in slightly greater detail is in establishing a reason for the monastery's foundation. Kumor has argued that the reason Kinga gives for the foundation is too formulaic; the claim that she was establishing the monastery for the salvation of her soul and that of her husband was the same type of claim made in any other charter that documented a new monastic foundation.⁷⁹ He therefore dismisses this as a motivation, citing instead the lack of monasteries in the Sary Sącz region and of Franciscan support within the Hungarian

⁷⁹ Kumor, 'Fundacja starosądeckiego klasztoru', p. 158.

royal family, including Elizabeth of Hungary's status as a Franciscan tertiary, as Kinga's motivation to construct the monastery.⁸⁰

That there were few monasteries in the Stary Sącz region forms a convincing context for the charter's production. Kumor notes that, prior to 1280, there were only two men's monasteries and one women's monastery in the diocese of Cracow, which encompassed the town of Stary Sącz. The desire to establish Stary Sącz and the lands that Kinga owned within that region as an important religious centre must have been one of the motivations behind the establishment of the community. The latter context in which Kumor places the foundation — the idea that Kinga was motivated by the Hungarian royal family's links to the Franciscan order — would have been more convincing if Kumor had provided evidence that there was a tradition, on which Kinga was building, of Elizabeth's portrayal as a Franciscan tertiary. Elizabeth and Kinga's sister Margaret of Hungary were both important to Kinga's spirituality — the parish church at Stary Sącz was dedicated to both of them.⁸¹ It would have aided his argument if he had pursued an alternative line of thought to that which claims that Kinga's brother, King Béla IV of Hungary, was responsible for bringing the Franciscans to Hungary, and founding the first monasteries of the Order of St Clare, an event for which we have no evidence. Connections between Béla and the Franciscans are constructed in the late-thirteenth/ early-fourteenth-century *vita* of Elizabeth of Hungary; however, there is little evidence for his involvement with the Franciscan order during his lifetime and before 1280, the date on which Kinga's document was produced.⁸² As there is no evidence that Elizabeth held a place in Kinga's imagination as a Franciscan tertiary, or for Béla bringing the Franciscans to Hungary, it is possible only to speculate that these acts specifically may have played a role in Kinga's choice to construct the monastery and to style herself as the monastery's founder. It could, however, certainly have been the case that Kinga was following in Elizabeth's footsteps by founding an institution that was linked to the Franciscan order, given that Elizabeth was thought to have founded a hospital dedicated to St Francis. It would be incredibly difficult to argue that she was not influenced by the trend in giving patronage to the Franciscan order within the Polish royal families

The motivations behind the formation of the Stary Sącz community are important. Particularly, in the case of this present study, the role of the growing trend in donations made

⁸⁰ Kumor, 'Fundacja starosądeckiego klasztoru', pp. 159–60.

⁸¹ Krasnowolski, *Plany urbanistyczne*, pp. 180–81.

⁸² See Klaniczay, *Holy Rulers*, p. 231.

by the dynasties of Central Europe to the Franciscan order should be taken into consideration. It is crucial, however, that in doing so Kinga's charter does not disappear into the background. The language of gift may be formulaic to some extent, but it does not follow from this that it was used without a deep understanding of what it meant.⁸³ The conventional language used in the charter reflects how engrained the practice had become by the time at which the charter was issued. These were not transactions initiated lightly — fear of the afterlife shaped profoundly the imagination of those who were able and motivated to give gifts in exchange for the benefit of their soul. Moreover, although the narration of the transaction is conventional, the individuals involved in this particular transaction were unique. Some charters that detail 'foundations' and other transactions may use this type of language, but it is only in this charter that Kinga is the agent behind the foundation of Sary Sącz. In short, the formulaic nature of the language is representative of the gravity with which such an exchange was associated at that time and as such we need to take it seriously, as in neglecting it we write out from the history of Sary Sącz the way in which Kinga crafted her own agency over the monastery's foundation.

III.2.5 *Gniezno*

The amount of extant sources associated with Gniezno is very slight in comparison to the other case studies under examination in this thesis. In spite of this, Urszula Borkowska has given us an idea of the place held by the monastery within its socio-religious contexts. Borkowska placed the extant sources for the monastery, which primarily record donations to the monastery, in the context of donations made by Piast ruling families to monastic institutions.⁸⁴ In charting the Gniezno monastery's history through the recorded donations to the monastery, and emphasising the eschatological significance of these documents, her narrative mostly resists mapping motifs from later sources onto the history of the nascent years of the monastery.

⁸³ Constance Brittain Bouchard has argued for taking seriously *pro anima* clauses in charters. See her *Holy Entrepreneurs*, pp. 75–76. Bijsterveld also warns against dismissing the formulaic language of charters as meaningless in *Do ut Des*, p. 53.

⁸⁴ Urszula Borkowska, 'Fundacje kościelne wielkopolskiej rodziny książęcej w drugiej połowie XIII wieku', in *Święci nie przemijają. Materiały z sympozjum naukowego o błogosławionej Jolencie z okazji 700-lecia jej śmierci* (Gdańsk: Kuria Prowincjonalna OO. Franciszkanów 2002), pp. 89–102.

As Borkowska highlighted, a charter issued by Przemysł II of Greater Poland in 1284 documents the first known exchange in which the monastery was involved.⁸⁵ The charter documents Przemysł's donation of the town of Winiary to the monastery of St Clare at Gniezno. We learn from the charter that the town was granted the freedoms of German Law, and was exempted from 'all taxes and payments'.⁸⁶ The charter also makes clear that Przemysł's donation came at the request of Przemysł's aunt Jolenta, the sister of Kinga and widow of Duke Bolesław of Greater Poland.⁸⁷

Many scholars who have discussed the Gniezno monastery have stated that it was founded at some point after 1279, the death of Bolesław, and before 1284, the date on which Przemysł's charter was issued. Patrycja Gąsiorowska and Danuta Sułkowska state that Gniezno was 'founded' in 1283, though they do not provide a reason behind this claim.⁸⁸ Roest claims that the monastery was founded between 1276 and 1284, though he neglects to provide evidence for this.⁸⁹ His interpretation may have been influenced by the fact that the seventeenth-century historian Jan Kazimierz Biernacki suggested that Bolesław and Jolenta built the monastery after the birth of their daughter Anna in 1276.⁹⁰ Borkowska is more cautious and does not commit to a single point in time for the monastery's 'foundation', or date on which the monastery's chronology should begin, or a single founder. She states that the tradition of Gniezno's foundation by Jolenta and Bolesław of Greater Poland is not substantiated by contemporary documents.⁹¹

She does, however, discuss some of the claims that other scholars have made regarding the establishment of the monastery without overtly dismissing these claims. In stating that the monastery was 'founded' at some point before 1284, Borkowska also uses an entry in the *Rocznik Traski* — the name that Bielowski, the editor of the text in the *Monumenta Poloniae Historica*, gives to a chronicle that was produced in the mid-fourteenth century at the earliest — as evidence to support this claim.⁹² The 1283 entry in the *Rocznik Traski* states that a monastery of enclosed sisters was confirmed on the feast day of Saint

⁸⁵ KDW, I, p. 509.

⁸⁶ KDW, I, p. 509.

⁸⁷ KDW, I, p. 509.

⁸⁸ Patrycja Gąsiorowska, 'Klaryski z dynastii Piastów', *Nasza Przeszłość*, 94 (2000), p. 124. Sułkowska, *Za klauzurą*, p. 22.

⁸⁹ Roest, *Order and Disorder*, p. 148. Roest also states that Gniezno was 'founded somewhat earlier' than Stary Sącz, but does not state the date on which he believes Stary Sącz to have been founded.

⁹⁰ Jan Kazimierz Biernacki, *Speculum minorum* (Cracow: Typis Universitatis 1688), p. 235. Borkowska, 'Fundacje kościelne', p. 94.

⁹¹ Borkowska, 'Fundacje kościelne', p. 94.

⁹² Borkowska, 'Fundacje kościelne', pp. 94–95. For the *Rocznik Traski*, see MPH, II, 826–61.

Bartholomew. Borkowska does not state that the monastery was founded on this day, but still uses the entry as evidence to suggest it was founded before 1284. This is, of course, plausible, but in an article that interprets documents detailing transaction in the order and context in which they were produced, it seems out of place to use a document produced after 1284 to fill in a gap in the narrative. Nevertheless, Borkowska's study demonstrates that the placement of the monastery's transactions at the centre of her narrative can be employed as an effective way of resisting the need to posit a fixed point in time as the starting point for histories of monastic communities.

III.3 The facilitation of 'pure' donations: poverty and the memory of the donor

Severing the process of foundation from the concept of a 'starting point' — the starting point, that is, of either a scholarly or medieval monastic narrative — by conceptualising foundation as a form of exchange, and refraining from using language that signifies foundation to articulate a monastery's point of origin, contributes to a far more productive approach to the source material for dynastic Franciscan identities. Foundation is a moment that is recreated a number of times in the source material that is examined in this thesis. It should therefore not be understood as just one moment or act that sparks the life story of the monastery, or even one 'process', but many perceived processes that punctuate the narratives associated with the monastery. Moreover, by tracing and interpreting the earliest acts of donation to monasteries using an exchange paradigm, it is possible to resist a narrative driven by the need to identify a definitive pre-discursive point of origin, and therefore to resist the harmful consequences of this approach, such as the exclusion of women's voices.

Interpreting gifts to monasteries using an exchange dynamic also allows us to examine the role and identity of the Franciscan community as an institution that aided in the salvation of their donors' souls. Donors did not, however, articulate their donations only in terms of their own salvation, but also exercised concern over how their donations would affect the quality of the nuns' penitential lives. This is not to say that concern over the spiritual benefits of donation for the donor's own life, and concern over the effects of donation on the penitential lives of the nuns were mutually exclusive anxieties. It would have been understood by the donor that a community's adherence to the form of penitential life that they had chosen to embrace increased the redemptive efficacy of a donation to that community. Whether through increasing the efficacy of the prayers that were said by a

community, or as a mechanism to ensure that property was not used in a corruptive way, ensuring the nuns' adherence to the rules that governed their religious vocations was a valid anxiety of the donor.

This anxiety stems from the reciprocal nature of the gift and the fact that a donor's relinquishment of property did not mean, as Barbara Rosenwein has illustrated, their disassociation from this property.⁹³ The issue of impurity with regards to gifts made to monastic communities tends to be discussed by scholars from the vantage point of the monastic community rather than the donor. However, it is necessary to address this scholarship, even though this chapter concentrates on acts performed by the donor and how these shape the monastery's identity, as it is not possible to understand the concern of the donor without first acknowledging where donations of property were conceived as a threat to the community's vocation. As Silber has noted, although monastic communities accepted lay donations, they were still conscious of the potential for material goods to corrupt the spirit, and so ensuring that the acceptance of material goods did not violate their spiritual vocation was of great importance to communities that did receive property from lay donors.⁹⁴ The Cistercians, for instance, as Silber and Bouchard have noted, were selective about the types of donation that they received.⁹⁵ Due to the reciprocal nature of donations, it would also have been of great importance to the donor. If the community to which a donor gave their property used the donor's property in a way that transgressed the community's way of life, or if the community did not enact their religious vocation in the way that — to the best of their knowledge — they were supposed to, then the donor would not receive back in full the spiritual benefits of their gift to the community. Whether these benefits were brought about through the community's prayers, or by virtue of the donor relinquishing their property, corruption among the community lessened the spiritual value that the donor gained through their gift. Moreover, in cases where the donation was so substantial that it resulted in the donor being termed a founder or raised to the position of reverence that resulted in the long-term attachment of the donor's name to the monastery, then the donor may well have become concerned for their own reputation as pious members of the wider Christian community if the monastery's community were spiritually impure in any way.

⁹³ Rosenwein, *To Be the Neighbour of Saint Peter*, pp. 125–43 (pp. 132–133).

⁹⁴ Silber, 'Gift-Giving in the Great Traditions', pp. 232–33.

⁹⁵ Silber, 'Gift-Giving in the Great Traditions', p. 215. Bouchard, *Holy Entrepreneurs*, p. 69.

Examples of this concern from three out of five of the case studies examined in this thesis demonstrate that the donors paid attention to the forms of life followed by the communities into whose hands they had placed their salvation. It can be shown that at least some of the donors to the Prague, Zawichost, and Wrocław monasteries were understood by their donors to have identities that were distinct from other institutions. In turn, this demonstrates that monasteries were not seen simply as receptacles for the salvation of the laity, but that the members of the laity — at least the prominent members that were associated with these monasteries — paid attention to the form of life that the recipient of their gift would follow.

The available evidence suggests that donors were concerned that gifts to these monasteries might have offended the tenets of poverty to which the nuns were bound to adhere. This is articulated more explicitly in the documentation associated with Wrocław than that relating to Prague or Zawichost. However, it is necessary that we examine the evidence for all three as it articulates a situation — one which developed outside of the elite intellectual context of the thirteenth-century university — in which the nature of Franciscan poverty was ‘discussed’ in relation to practical considerations of monastic property. It also demonstrates a situation in which a mechanism to deal with the challenges presented by corporate poverty to the enactment of religious life in the material world was developed in a female context – the consideration of which has never entered into mainstream scholarly dialogues on Franciscan poverty.

An examination of the mechanisms that allowed dynastic Franciscan institutions to ‘be poor’ draws attention to the — as yet unfulfilled — scholarly need to consider evidence relating to women’s Franciscan communities as an important context for many issues that have only been discussed in the male tradition, and which are based on evidence relating to male Franciscans only. No-one has yet taken into consideration that the ideological means by which Franciscans could maintain their institutional poverty on a long-term basis had been developed and tested within a female context before we have evidence for it being discussed amongst the male contingent of the order. This is not to attribute value to the nuns’ development of poverty simply because ‘they did it first’, but to highlight a series of neglected case studies.

The perception that women's forms of life were usually derived from a male form of life, and then altered to cope with the obstacles posed by the women's gender to their enactment of the male ideal — in the case of scholarship on Franciscan women, the obstacle is often identified as enclosure, for instance — is often the case in scholarship on medieval religious life. Using examples from late-antique and early-medieval monasticisms, Albrecht Diem has drawn attention to the tendency in scholarship to assume that forms of women's monastic life were always derived from male monastic vocations.⁹⁶ This assumption has come to underline much of the scholarship on early monastic communities despite the fact that, as Diem demonstrates convincingly, there is compelling evidence to suggest that many of the features that defined the type of penitential life that was enacted by many male monastic communities were created first within female communities. The practice of intercessory prayer — so important to the imaginative placement of the community in the world and a practice which allowed for the stability and longevity of monasteries — was first formulated in female monastic contexts.⁹⁷ The programme for enclosure outlined by Caesarius of Arles in his *Rule for Virgins* (512), written for a female community, may well have influenced the concept of sacred enclosed space developed by the followers of Columbanus in the early seventh century, who were familiar with Caesarius's writings.⁹⁸ Interestingly, as Diem points out, the *Rule for Virgins* was adapted for male religious; in fact, most of the manuscripts that contain the *Rule* contain the version that was developed for monks.⁹⁹ The ideal of virginity too, once the preserve of the female monastic community, became an important part of male monastic life after having been conceived within a female context.¹⁰⁰

Diem warns against applying later, more segregated roles for men and women back onto this “experimental” phase’ in monasticism, where men and women’s monastic lives were more similar and information disseminated between gendered religious communities.¹⁰¹ I think that it is important, however, not to view experimental phases in monasticism as a phenomenon that was confined only to the first few centuries of Christianity. Monastic movements were in a constant state of experimentation. The initial precepts for religious life

⁹⁶ Diem, ‘The Gender of the Religious’ pp. 432–46, esp. pp. 439–42.

⁹⁷ Diem, ‘The Gender of the Religious’, p. 441.

⁹⁸ Diem, ‘The Gender of the Religious’, pp.440–41. A later equivalent might be the commentaries on *Periculoso*, which often stressed the importance of male enclosure as much as female enclosure. See Elizabeth Makowski, *Canon Law and Cloistered Women: Periculoso and its Commentators* (Washington, DC: Catholic University of America Press, 1999), pp. 49–72.

⁹⁹ Diem, ‘The Gender of the Religious’, p. 440.

¹⁰⁰ Diem, ‘The Gender of the Religious’, p. 440.

¹⁰¹ Diem, ‘The Gender of the Religious’, p. 444.

that were constructed by religious organisations, whether these were formal or informal, would be tested out and developed as they were acted out by those who chose to follow them. Even as religious organisations developed and produced normative texts and images that expounded ideals that were ostensibly homogeneous, their ideals would be tried out and would evolve as they were adapted to fit different social and regional groups, and as these groups moulded elements of their own ideals so that they might better interact with those of the religious order that they had chosen to follow.

Ideas such as absolute poverty would also go through experimental phases as they were adapted by different gendered groups into a liveable form, acts which in turn shaped the idea. As discussed in more detail in Chapter One, the first evidence that we have for a juridical arrangement that would allow for the Franciscans to be institutionally poor — other than, of course, mendicancy — is the letter sent by Honorius III to Cardinal Hugolino in 1218, in which Honorius asks Hugolino to place the houses and churches of the women who desired to live with no possessions under the dominion of the Apostolic See. It is interesting to note the similarity between Honorius's proposition that the papacy hold the women's property on behalf of the women and the arrangement proposed by Innocent IV in *Ordinem vestrum* (1245), in which he proposes that the papacy would exercise *dominium* over the property used by the Friars Minor. Crucially, Honorius does not employ the categories of *usus* and *dominium* as Innocent IV does, perhaps a reflection of Innocent's career as a lawyer before assuming the papacy; however, it is interesting to note the similarities between the papacy's receipt of property on behalf of the poor women's communities and the arrangement that was later put forward by Innocent in *Ordinem vestrum*.

The papacy's efforts to preserve the poverty of the monasteries of nuns — efforts which, we must remember, were most likely provoked by the nuns themselves — were sometimes accompanied by those of the nuns' families. It is clear from the early sources concerning the monastery that Agnes's family played a role in establishing the monastery at Prague as a poor institution. The poignant image created by Celano of Francis's renunciation of his family has permeated modern imaginings of the Franciscan order to the extent that it makes it difficult to comprehend a Franciscan institution that enjoyed such close ties with a royal family, particularly a royal family to whom a member of the community was related. Acts of renunciation narrated by other Franciscans who emulated Francis's conversion can also make it seem as if Francis's model was supposed to be followed to the letter. For instance, Salimbene de Adam, a Franciscan friar from Parma who was the author of a lively

chronicle of the years 1167–1287, employs the trope of a sharp break from the family in his narration of his own conversion.¹⁰² However, there is no evidence to suggest that Agnes's family, or anyone who was associated with the Franciscan order, viewed their intervention in the workings of the monastery as problematic.

That Agnes's family were instrumental in the preservation of the monastery's poor status first becomes clear in the early 1230s. Where the monastery is mentioned during this time, it is always mentioned in conjunction with the hospital that was said to have been founded by Agnes in Prague. In his 21 March 1234 letter, Wenceslas stated that he was bringing the monastery and the hospital 'ad idem pertinens' under royal protection.¹⁰³ This is the first piece of evidence that the monastery and hospital were connected. Gregory IX in *Sincerum animi*, also issued in 1234, refers to the two establishments collectively as a 'monasterium cum hospitali'.¹⁰⁴ In the 1235 charter, which reaffirmed her donation of Hloubětín to the hospital and decreed that she was the legal owner of any revenue that was generated by the land, Constance of Hungary referred to the hospital as the 'hospital of the monastery of St. Francis' ('hospitali claustrum sancti Francisci').¹⁰⁵ Wenceslas used the same formula in his confirmation of the donation, which follows the list of witnesses at the bottom of the charter.¹⁰⁶ All of these formulations suggest that their authors thought of the hospital as an institution that was connected to the monastery.

While there is nothing to suggest that the monastery was endowed, several documents detail the endowment of the hospital in the early 1230s. The first is Constance of Hungary's 6 February 1233 charter, which details, amongst other transactions, her conferral of the area of Hloubětín 'with its appurtenances' on the hospital of St Francis.¹⁰⁷ The second is a charter dated 2 October 1234. Issued by Wenceslas, it confirmed the donation by Přemysl, the margrave of Moravia and another of Agnes's brothers, of the estate of Rakšice to the hospital.¹⁰⁸ Although it is not possible to make the following assertion with complete certainty, and we should not take absence of evidence as evidence of absence, the fact that

¹⁰² Joseph L. Baird, Giuseppe Baglivi, and John Robert Kane, ed. and trans., *The Chronicle of Salimbene de Adam*, Medieval and Renaissance Texts and Studies, 40 (Binghamton, NY: Center for Medieval and Early Renaissance Studies, 1986), pp. 12–21.

¹⁰³ 'claustrum Prage in honore sancti Francisci constructum et hospitale ad idem pertinens'. CDB, III, p. 66.

¹⁰⁴ BF, I, p. 134.

¹⁰⁵ CDB, III, p.103.

¹⁰⁶ 'Nos autem Ventizlaus, rex IIII Bohemorum, omnia predicta, que contulit mater nostra hospitali claustrum sancti Francisci dilecte sororis nostre Agnetis, sigillo nostre celsitudinis fecimus insigniri confirmantes et roborantes donationem predictam.' CDB, III, p.103.

¹⁰⁷ CDB, III, p. 31.

¹⁰⁸ BF, I, p. 158.

many documents exist which detail the endowment of the hospital, yet none that would indicate that the monastery was endowed, hints that the royal family may have been trying deliberately to establish the monastery at Prague as a completely poor institution by endowing the hospital instead.

At this point in the story of the monastery's development as a poor institution, the assertion that Agnes's family chose to endow the hospital that was connected to the monastery in order to preserve the poverty of the monastery is one that is only very speculative. What gives this speculation more weight is the content of Gregory IX's 1235 bull, *Cum relictis saeculi*, and the animosity with which it was met by Agnes's family. The bull stated that the hospital of St Francis with its possessions were to be treated as inseparable from the monastery.¹⁰⁹ In order to understand the rationale behind Gregory's issue of *Cum relictis saeculi* it is important firstly to place the bull within the context of Gregory's wider plan for houses of female religious. Elsewhere in Europe, Gregory IX was making a concerted effort to ensure that houses of religious women were financially stable, most likely in response to pleas from the nuns who lived within these monasteries, who had faced harassment from local authorities due to the lack of power they possessed over 'their' few possessions.¹¹⁰ In the foundation charter of San Sebastio of Alatri, Gregory inserted a legal formula which stipulated not only that the nuns of the monastery were the lawful owners of the property that the monastery currently held, but also that the nuns were able to receive any donations from future benefactors. As Mueller has demonstrated, Gregory also became convinced that it was necessary for monasteries to be endowed adequately if nuns were to adhere to the strict enclosure upon which he insisted.¹¹¹ Mueller gives the example of a letter written by Gregory to the sisters of the monastery of Vallegloria in 1236, in which the pope confirmed his own donation of 'lands, vineyards, olive groves, gardens, and other things [...] provided from money' to the monastery.¹¹² Having made it obligatory for the nuns to remain enclosed perpetually, it was only right that he alleviated their 'extreme poverty', an act which

¹⁰⁹ 'Cum relictis saeculi vanitate fragilitatem vestram in stabilitatem, perpetuam voluntarie convertentes, spretis mundanis illecebris, iter perfectionis, & Religiosae vitae propositum providentia sitis Divinae pietatis ingressae, ac pauperes eligentes pauperem sequi Christum in suprema paupertate desideretis Domino famulari; Nos pium, & sanctum vestrum propositum inspiratum vobis divinitus dignis in Domino laudibus extollentes, ac prosequentes actionibus gratiarum, vestris supplicationibus inclinati Hospitale sancti Francisci, juxta Monasterium vestrum situm, quod tu filia Abbatissa in fundo Romanae Ecclesiae construxisti, cum pertinentiis suis eidem Monasterio perpetuo duximus concedendum'. BF, I, p. 165.

¹¹⁰ For a more detailed outline of Gregory's efforts to secure the financial stability of female Franciscan monasteries, see Mueller, *The Privilege of Poverty*, pp. 62–66.

¹¹¹ Mueller, *The Privilege of Poverty*, p. 66.

¹¹² BF, I, p.199; Mueller, *The Privilege of Poverty*, p. 65.

he compared to giving ‘alms to the poor’.¹¹³ As the papal plan for women’s monasteries became more and more focussed on the implementation of strict enclosure, it became increasingly difficult for the pope to conceive of a community of enclosed women that also followed absolute poverty *stricto sensu*. The monastery at Prague would be no exception.

The relationship that Gregory drew between the hospital and the monastery in *Cum relictis saeculi* tells us that the connection between the monastery and the hospital was recognised by the papacy. But if it was acknowledged as such, then why did Gregory feel the need to declare that the goods under the ownership of the hospital were to be viewed juridically as belonging also to the monastery? It is still only possible to speculate at this point, but it would seem that, as the curia wanted to ensure that all female monasteries were adequately endowed in order to safeguard their enclosure, Gregory needed to make sure that the community itself had obvious recourse to property that was discernibly ‘theirs’. However, it is important to note that his directive was most likely produced in response to a request that was sent to him. If Agnes had requested that the hospital and the monastery be seen as connected juridically, but that the hospital be endowed in order to preserve the poverty of the monastery, it would seem that the curia ought to have viewed this as an arrangement that would ensure that the monastery was adequately endowed. As this was a complex legal formulation with no discernible precedent, perhaps Gregory did not see it as having been sufficiently clear and comprehensible to protect the women who lived in the monastery from outsiders who may have wanted to interfere with their property.

Another factor that needs to be taken into consideration is that the current arrangement for ensuring the women’s poverty relied upon the papacy owning the women’s houses, and any churches that may have been attached to their houses, on their behalf.¹¹⁴ This raises the question as to why the Prague community wanted to come up with a different mechanism that would secure their poor status, if the current arrangement ostensibly accommodated their poverty. If we are to believe that Gregory’s directive was a response to a request made by the community to the papacy — or made by a donor to the papacy — for a

¹¹³ BF, I, p. 199.

¹¹⁴ A bull of Gregory IX’s tells us that the monastery and the hospital at Prague were taken under the care of the Apostolic See in 1234: ‘Nos eorumdem Regis, Episcopi, & Capituli precibus inclinati praefatum Monasterium, & Hospitale in jus, & proprietatem, ac tutelam, Apostolicae Sedis suscipimus, & praesentis Scripti patrocinio communimus; libertates, & immunitates concessas eis a Rege, Episcopo, & Capitulo supradictis auctoritate Apostolica confirmantes; & districtius nihilominus inhibentes, ne quis Archiepiscopus, Episcopus, vel quilibet, alius Praelatus in dictum Monasterium, & Hospitale, vel personas existentes ibidem excommunicationis, suspensionis, & interdicti audeat sententiam promulgare; quam contra prohibitionem nostram prolatam decernimus non tenere’. BF, I, p. 135.

different formulation, then it would suggest that they were not entirely satisfied with what was in place. It may even have been the case that they were aware of the arrangement that allowed the male Franciscans to live in absolute poverty. The most recent widespread explication of the official rule of the Friars Minor at the time that *Cum relictis saeculi* was issued was *Quo elongati*.¹¹⁵ Written by Gregory IX in 1230 in response to some friars' requests for clarification of the male Franciscan rule, the section concerning property states that 'the brotherhood may have the use of equipment or books and such other moveable property as is permitted [...] at the discretion of the general and provincial ministers'.¹¹⁶ They were not, however, to exercise *dominium* over 'places or houses', which was the sole right of those 'to whom you know they belong'.¹¹⁷ The formula followed by the men was thus fairly similar to that which was followed by the women, with the key difference being that the men's formula did not directly implicate the papacy; in theory, anyone could own property on behalf of the friars.¹¹⁸ This lent a degree of 'penitential uncertainty' to the friars' mechanism for poverty; as the person or institution who could own property on the friars' behalf was non-specific, there was nothing in place that could stop the owner of the property from taking away, or otherwise interfering with, the property that the friars used. As discussed in Chapter One, a letter that was sent from Gregory to Agnes in 1238, *Angelis gaudium*, suggests that Agnes was aware of a Rule that was allegedly given by Francis to the community at San Damiano.¹¹⁹ There is not, as I stated in this chapter, enough evidence to suggest that Agnes thought that this rule would have lent an 'extra degree of poverty' to the vocation followed by the Prague community. However, it does suggest that Agnes was aware of other forms of life that were, or had been, in circulation, and so it is plausible that she was aware of the arrangements that were in place for the men's poverty. In either case, whether she had been influenced by the male Rule or not, the possibility that *Cum relictis saeculi* was part of a dialogue between the pope and Agnes suggests that she, and/or the Prague community, may have been dissatisfied with the arrangement that facilitated the poverty of the Prague community. Endowing the hospital to preserve the poverty of the monastery might then be

¹¹⁵ For the full text of *Quo Elongati*, along with Herbert Grundmann's commentary on the text, see Herbert Grundmann, 'Die Bulle *Quo elongati* Papst Gregors IX', *Archivum Franciscanum Historicum*, 54 (1964), pp. 3–25.

¹¹⁶ 'Dicimus itaque, quod nec in communi nec in speciali debent proprietatem habere, sed utensilium et librorum et eorum mobilium, que licet habere, ordo usum habeat et fratres, secundum quod generalis minister vel provinciales disponendum duxerint, hiis utantur, salvo locorum et domorum domino illis, ad quos noscitur pertinere.' Grundmann, 'Die Bulle *Quo elongati*', pp. 22–23.

¹¹⁷ 'Die Bulle *Quo elongati*', p. 23.

¹¹⁸ Virpi Mäkinen, *Property Rights in the Late Medieval Discussion on Franciscan Poverty* (Leuven: Peeters, 2001), p. 12.

¹¹⁹ BF, I, pp. 242–44. See pp. 60–61 of this thesis.

read as an innovative workaround for the performance of poverty in an enclosed situation. If this was indeed what Agnes had proposed, it was a formula that adeptly combined the stability that was required for enclosed religious life with the penitential instability that was understood by Agnes to be a key tenet of the Franciscan vocation.

While it is important that we do not graft later evidence onto this series of events, the resistance with which *Cum relictis saeculi* appears to have been met suggests that there was some arrangement involving the connection between the hospital and the monastery which allowed the monastery to be poor. We have no record of Agnes's personal response to *Cum relictis saeculi*; however, it is evident that she appealed to the pope to repeal his order as, early in 1237, Wenceslas wrote to Gregory to ask that he grant the 'requests of [...] [his] most-beloved blood sister'.¹²⁰ It is not absolutely clear what form these 'requests' took, or what exactly they encompassed. Some scholars have suggested that Elias, the minister general of the Franciscan order from 1232–37, pleaded with the pope on Agnes's behalf. These suggestions are based on the evidence from Clare of Assisi's second letter to Agnes (written between 1235–38) in which Clare exhorts Agnes to prefer the advice of Elias over that of others.¹²¹ From Clare's invocation of Elias, these scholars have deduced that Elias was a trusted protector of the Franciscan women, who may have used his favour at the curia to voice their concerns.¹²² Although Clare's invocation certainly suggests that she viewed Elias as an ally, this alone is not evidence enough to suggest that he played any active role in presenting Agnes's case to Gregory, not least because our dates for Clare's composition of her second letter are only very approximate.¹²³ There is also no reason to suppose that Agnes did not write to the pope herself, just as we presume that she did so when she asked Gregory IX to allow her community to follow the basic form of life that she believed Francis had given to Clare's monastery at San Damiano.¹²⁴

¹²⁰ CDB, III, pp. 82–83.

¹²¹ 'In hoc autem, ut mandatorum Domini securius viam perambules, venerabilis patris nostri Heliae, generalis ministri, consilium imitare'. *Clare d' Assise: Écrits*, p. 96.

¹²² Alberzoni, *Clare of Assisi and the Poor Sisters*, p. 50; Knox, *Creating Clare of Assisi*, p. 38; Mueller, *The Privilege of Poverty*, p. 70; Michael Cusato, 'Clare and Elias: An Enigmatic Relationship', in *Clare of Assisi: Investigations*, ed. by Mary Francis Hone, Clare Centenary Series, 7 (St Bonaventure, NY: Franciscan Institute Publications, 1993), pp. 95–115.

¹²³ Mueller, *Clare's Letters to Agnes*, p. 53; *Clare of Assisi: Early Documents: The Lady*, ed. and trans., Regis J. Armstrong (London: New City Press, 2006), p. 40.

¹²⁴ For this episode in Franciscan history see Mueller, *The Privilege of Poverty*, pp. 73–88; Joan Mueller, 'The Juridical Implications of the Privilege of Poverty', *Franciscan Studies*, 58 (2000), 261–87; Knox, *Creating Clare of Assisi*, pp. 19–20, 38–39.

In whichever form Agnes's initial requests reached the pope, we are able to assert that they concerned the appropriation of the hospital to the Prague monastery because Gregory granted permission to treat the hospital and the monastery as separate institutions on 17 April 1237.¹²⁵ This about-turn can probably be attributed to Wenceslas' intervention. The late 1230s saw the already fraught relationship between Gregory and Frederick II, the emperor, worsen considerably. It was in the pope's best interests to keep in Wenceslas' favour in order to avoid an alliance between the Holy Roman Empire and the house of Přemyslid, and the papal forces needed support from powerful kings such as Wenceslas in order to be able to withstand imperial incursions into the Papal States.¹²⁶ Wenceslas' 1237 letter indicates that he was fully aware of the pope's situation. He promised that he would be 'especially' willing to serve the Church in 'every necessity and opportunity, both public and private' if the pope granted his sister's request.¹²⁷ Ultimately, Wenceslas' political leverage played a great role in preserving the absolute poverty of Agnes's monastery during the early years of its establishment.

If Agnes or Wenceslas had felt that the renunciation of familial ties and the power attached to them was a central component of her religious vocation, it seems probable that Agnes would not have called upon her brother to intervene, and Wenceslas would not have acted on her behalf. They had no cause, however, to believe that her family's intervention in the affairs of the monastery was problematic. As the following chapter demonstrates, Clare of Assisi, who was one of Agnes's most important spiritual guides, had not expressed any unease over the strong dynastic identity of her companion up until this point, and had not even identified the temporal wealth that Agnes had rejected as having been connected with her family.

After managing to convince the pope to recognise the hospital and the monastery as institutions that were juridically separate in terms of property ownership, in 1238 she obtained permission from Gregory for the Prague community to live without being forced to receive possessions.¹²⁸ Interestingly, Gregory allows her do this in response to her 'free resignation of the Hospital of Saint Francis in the Diocese of Prague together with its rights

¹²⁵ BF, I, pp. 215–16.

¹²⁶ David Abulafia, *Frederick II: A Medieval Emperor* (London: Pimlico, 2002), pp. 290–320; Mueller, *The Privilege of Poverty*, p. 72.

¹²⁷ CDB, III, p. 182–83. See also Mueller, *The Privilege of Poverty*, p. 72.

¹²⁸ BF, I, p. 255. For discussion of the so-called 'Privilege of Poverty' and its impact, see Mueller, *The Privilege of Poverty*, esp. pp. 73–88; Joan Mueller, 'Agnes of Prague and the Juridical Implication of the Privilege of Poverty', *Franciscan Studies*, 58 (2000), 261–87.

and appurtenances'.¹²⁹ Although the wording of the letter does not reflect very closely that of the 'Privilege of Poverty' that was sent by Gregory to Clare and the Assisi community in 1228, the privilege that was awarded to this community — that no-one was permitted to compel them to receive possessions — is very similar.¹³⁰ It is possible that Agnes, having been made aware of the Assisi 'privilege', recognised in it a clearer articulation of the poverty that she wanted to follow, and a solution that would thus allow the community to embrace her vision of poverty more fully.

As discussed earlier in this chapter, the earliest extant document for the Zawichost community is a bull that was issued by Alexander IV in 1255. The bull concerns Bolesław V's donation of 'certain estates, necessities, and revenues' to a hospital in Zawichost, which had been built, the bull claims, at Bolesław's behest.¹³¹ The language used in the bull, and in Bolesław's original charter, which is contained in the bull, suggests that the hospital was to be used in order to preserve the absolute poverty of the monastery. It is possible that this was influenced by the hospital arrangement that was employed at Prague, in which the property to be used by the Prague community was placed under the legal ownership of the hospital in Prague.

Where we do not have evidence for the precise way in which the arrangement at Prague was articulated, we do have such source material for Zawichost. Alexander explains that the hospital was constructed 'for the work of the infirm and the poor, and also for relieving the needs [*pro relevandis necessitatibus*]' of the Monastery of Poor Ladies of the Order of San Damiano located in the aforementioned town'.¹³² We do not have the Prague formula, if there was such an 'official' formula, for purposes of comparison to that of Zawichost; moreover, there is no evidence to suggest that one of the reasons behind the construction of the Prague hospital was 'relieving the needs' of the women in the Prague community. However, it is possible to read the Zawichost formula as one which built on a mechanism that was formulated in the context of the Prague community.

¹²⁹ BF, I, pp. 236–37.

¹³⁰ See previous chapter for discussion of the privilege that was given to San Damiano, pp. 55–56.

¹³¹ BF, II, p. 65.

¹³² 'Ex parte tua fuit propositam coram Nobis, quod tu pro caelestibus felici commercio terrena commutans cuidam Hospitali per te in oppido tuo in Zawichost Cracoviensis Diocesis constructo *ad opus infirmorum, [et] pauperum, ac etiam pro relevandis necessitatibus Monasterii pauperum Dominarum Ordinis Sancti Damiani* positi in Oppido supradicto quasdam villas, possessiones, [et] redditus ad te de jure spectantes pro tua, [et] tuorum salute in perpetuum contulisti.' BF, II, p. 65 (my emphasis).

Examining the ways in which Alexander's bull was formulated on Bolesław's charter allows us to see how the pope adapted the language used by the duke to articulate his donation. Bolesław's charter stated that Bolesław constructed the hospital 'for the use [*ad usum*] of the Order of Poor Ladies of San Damiano of Assisi, completed by us [Bolesław] in the aforementioned town, [and] also for the support of the infirm and the poor.'¹³³ Bolesław's employment of 'ad usum' is curious. Between the Prague community obtaining the privilege of poverty and the issue of Alexander's 1255 bull to Zawichost, Pope Innocent IV had formalised the legal separation of *usus* and *dominium*. On 14 November 1245, Innocent issued the bull *Ordinem vestrum*.¹³⁴ The bull decreed that the papacy would exercise *dominium* over the goods needed to facilitate the expanding Franciscan order, enabling the Friars Minor to have use (*usus*) of these goods without owning them or exercising any power over them in actuality.¹³⁵ It is not possible to ascertain whether Bolesław was aware of the distinction that had been made by the pope or the legal significance of this distinction, and it is important to note that he does not use *dominium* in his charter. But it is perhaps plausible that Bolesław was drawing on the term *usus* as understood in its relation to *dominium*, in order to ensure that it was universally understood that the women did not exercise any ownership over the property.

The invocation of the legal category *usus* in this context has a precedent in an exchange which took place between Wenceslas I and a community of Cistercian nuns at Oslavany (Moravia). In 1245, in June, Wenceslas traded the estate of Potěch 'for certain holy things, namely a certain tabula, a golden chalice decorated with precious stones and also two ampoules of crystalline stone'.¹³⁶ These precious liturgical objects were obtained 'for the use and benefit of the monastery of our dearest sister Agnes'.¹³⁷ The language in the charter implies that the monastery was not to act as the legal owner of these objects, but was to benefit from their use. Wenceslas's charter was issued before *Ordinem vestrum*, and although

¹³³ '...ad usum monasterii Ordinis Pauperum Dominarum Sancti Damiani Asisii auctore Deo per nos etiam consumandi in Oppido supradicto... sustentationem etiam infirmorum, et egenorum...' BF, II, p. 65.

¹³⁴ BF, I, p. 114.

¹³⁵ For discussion of the legal separation of *usus* and *dominium* see Janet Coleman 'The Two Jurisdictions: Theological and Legal Justifications of Church Property in the Thirteenth Century', in *The Church and Wealth*, ed. by W.J. Shiels and Diana Wood, Studies in Church History, 24 (Oxford: Clarendon Press, 1987), pp. 78–82; Janet Coleman, 'Property and Poverty', in *The Cambridge History of Medieval Political Thought c. 350-c. 1450*, ed. by James H. Burns (Cambridge: Cambridge University Press, 1988), pp. 607–48; and Mäkinen, *Property Rights*, pp. 43–53.

¹³⁶ 'pro quibusdam rebus sacris, videlicet quadam tabula, aureo calice, qui gemmis nobiles est ornatus, duabus etiam ampullis de lapide cristallino, quas emimus ad usum et utilitates monasterii karissime sororis nostre Agnetis'. CDB, IV, p. 160

¹³⁷ 'ad usum et utilitates monasterii karissime sororis nostre Agnetis' CDB, IV, p. 160.

it is difficult to judge how far the development of papal legal theory impacted Wenceslas's conception of the categories of use and dominion, it is interesting that his charter does not state who was meant to exercise ownership over the goods. If anything, given that Wenceslas had traded one of his own estates for them and had not specified a recipient, he should have been the owner of the goods.

It might seem problematic, nonetheless, that the items were particularly luxurious. This might be explained also by the way in which legal categories are employed in the charter. When the charter mentions the community of nuns, it does so in a way that separates them from the monastery. The charter states that the monastery was dedicated to St Francis, and that 'a community [*conventus*] of poor enclosed women of the order of San Damiano' had been 'founded' there.¹³⁸ *Conventus* is used, here, to denote the community of nuns, an entity that was juridically separate from the monastery. It is not clear what exactly 'monastery' is meant to encompass in the charter; presumably, it denotes the building. In any case, the nuns are placed at a remove from the objects. Although these valuable objects were acquired for the monastery at some expense, they were to have no connection to the community that inhabited the monastery, meaning that the community could remain legally poor.

The consideration of whether Wenceslas or Bolesław understood *usus* in the same way in which it was articulated in *Ordinem vestrum* is made more intriguing by the fact that Alexander IV does not echo Bolesław's use of *usus*. Returning to the 1255 bull that was issued to Zawichost, there is a discernible discrepancy between the way in which Bolesław and Alexander articulate the women's juridical proximity to the hospital, or to the hospital's property. As mentioned above, whereas Bolesław states that he had established the hospital for the use of the sisters, Alexander nuances this by stating that Bolesław had done so for the purpose of 'relieving the needs of the Monastery of Poor Ladies of the Order of San Damiano'.¹³⁹ The reason why Alexander avoids employing *usus* as a category may be because it became contentious in the university debates over the nature of absolute poverty. The secular Parisian master William of St Amour, who launched a series of vitriolic attacks between 1252 and 1256 on the form of poverty that was articulated by the Franciscans and the Dominicans, condemned the separation of *usus* and *dominium* based on the grounds that it

¹³⁸ 'monasterii karissime sororis nostre Agnetis[...]quod in civitate Pragensi ad honorem sancti Francisci, gloriosi confessoris Domini, situm est, in quo laudem divini nominis institutus est conventus pauperum inclusarium dominarum ordinis sancti Damiani.' CDB, IV, p. 160.

¹³⁹ BF, I, p. 65.

was impossible to apply this distinction to consumable goods; if one person consumed an item, it was impossible for another person to retain *dominium* over it.¹⁴⁰

It is possible that Alexander was aware that employing *usus* in his bull as Bolesław had in his charter could be contentious, especially as ‘necessities and revenues’ may well have been interpreted as having encompassed consumable goods. The Roman civil law definition of consumable goods also included monetary revenue.¹⁴¹ As Alexander’s bull was written against the backdrop of debate over whether *usus* applied to consumable goods, the curia may have decided against employing this controversial term.

As Alexander seems to be employing ‘pro relevandis necessitatibus’ in the same way that Bolesław invokes *usus*, it might be the case that he wanted the nuns to be able to exercise full use of the goods, but was worried that the juridical problems surrounding *usus* left the nuns open to being challenged, and so decided to use a less contentious phrase. Unfortunately, this is an isolated case in the bulls issued during Alexander’s pontificate and so it is difficult to put it into a context that might help to illuminate Alexander’s choice of wording.

If Alexander’s confirmation does not echo Bolesław’s use of *usus*, it does echo the way in which the donation is articulated in relation to the spiritual salvation of Bolesław and his ancestors. The beginning of the bull reads:

It has been proposed before us on your part, that, exchanging the earthly for the heavenly in a happy enterprise, you conferred certain estates, properties and revenues pertaining to you by law, on a certain hospital that was constructed by you in your town, Zawichost [...] for your salvation and that of your descendants in perpetuity.¹⁴²

¹⁴⁰ Jonathan William Robinson, *William of Ockham's Early Theory of Property Rights in Context* (Leiden: Brill, 2012), pp. 175–76. See also Mäkinen, *Property Rights*, p. 43. Another secular master at the University of Paris, Gerard of Abbeville, in 1269, made the same criticism. See Mäkinen, *Property Rights*, pp. 47–48.

¹⁴¹ Civil law forbade the exercise of usufructuary rights over consumables. In the case of revenue, it was possible in theory to establish a usufructuary agreement over money if there were arrangements in place to ensure that the money could be restored to its owner at all times, though this was an unusual arrangement and not a ‘usufruct proper’. See Inst. 2.4 pr. and 2.4 in *Corpus Iuris Civilis*, ed. by Paul Krüger, Theodor Mommsen and Rudolf Schöll, 3 vols (Berlin: Weidmann, 1900-1904), I: *Institutiones, Digesta*, ed. by Paul Krüger and Theodor Mommsen (1902), pp. 13–14; and D.L. Carey Miller, ‘Property’, in *A Companion to Justinian's Institutes*, ed. by Ernest Metzger (Ithaca: Cornell University Press, 1998), pp. 42–79.

¹⁴² ‘Ex parte tua fuit propositam coram Nobis, quod tu pro caelestibus felici commercio terrena commutans... ad te de jure spectantes pro tua, [et] tuorum salute in perpetuum contulisti.’ BF, II, p. 65.

It is important not to forget that the reason why Bolesław was donating lands for the monastery's sustenance, and why he was possibly working to ensure that the community were able to maintain their poverty, was the intercessory role of the nuns; distancing the nuns from the property that he donated would enhance the efficacy of their prayers, or at least ensure that he had donated to a community that was spiritually virtuous. The bull invokes explicitly the concept of the exchange of earthly riches for heavenly riches. Bolesław's charter does not employ the exchange motif, but does state that he is donating the property for the health of the soul of his father Leszek, Duke of Cracow and Sandomierz, his own, that of his mother Grzymisława, and of his wife, Kinga.¹⁴³ It is difficult to tell how far the bull drew directly on the language used in texts that consciously explored elements of the Franciscan identity, as opposed to a wider monastic idea of exchange. However, the use of the word *enterprise* is reminiscent of the use of the word 'commercium' in the Franciscan *Sacrum Commercium Sancti Francisci cum Domina Paupertate*. As Lester K. Little has pointed out, the word *commercium*, translated usually as 'exchange', has the sense of a monetary transaction or a business exchange.¹⁴⁴ It was therefore possibly playing deliberately on the language associated with the monetary economy that some authors of the normative Franciscan sources had identified as having been so problematic. Even if, in using 'enterprise', the bull was not meant to invoke this same sensibility, its employment of the concept of exchange highlights the role that dynastic institutions played in the salvation of the wealthy, by acting as recipients of their goods.

The implicit concern of the donors over the maintenance of the sisters' poverty that is expressed in the documents relating to the Prague and Zawichost monasteries finds a more explicit parallel in a bull issued by Urban IV to the Wrocław monastery in 1263.¹⁴⁵ The bull grants the community permission to receive necessities at times during which they faced poverty. According to the bull, Anna of Silesia had told the curia that it was against the

¹⁴³ 'pro remedio felicis animae Patris nostri clarae memoriae illustris Cracoviae & Sandomeriae Ducis Lestkonis, & incolumitate nostra, & nostrae ingenuae genitricis Grimizlavae, & Chunegundis nostrae generosae Consortis.' BF, II, p. 65.

¹⁴⁴ Little, *Religious Poverty*, p. 200.

¹⁴⁵ SUB, III, p. 289.

community's institutions for the community to receive property, but that she wanted to give her own property to be used by the community in times of need.¹⁴⁶

Neither Anna nor Urban suggest a procedure that the Wrocław nuns should follow in order to distance themselves from the property donated, or from the wealth used to purchase the property. However, it is clear from the bull that Anna was concerned with the purity of her gift, and if the gift violated the nun's form of life, the spiritual efficacy of the gift would have diminished in value. Interestingly, the bull relates that Anna had made the curia aware that she had founded ('fundavit') the monastery. This bull therefore provides the only example of Anna claiming agency over the monastery's foundation, and is the first document to assign responsibility for the construction of the Wrocław monastery to one person. It is probable, then, that Anna was concerned with how the use of the property that she donated would affect her spiritual gain as a donor. This is not to argue, of course, that this was a purely self-centred act. Anna's concern demonstrates that she had knowledge of the form of life that the sisters had been given to follow; the monastery was not simply an empty vehicle on which she bestowed goods for the purpose of her own salvation.

In order to better understand the gravity of Anna's concern, it is useful to invoke an earlier bull, issued by Alexander IV on 27 April 1259. The bull indicates that Anna's concern over her memory might have influenced her decision to ensure that her gifts did not violate the nuns' poverty. According to Alexander, Agnes of Bohemia, Anna's sister, had told him that Anna had financed the construction of the Wrocław monastery at her own expense, and had also bestowed 'many ecclesiastical ornaments' on the monastery.¹⁴⁷ He prohibited the community from alienating or separating the ornaments from the monastery, and from selling them, in order that 'these ornaments be conserved in memory of the duchess'.¹⁴⁸ The language used in the bull does not suggest that Agnes asked the pope to ban the nuns from

¹⁴⁶ 'Lecta coram nobis dilecte in Christo filie nobilis mulieres maioris ducisse Slesie petitio continebat, quod ipsa ad vos, quarum monasterium eadem de bonis propriis fundavit, ex eo gerens sincere pietatis affectum, quod contradicentibus institutis vestris vobis aliquos redditus vel possessiones habere non licet, intendit ad vestram inopiam relevandam exhibere aliquas de suis possessionibus alicui religioso loco, ita quod persone loci eiusdem tempore necessitatis teneantur vobis, cum a vobis requisite fuerint, certa vite necessaria exhibere.' SUB, III, p. 289.

¹⁴⁷ 'Insinuavit nobis carissima in Christo filia nostra Agnes soror monasterii sancti Francisci Pragensis ordinis sancti Damiani, quod dilecta in Christo filia nobilis mulier[...]ducissa Polonie germana sua cupiens ad gloriam celestis patris piis meritis provenire monasterium vestrum suis propriis sumptibus fecit construi et eidem quam plura ecclesiastica ornamenta pietate contulit liberali.' SUB, III, p. 189.

¹⁴⁸ 'Quia vero decens et dignum esse dinoscitur, quod ornamenta ipsa in eiusdem ducisse memoriam cum omni diligentia conserventur, universitati vestre auctoritate presentium districtius inhibemus, ut tam de ornamentis ipsis quam de aliis a Christi fidelibus monasterio prefato concessis nullatenus alienare vel distrahere seu vendere presumatis'. SUB, III, pp. 189–90.

alienating the ornaments in order to preserve Anna's memory; only that Agnes had made it known to him that the ornaments were gifts from Anna. However, we might infer that the pope's prohibition stemmed from a request made by Agnes out of concern for the future memory of her sister. Anna's concern that her gifts did not corrupt the nuns' poverty, demonstrated in Alexander IV's 1263 bull, likely derived from the fact that her name was now closely attached to the monastery's property. If the nuns were to use her gifts in a way that violated their poverty, her gifts would be rendered ineffective to her spiritual journey through the afterlife.

Anna's and Agnes's anxiety over the maintenance of the close proximity between the nuns and the ornaments also illustrates the integral role that property played in commemoration. There was a genuine, pressing reason for Agnes and Anna to be concerned over the potential for the ornaments to be removed from the community. The objects were gifts from Anna; visible, tangible reminders that the nuns should perform intercessory prayers for their donor after her death. If they were removed from the community, no such reminder would be present in the monastery. The bull does not state what the ornaments were, but it is possible that they were objects for sacramental or liturgical use. If they were, they would have served as tangible links to the memory of Anna, as the nuns underwent the process of remembering through direct touch.

Recognising the close relationship between commemoration and the material object that is conveyed in these documents makes it possible to imagine a situation in which concern over property could co-exist with the effort to carve out Franciscan identities. The pervasiveness of gift-giving and ritual commemoration as acts of penitence in thirteenth-century society might have posed an obstacle to the pursuit of a Franciscan vocation, but in these cases they seem not to have done so. This is perhaps because of the ubiquitous nature of these acts, which for Anna had significance as rituals that would have ensured not only the salvation of her soul but also the longevity of their dynasty. Instead of viewing the Wrocław community's 'reception' of property as the acts of a lesser Franciscan organisation, it is, then, far more fitting to view the community as an integral part of an exchange that was tightly woven into the fabric of thirteenth-century spirituality. The community of nuns had use of Anna's gifts, but this was carefully regulated in order that they did not violate the nuns' vow of poverty. These documents demonstrate that it was both necessary and possible for the gift exchange dynamic to continue in the Franciscan tradition.

The spiritual models laid out in the early Franciscan texts condemn harshly those who do not give up their property and/or who desire wealth, and lionise those who do give up property as people who would be recipients of great treasure in heaven. This is the case both for those who desired to pursue vocations as professed religious and for those who lived in the world. The early Franciscan texts thus intensified the pressure, already present in the thirteenth-century world, that was placed on those who had property to consider their goods directly in relation to their afterlives. By ‘receiving’ property that enabled them to perform their religious lives, Franciscan communities could help others fulfil the penitential procedures on which their order insisted, and therefore aid the salvation of others. The issue of ownership in relation to the community, as has been discussed, does seem to have been a point of contention nonetheless; this is perhaps why it became such a point of controversy in the case of the male Franciscans. However, being aware of the pressures put on members of royal families to understand their earthly riches as having been connected inextricably with their heavenly wealth helps us to account for Agnes’s and Anna’s concern over Anna’s property.

III.4 Remembrance of donors and involvement with the monasteries after the donors’ death

In the years following the deaths of the Přemyslid and Piast donors who were most closely associated with the monasteries in the initial phase of their development, the monasteries of St Clare at Skala/ St Andrzej at Cracow —where the sisters of Skala had relocated to by around 1319 — Wrocław, and Stary Sącz appear to have remained a Piast and, in the case of Wrocław, Přemyslid concern. It is more difficult to tell whether Prague remained a Přemyslid concern after the death of Kunegund of Swabia in 1248, Wenceslas I in 1253, and Agnes of Bohemia in 1282. There is an inexplicable dearth of source material, as far as I am aware, for the Prague monastery from 1245 to the publication of Agnes’s *vita* between 1318 and 1322. The Přemyslid dynasty had come to an end in 1310, as Bohemia was subsumed into the Roman Empire, at that time ruled by the Luxembourgian Emperor Charles IV, and it is not clear as to whether the community of nuns remained part of the Přemyslid’s ‘spiritual programme’ between 1245 and 1310. We have, however, already seen at the start of this chapter that Agnes was commemorated as the founder of St Francis at Prague in her *vita*. For Gniezno too, the absence of evidence for the community in the years after Jolenta’s death in 1298 makes it difficult to tell whether the community remained connected with the Piasts

during this time. In the case of the other communities, however, examining the ways in which their earliest major donors were remembered by the communities, as well as how far they remained part of Piast spiritual interests after the death of these donors demonstrates the lasting impact that donation had upon the identities of these communities.

Aside from Salomea's *vita*, which was written c.1290, we do not have any explicit evidence for how the earliest Piast donors were remembered by the Zawichost/Skała/Cracow community in the period of time following their death. When Salomea died in 1268, the community that had begun its life at Zawichost had moved to Skała to avoid the incursion of a Mongol army, and had been there for at least eight years.¹⁴⁹ Even in Salomea's *vita*, the hagiographer does not draw a specific connection between Salomea and Skała; the hagiographic Salomea is praised for engaging in the construction of churches, and she bequeaths all that she possesses to 'the abbess' just before she dies.¹⁵⁰ The manuscript tradition and readership of the *vita* is uncertain and it is possible that the text was intended primarily to be read by the community, in which case the author may have assumed that the nuns would have understood that they were the beneficiaries of Salomea's generosity, and therefore may not have felt the need to make this clear. It is not certain as to whether the lack of evidence for the explicit commemoration of Zawichost/Skała/Cracow community's donors, or the lack of evidence to suggest that the monastery remained within the Piasts' spiritual purview, derives from the community's relocation or because the evidence is now lost to us. We do know, however, that the connection between the community and the Piasts remained after the deaths of Salomea and Bolesław. A bull issued by John XXII in 1325 tells us that the king and queen of Poland, Władysław and Jadwiga, claimed that they had facilitated the transfer of the sisters from St Mary at Skała to the church of St Andrzej at Cracow.¹⁵¹ It is difficult to pin down exactly when the sisters moved to St Andrzej, but a charter of 1319 details the placement of some land under German law by a certain Wirzchosława who describes herself as the abbess of St Andrzej, which suggests that they had moved to St Andrzej by that time.¹⁵²

¹⁴⁹ I discuss this episode in more detail in Chapter Four. See pp. 230–31.

¹⁵⁰ *Vita Salomeae*, p. 780.

¹⁵¹ KDM, I, p. 201.

¹⁵² KDM, I, p. 188.

We learn a number of useful pieces of information about the monastery from the bull. The bull constitutes a confirmation of Władysław and Jadwiga's donation of the church of St Andrzej, which they had given to the community of Skała — to which one hundred nuns belonged at that time — so that they could found their monastery 'anew'.¹⁵³ That the nuns had moved from Zawichost to Skała previously is not mentioned in the bull, only the move from Skała to St Andrzej in Cracow is mentioned. The nuns had been forced to move because of the unsuitable location of the monastery, which had made it impossible for them to 'execute their religious duties, as their order demands from them'.¹⁵⁴ Details of the importunities that had spurred the move are not given in the bull; however, in a letter written by the visitor of the Franciscan nuns in Bohemia and Poland in 1281, in which the visitor granted the sisters permission to move location and discussed the possibility of moving them to Stry Sącz, we learn that the monastery was located too far away from a water supply.¹⁵⁵ It is therefore likely that the sisters had moved to St Andrzej for this reason. In order to move, the nuns were required to gain consent from Bishop Nankier of Cracow. Whether the sisters, or other Franciscans, were under permanent jurisdiction of the bishop and, therefore, whether they needed his permission to move is unclear.

In either case, what is more important here is that Władysław and Jadwiga's donation suggests that there was sustained interest in the community as a dynastic enterprise after the deaths of the 'first wave' of Piast donors. The king and queen had facilitated the nuns' move for the remission of their (Władysław's and Jadwiga's) sins and for those of their children.¹⁵⁶ Donation to the St Andrzej community was still seen as a viable method of exchanging earthly for heavenly treasures, and the fact that the community was comprised of one-hundred nuns demonstrates that it was an important institution. Its relocation to Cracow meant that it now formed part of a centre of religious and political activity, and its endorsement by Władysław and Jadwiga meant that it was part of the spiritual agenda of the most powerful rulers in the Polish duchies. The fact that the monarchs were aware that the nuns had faced difficulties that impeded them from fulfilling their vocation showed that they were not simply using the community as a vehicle for salvation; an institution that was

¹⁵³ KDM, I, p. 201.

¹⁵⁴ 'Abbatissa et Conuentus Monasterij sancti Andree Cracouiensis, ordinis sancte Clare, que sunt numero fere Centum, ad quas propter religionis zelum et honestatem uite, quibus pollere dicuntur, feruore afficiuntur intime caritatis in Monasterio de Scala ordinis sancte Clare Cracouiensis diocesis, in quo tunc temporis degebant, propter ineptitudinem loci, qui quamplurimis incomoditatibus expositus esse dinoscitur, non poterant comode iuxta status earum exigentiam commorari, sueque religionis officium exequi, prout ordo exigit'. KDM, I, p. 201.

¹⁵⁵ KDM, I, p. 177.

¹⁵⁶ 'pro suorum et progenitorum ipsorum remissione peccaminum'. KDM, I, p. 201.

indistinguishable from the many others to which they could have donated property. If the bull does not indicate that Władysław and Jadwiga had knowledge of the finer points of the women's form of life — of which Anna of Silesia conveyed an understanding in her donations to the community, for instance — then it shows that they at least were aware that hardship did not help but instead hindered their spiritual role.¹⁵⁷

The Sary Sącz community also remained of interest to the Piasts after Kinga's death. In 1312, Władysław, who was the duke of Cracow and Sandomierz and who would become king of Poland in 1320, gave the Sary Sącz control over all of the tolls that lay between the village of Rytro and the river Poprad.¹⁵⁸ Interestingly, he states that the women belonged to the Order of Friars Minor.¹⁵⁹ Although it is unusual for a community of nuns to be referred to as belonging to the Order of Friars Minor, it was not out of the ordinary that female semi-religious who belonged to the Franciscan order were. In a charter of 1285, for instance, Jolenta of Poland was referred to as having 'received the habit of the *religio* of the Order of Friars Minor'.¹⁶⁰ It might have been the case that Władysław's chancery associated Franciscan spirituality most closely with the Friars Minor. It may simply have been a mistake. In any of these cases, the charter demonstrates that the community remained on the spiritual radar of the most prominent members of the Piast dynasty.

It seems that Władysław and Jadwiga were actively trying to preserve the female Franciscan monasteries of the Polish duchies as a Piast concern, at least in the case of those that already lay within the Piast purview. In addition to enabling the relocation of the community at Skala to St Andrzej in Cracow and awarding the Sary Sącz community control over the tolls that lay between Rytro and the river Poprad, Queen Jadwiga also requested permission from Pope John XXII to visit the Sary Sącz and Gniezno communities. It was necessary that she obtain permission from the pope as in order to do so she would need to violate *Periculoso* — the decretal issued by Pope Boniface VIII in 1298 that prescribed the enclosure of all women religious — and the constitutions of the rule that was followed by the Franciscan nuns. John granted Jadwiga and the community dispensation from the regulations governing the community's enclosure in 1321.¹⁶¹ In addition to demonstrating that those outside of these communities had knowledge of some of the aspects of the forms of life to

¹⁵⁷ See pp. 161–63.

¹⁵⁸ KDM, II, pp. 224–25.

¹⁵⁹ 'sorores et monasterium sancte Clare, ordinis Minorum fratrum'. KDM, II, p. 225.

¹⁶⁰ KDW, I, p. 519.

¹⁶¹ KDW, II, pp. 360–61.

which the communities were bound to adhere — at least insofar as they concerned the interaction between themselves and the community — it also demonstrates the continued importance of the sisters at Gniezno and Stary Sącz to the spiritual agenda of the Piast dynasty, and that they saw the communities as part of the same phenomenon.

In contrast to the Cracow and Stary Sącz communities, Wrocław has left behind rich evidence for how the community remembered their major donors, and for the place that the monastery held within the imagination of the Silesian Piasts after the death of Anna. After Anna's death in 1265, she continued to be associated closely with the Wrocław monastery, and her sons and grandsons displayed a continued interest in the community. Anna was buried in the monastery of St Clare at Wrocław, and her tombstone reads:

In the year of the Lord 1265, on the night of [the feast of] John the Baptist,
Duchess Anna, the fourth daughter of the King of Bohemia/the Bohemians,
founder of the monastery of St Clare, died. She is buried here.¹⁶²

Her tombstone was also inscribed with the Piast coat of arms. Anna was thus remembered as the person who played the largest role in the establishment of the Wrocław monastery, and her memory provided a direct link between the monastery and the Piast dynasty. In 1268, Anna's son Władysław, who was archbishop of Salzburg and a non-titular duke of Silesia, confirmed the lands that had been given to the monastery by Anna, his brother Duke Henry III of Silesia, and himself. The donation of lands by Henry and Władysław suggests that the monastery continued to be identified as a dynastic institution; it was not simply a project of Anna's. Anna is still, however, remembered in the charter as the person responsible for constructing the monastery in the first place — 'by the commission', of course, of her husband Henry II. Anna's act of building the monastery is articulated in spiritual language; she built the monastery for 'the remedy of the souls of our progeny'.¹⁶³ Władysław's charter confirmation attested to not only to the continued importance of Wrocław as a dynastic institution, but to the memory of Anna as the instigator of the monastery's construction.

¹⁶² 'ANNO DO[MINI] · MCCLXV · NOCTE S[ANCTI] JOH[ANN]IS B[APTISTE] OBIIT ANNA DUCISSA · IV · FI[LIA] · REG[IS] BOH[EMIE/EMORUM] FU[N]D[A]T[R]IX MO[NA]ST[E]RI[I] S[ANCTE] · CLARE · H[IC] · SEPULTA. Transcription of tombstone from Małachowicz, *Książęce rezydencje*, p. 66. There is an image of Anna's tombstone on p. 65 of this book. The expansions are my own.

¹⁶³ 'quod felicis memorie mater nostra ex commissione patris nostri quoddam cenobium pauperum dominarum ordinis sancte Clare in Wratizlauia edificavit pro remedio animarum omnium progenitorum nostrorum'. SUB, IV, p. 56.

The monastery was kept in the thoughts of Piasts and Přemyslids alike. In 1270, Anna's nephew, King Ottokar II of Bohemia, and grandson, Duke Henry IV of Silesia, took the Wrocław monastery and its goods under their protection.¹⁶⁴ The papacy had also taken the monastery under its protection in 1260, but it was not unusual that a monastery would receive protection from more than one governing body.¹⁶⁵ The monastery — or, perhaps more precisely, Anna's patronage of the monastery — provided a link between the spiritual aims of the Bohemian and Piast dynasties, brought out in its reception into the care of both Přemyslid and Piast rulers. Geographically, the monastery was in Silesia, but it also fell into the remit of a dynastic spiritual programme that transcended jurisdictional boundaries.

A further example of the firm place held by Wrocław within the spiritual programme of the Piasts, and also the close association of Anna with the community, is given in a papal bull that was issued by Martin IV in 1281 to the abbess and community of St Clare at Wrocław, which confirmed Anna's construction of the monastery and the financing of this endeavour through her donation of goods.¹⁶⁶ Martin invokes directly the language of exchange in order to express Anna's good works. According to Martin, Anna,

desiring to swap earth for heaven and the transitory for the eternal in a beneficial exchange, equally built and gave your [meaning the abbess and community of the monastery, to whom the bull was issued] monastery of St Clare [...] on her own estate, from her own goods.¹⁶⁷

Narratives of exchange were evidently not employed in an explicit way only in telling the stories of professed religious, but also to describe the pious acts of donors. The bull tells us that Anna took part in such an exchange 'according to the pious disposition of Henry', and for the remission of her and his sins, and the sins of her parents. Although the bull portrays her motivation as deriving in part from Henry's suggestion, the agency and funding for the monastery's construction are entirely Anna's own. Władysław, Anna's son and the former

¹⁶⁴ SUB, IV, p. 88.

¹⁶⁵ See, for instance, King Wenceslas I of Bohemia receiving the monastery of St Francis at Prague into royal protection, p. 117.

¹⁶⁶ SUB, IV, p. 289.

¹⁶⁷ 'Anna ducissa Slecie cupiens terrena pro celestibus et transitoria pro eternis salubri commertio permutare monasterium vestrum sancte Clare iuxta piam dispositionem quondam Henrici ducis Slecie viri sui pro suo et eiusdem viri ac parentum suorum peccatorum remedio in fundo proprio de bonis suis construxit pariter et dotavit'. SUB, IV, p. 289.

Archbishop of Salzburg, is also remembered in the bull for his donation of ‘certain things’ to the monastery.¹⁶⁸

The memory of the Wrocław communities’ donors, along with the origins of the monastery, was written into the corporate identity of the monastery through a text known as the *Notae Monialium Sancte Clare Wratislaviensium*, the title given to it by the *Monumenta Germaniae Historica* edition of the text. It is the narrative presented in this text that has dictated the shape of the twentieth- and twenty-first- century histories that have been written about the Wrocław community.¹⁶⁹ The *Notae* was written during the first half of the fourteenth century, most likely by the nuns of the monastery. The earliest version — most likely the original — appears in a codex that was part of the library of the community of the Order of St Clare at Wrocław, now Wrocław University Library MS. BUW IV F 193.¹⁷⁰ This version is a chronicle of the monastery’s activities up to 1328. Also extant is a fifteenth–seventeenth century version of the text, which appears in the codex BUW IV F 173.¹⁷¹ The later copy constitutes a reproduction and continuation of the fourteenth-century version, which, from the entry for the year 1531 onwards, turns into a necrology of the abbesses of the monastery.¹⁷²

The earlier codex also includes Bonaventure’s *Legenda Maior* and *Legenda Minor* of Francis of Assisi; the *Legenda* of St Anthony, the *Legenda Sancte Clare Virginis*; Thomas Aquinas’ *Officio de Corpore Christi*, in this codex titled the ‘Hystoria de Corpore Christi’; the *vita* of Anna of Silesia; and a series of notes on the life of Henry of Bren, a Franciscan friar, the arrival of the Franciscan friars and nuns at Wrocław, and the construction of the male and female Franciscan monasteries at Wrocław. The contents alone attest to the Franciscan identity of the institution. Moreover, the mixture of male and female Franciscan saints’ lives and the inclusion of the Wrocław friars’ origin story alongside that of the sisters’

¹⁶⁸ ‘Bone memorie quoque Wlodislauis archiepiscopus Salzeburgensis dux Slecie natus eorundem postmodum quosdam proventus tunc ad eum ratione persone sue spectantes eidem monasterio pia liberalitate donavit’. SUB, IV, p. 289.

¹⁶⁹ For the *Monumenta Germaniae Historica* edition of the *Notae* see MGH SS, IX, pp. 533–36. The manuscripts on which it is based are in the Biblioteka Uniwersytecka we Wrocławiu, under the shelfmarks BUW IV F 193 and BUW IV F 173.

¹⁷⁰ BUW IV F 193. The *Notae* is found on ff. 155r–56r. For a comprehensive overview of the library’s contents, see Irena Czachorowska, ‘Książka w rękach klarysek śląskich’, *Sobótka. Śląski Kwartalnik Historyczny*, 21 (1966), pp. 407–19; and Irena Czachorowska, ‘Średniowieczne biblioteki klarysek śląskich’, in *Święta Klara z Asyżu w 800-lecie urodzin: materiały z sympozjum odbytego w dniach 15–17 października 1993 roku w Wyższym Seminarium Duchownym Ojców Franciszkanów w Łodzi-Łagiewnikach*, ed. by Stanisław Celestyn Napiórkowski and Wiesław Koc (Warsaw: Wydawnictwo Ojców Franciszkanów, 1995), pp. 199–210.

¹⁷¹ The *Notae* are found on fols 123r–28r.

¹⁷² ‘Abbatissa vigesima sexta fuit venerabilis domina Barbara Binnerin. Rexit 5 annis, obiit anno 1682 die 2 Martzii, aetatis suae 61, ordinis vero 45 annorum. Cuius anima in pace requiescat. Amen.’ MGH SS, IX, p. 535.

indicates that the nuns saw themselves as part of a wider Franciscan movement, one in which both nuns and friars could participate.

It is difficult to assign a precise date to the *Notae*, which appears after the *vita* of Anna of Silesia in the codex BUW IV F 193, under the title ‘alia relacio’. It is the penultimate ‘full text’ in the codex, the final text being the notes on the life of Henry of Bren and the Franciscan communities at Wrocław. The last date in the text is 1328, which is the date on which Elizabeth, daughter of Henry VI of Silesia and quite possibly a donor of the monastery, died. It seems likely that this text, which is written in the same hand throughout, was, then, written in or soon after 1328. However, after the text appears to have ended, the words ‘anno d[omi]ni M^o’ appear in a new hand. As capitalisation is used — rather than, for example, periods — by the scribe to indicate the end of a sentence, it is unclear whether the original scribe intended to end the sentence before the other scribe began to write this date. It may have been the case that the scribe had not intended to end the sentence before the date and so the second scribe tried to continue it but stopped in the middle of writing the date.¹⁷³ Interestingly, the fifteenth–seventeenth-century copy and continuation of the manuscript copies the unfinished date without attempting to rectify it.¹⁷⁴ If the scribe did not finish the text in or shortly after 1328, it is still fairly safe to assume that the earlier text was finished at some point in the first half of the fourteenth century.

As the *Notae* are framed as a continuation of Anna’s *vita*, it is worth looking at the way in which Anna’s role in the construction of the monastery is portrayed in the *vita*. It does not appear that Anna’s *vita* was submitted for her canonisation, or even necessarily to portray her as a saint. It appears only in the codex BUW IV F 193, and as such was most probably intended for the edification of the nuns and to ensure that they remembered their major donor. Much like the *Notae* text, which was appended to the end of the *vita*, the *vita* does not have one clear author and was most probably composed primarily by the nuns of the monastery. Unlike the *Notae*, however, there are direct references to those who have contributed to the text. Towards the end of the text, the scribe tells us that ‘sister Gotlindis and Krystyna and Metza’ had testified to ‘all of this, which has been written above’. After this statement, there is another short episode that Anna confessed to a Brother Herbord. It is unclear whether Herbord was a Franciscan friar or the extent to which he affected the composition of the text,

¹⁷³ The word ‘anno’ is written in the margin of fol. 156r, in the same hand as the second scribe. The MGH edition fails to account for the abrupt end to the first manuscript.

¹⁷⁴ BUW IV F 173, fol. 124r.

but for reasons that I discuss below it is likely that a Franciscan friar from Wrocław had some influence over the composition of the text.

The Anna of the *vita* is depicted as having given gifts both to the Friars Minor and the Order of St Clare at Wrocław. Her donations to the brothers are outlined earlier in the *vita* than those that she made to the community of nuns. Anna ‘constructed a house for the brothers [meaning the Friars Minor], to which she conferred one-thousand marks’.¹⁷⁵ Anna’s generosity to the Friars Minor is great. In addition to this, the *vita* states that she also gave them a merchant house, which generated an annual income of two-hundred marks, as well as providing them with clothing.¹⁷⁶ She asked that their provincial chapter be held in the Wrocław monastery, and ‘gave [them] money and ate with them’.¹⁷⁷ The part of the text which outlines her generosity to the brothers ends by stating that she ‘placed herself and her children under the Friars Minor, whom she supported until her death’.¹⁷⁸

This part of the text is interesting firstly in that it does not convey any anxiety over Anna’s donation of property or money to the brothers, or suggest an elaborate formula by which the brothers’ direct contact with this should be avoided. Presumably the author of the hagiography — who was most likely either a Franciscan friar, or had been influenced by one — either assumed that it would be obvious to the reader that the brothers would not have direct contact with the gifts in a way that would spoil their poverty, or they simply did not care. What is more interesting is that the section outlining the gifts given to Anna by the brothers is far more detailed than that which describes Anna’s gifts to the sisters. After describing Anna’s construction of the sisters’ monastery, the text goes on to describe the conflict that arose between the Friars Minor and Anna over Anna’s choice to build the monastery.¹⁷⁹ The text states that she ‘gave’ two daughters and two granddaughters to the order, that she gave ‘abundant alms’ to the sisters of St Clare, which included food and clothing, and that she donated some liturgical items to the community: ‘a most precious decorated altar, and four chalices and patens, and a cross, and most precious relics of saints,

¹⁷⁵ ‘Post mortem mariti sui uno anno terre prefuit, postea statim omnia ornamenta sua vendidit et domum fratribus construi fecit, ad quod mille marcas contulit’. *Vita Annae*, p.658.

¹⁷⁶ ‘Dedit etiam eis domum mercatorum, de qua ei etiam provenerant omni anno ducente marce’. *Vita Annae*, p. 658.

¹⁷⁷ ‘Omni anno eosdem fratres vestiebat et rogavit, ut capitulum provinciale huc poneretur, quibus etiam expensam dedit et cum eis manducavit’. *Vita Annae*, p. 658.

¹⁷⁸ ‘et ita ordini fratrum se et pueros suos subdiderat, quod etiam usque ad mortem conservavit’. *Vita Annae*, p. 658.

¹⁷⁹ The *vita* states that Anna ‘[m]onasterium pauperum dominarum in propria curia construxit’. *Vita Annae*, p. 659.

decorated with gold and silver'.¹⁸⁰ She also built a church next to the monastery of St Clare dedicated to Hedwig.¹⁸¹

Although the author specified the liturgical items that she donated, they did not outline specific amounts of money or property in the way that they do when listing the gifts that Anna gave to the brothers. The author's aim in listing all of Anna's gifts to both the friars and the nuns was, of course, to attest to Anna's relinquishment of goods on earth, so that she could attain treasures in heaven and so that her memory would bolster the spiritual purity of the Wrocław nuns' institutional identity. However, the specificity with which the author outlined the friars' property and money suggests that they may have been using the *vita* in part to achieve other ends. It is only possible to speculate, but if Brother Herbord or another friar did help to write the text — and did happen to be a member of the community of friars at Wrocław — he might have been using the hagiographic text as the closest thing that the friars could hope to have as a legal document. Although there is a danger of placing too much emphasis on poverty, it is worth taking into consideration that the prohibitions in the friars' rule and subsequent legal developments which prohibited the friars' exercising dominion over property may have precluded the production of evidence that detailed donation. A friar may, therefore, have wanted to use the *vita* in lieu of one of these documents in order to detail what was rightfully due to the Wrocław community of friars, though it is unlikely that this would have held up in a court of law. As it is likely that the readership of the *vita* included only, or predominantly, the nuns, it may have been the case that he wanted to prevent the nuns — who lived in close proximity to the friars as part of the same complex of monasteries — from encroaching on their property. It may also have simply been the case that a friar was in overall charge of writing the text, and was thus more familiar with, and more interested in, the property that was due to his own community than that which had been given to the nuns.

In either case, this passage attests to Anna's identity as a donor to the Franciscans. Perhaps because of a preoccupation with the issue of poverty in surveys of the Friars Minor in the thirteenth and early fourteenth centuries, or because of a lack of charter evidence associated with the order, those who donated goods, or alms, to Franciscans during this period of time are either non-existent in scholarship on the Friars Minor, or not discussed to

¹⁸⁰ 'duas filias tradidit religioni, unam ordini sancte Clare duabus nepotibus...Elemosinam etiam habunde deputavit sororibus sancte Clare, unde habuerint cottidianum victum et vestitum, et ornamenta altaris dedit preciosissimas, ornatas auro et argento'. *Vita Annae*, p. 659.

¹⁸¹ 'et in honore sancte Hedwigis construxit ecclesiam iuxta monasterium sancte Clare et coronam fecit super caput sancte Hedwigis et brachium de argento ad sanctam Claram.' *Vita Annae*, p. 660.

any great extent. Anna's *vita* draws our attention to the fact that just because there is little formal evidence for donations to friars in the early stages of the order's development, donors who gave property to the Franciscan order must have existed and would have shaped the friars' identities, if in no other way than to keep them alive and functioning. It is important that we recognise this, as the fact that the women accepted property is often cited as a reason for their status as 'lesser' Franciscans. The evidence from the *vita* supports the notion that the spiritual economy of the gift persisted in mendicant contexts, male and female.

Perhaps because Anna's role in the monastery's construction had already been outlined, the origin story of the monastery of St Clare at Wrocław that begins the *Notae* chronicle is not articulated in terms of foundation. The very first piece of information that we are given is that sisters from the Order of St Clare at Prague came to Wrocław in 1257, on the feast day of Tiberius and Valerian. The sisters resided in a wooden cloister while they were waiting for the permanent stone monastery to be built. The stone monastery was finished in 1260 and, after being consecrated by Thomas, the bishop of Wrocław, the sisters moved into the new monastery.¹⁸²

Clearly it was important to the sisters that their roots were planted firmly in Prague. This is not to argue that their connection with Prague was more important than establishing a founder at this point in the text. Anna's construction of the monastery is mentioned as part of a litany of good works in her *vita*, to which the *Notae* was attached as an appendix, so there was no need to introduce her again.¹⁸³ So having already secured their pious founder, the nuns were now also formally connected to the Prague community of Franciscan nuns, which added to their prestige as a Franciscan institution.

Anna is named formally as 'fundatrix', but not at this early stage in the *Notae*. After the description of the monastery's consecration and the sisters' entry into the monastery, the community's first four abbesses are named, and some biographical information and the place of burial are provided for the middle two of these. The first abbess was Vriderunis, and the

¹⁸² 'Sorores ordinis sancte Clare de Praga Wratislaviam venerunt anno Domini 1257, in festo sanctorum martirum Tyburcii et Valeriani, et habitaverunt primo in ligneo claustrillo, ubi nunc est curia procuratoris, expectantes donec lapideum claustrum fuit in edificii consumatum usque in quartum annum. Claustrum sancte Clare in quo nunc sorores Wratislavienses commorantur consecratum est anno Domini 1260, per dominum episcopum Wratislaviensem Thomam primum, infra octavam beati Iohannis baptiste[...]Post claustrum consecrationem factam, ut predicatur anno Domini 1260, sorores de ligneo habitaculo se transtulerunt ad lapidem claustrum eodem anno in festo beati Mathei apostoli et ewangeliste, in eo usque adhuc Domino servientes'. MGH SS, XIX, p. 534. BUW IV F 193, fol. 155r.

¹⁸³ 'Monasterium pauperum dominarum in propria curia construxit'. *Vita Annae*, p. 659.

chronicle provides no information on her life.¹⁸⁴ The second was the daughter of Anna and Henry, appropriately named Jadwiga after her grandmother. Oddly, the date of her death is listed as 1228, which must be a scribal error. She was buried in the sisters' choir, to the left of the altar.¹⁸⁵ The third abbess was also called Jadwiga and was the daughter of Konrad, Duke of Głogów. She died in 1318, and was also buried in the choir, to the right of the altar.¹⁸⁶ The fourth was called Jutta Polona. Like Vriderunis, she is not given any biographical information and no dates are given for her abbacy or death.¹⁸⁷ The text then mentions a nun called Sister Ofca, who was the daughter of Duke Przemysł of Poland, and who, the text states, died in 1218 — presumably another scribal error. She was buried near the steps of the shrine in the choir.¹⁸⁸

Interestingly, only the abbesses who had noble blood are described as having been buried in the monastery. This corresponds with archaeological finds uncovered during excavations undertaken on the monastery during the nineteenth and twentieth centuries; the tombstones that were found were those of the royal abbesses and other members of the Piast family.¹⁸⁹ This provides context for the portrayal of Anna in the chronicle. The main reason that Anna appears to have been mentioned is in order to narrate her death and to make it clear that she was buried in the monastery. She is described, in the following order, as the daughter of the King of Bohemia, the wife of Duke Henry, the Duchess of Wrocław, and the founder of the monastery.¹⁹⁰ According to the chronicle, she died in 1265 and was buried near the sisters' choir in the Chapel of St Hedwig. The remainder of the chronicle mentions other prominent members of the Piast dynasty — some of whom, we know from archaeological

¹⁸⁴ 'Abbatissa prima in monasterio sancte Clare Wratislaviensi fuit soror Vriderimis.' MGH SS, XIX, p. 534; BUW IV F 193, fols 155r–155v.

¹⁸⁵ 'Secunda fuit soror Hedwigis, filia ducis Henrici Wratislaviensis secundi quem Tartari occiderunt. Que prius absoluta ab officio obiit anno Domini 1238 [*sic.* BUW IV 193 fol. 155v = 1228], Nonas Aprilis, sepulta in choro sororum ad sinistrum cornu altaris'. MGH SS, XIX, p. 534; BUW IV F 193, fol. 155v. The MGH edition states that the date of her death was 1238, but the BUW manuscript clearly states 1228.

¹⁸⁶ 'Abbatissa tertia fuit soror Hedwigis, filia Conradis ducis Glogoviensis, que bis per multos annos rexit monasterium, et decedens in officio anno Domini 1318. 5 Idus Iunii, sepulta est in choro sororum ad dextrum cornu altaris.' MGH SS, XIX, p. 534; BUW IV F 193, fol. 155v.

¹⁸⁷ 'Abbatissa quarta fuit soror Iutta Polona'. MGH SS, XIX, p. 534; BUW IV F 193, fol. 155v.

¹⁸⁸ 'Soror Ofca filia ducis Polonie Primisla nomine, obiit anno Domini 1218. Nonas Septembris, sepulta in monasterio et in choro sancte Clare ad gradus sanctuarii'. MGH SS, XIX, p. 534; BUW IV F 193, fol. 155v. Assuming that the text is referring to the Przemysł who died in 1257, it is likely that citing 1218 as Ofca's date of death was an error.

¹⁸⁹ Małachowicz, *Książęce rezydencje, fundacje i mauzolea*, pp. 54–88.

¹⁹⁰ 'Anna ducissa, filia regis Bohemie, coniunx ducis Henrici et ducissa Wratislaviensis, fundatrix monasterii sancte Clare, obiit anno Domini 1265 in nocte sancti Iohannis baptiste, sepulta apud chorum sororum in capella sancte Hedwigis'. MGH SS, XIX, p. 534; BUW IV F 193, fol. 155v.

finds, had tombstones in the monastery — and ends with the death of the Silesian princess Elizabeth in 1328.

It was important not only for Anna's soul but the souls of the Piast and Přemyslid dynasties, and the historical memory of the dynasty, that the chronicler drew attention to her burial in the monastery. The family mausoleum had for centuries been a lynchpin of the dynastic monastery, and highlights well the relationship between professed religious and pious layperson.¹⁹¹ Much like the monastery of Clare at Wrocław, there is archaeological evidence that St Francis in Prague acted as a mausoleum to the Přemyslids; King Wenceslas I and Queen Kunegund were buried in the monastery. The burial of a royal family's dead within a monastery's walls increased the prestige and visibility of the monastery, which thus also increased its appeal to pilgrims and potential donors. In particular, it would provoke members of the royal family to support the monastery by donating gifts or providing sustenance for the community, for the benefit of the souls who were buried in the monastery as well as for their own souls. The burial of the pious dead laity within the monastery's walls added to the spiritual value of the monastery, and the dead themselves acted as exemplars for their dynastic family and their subjects. Being buried in a monastery benefited the soul of the dead, especially if they were buried near a holy place such as a shrine or altar as these were places of superior holiness. Anna's burial near the sisters' choir, an area which the sisters would have frequented, was beneficial for her soul as it would have reminded the nuns to pray for her. The family mausoleum also functioned as a repository of the dynasty's historical memory. When listing the dead within the monastery, the author of the *Notae*, whose role it was to preserve this memory for the future, was interacting with a tangible bank of memory created within the mausoleum.¹⁹²

¹⁹¹ Though it focusses predominantly on male rulers, a seminal study of the relationship between royal burials and cult building is Elizabeth M. Hallam's 'Royal Burial and the Cult of Kingship in France and England, 1060–1330', *Journal of Medieval History*, 8 (1982), 359–80. The mausoleum of the monastery of Cistercian nuns at Trzebnica, in which Henry I of Silesia and Hedwig of Silesia were buried, might have provided a regional model for the mausoleum at Wrocław. For a study of the mausoleum at Trzebnica, see Ewald Walter, 'Die erste Grabstätte Herzog Heinrichs I. von Schlesien im Kloster der Zisterzienserinnen zu Trebnitz', *Jahrbuch der Schlesischen Friedrich-Wilhelms-Universität zu Breslau*, 18 (1973), 7–32. On the mausolea at Prague and Wrocław see Soukupová, *Anežský klášter v Praze*, pp. 126–88; and Małachowicz, *Książęce rezydencje, fundacje i mauzolea*, pp. 54–88.

¹⁹² On the role of royal genealogies in medieval historiography, see Gabrielle Spiegel, *The Past as Text: The Theory and Practice of Medieval Historiography* (Baltimore, MD: The Johns Hopkins University Press, 1997), p. 104. This is taken from a section of Spiegel's book entitled 'Genealogy: Form and Function in Medieval Historiography' (pp. 99–110), which was published originally under the same title in *History and Theory*, 22 (1983), 43–53.

Perhaps because he was not buried in the monastery, Henry II does not feature heavily in Anna's *vita*. He is only mentioned as Anna's husband, and, in contrast to his portrayal in the early charter evidence for the monastery, he is not cited in the Anna's *vita* or the *Notae* as having played any role in the monastery's construction; Anna is the monastery's sole founder in these texts and the impetus for the monastery's construction comes from her. The textual narrative of Anna as sole founder or major donor finds competition, however, in a visual narrative of dual foundation. On the *verso* of the *Notae*, an image of Anna holding up the Wrocław monastery church accompanies a short origin story of the male and female Franciscan communities in Wrocław.¹⁹³ In the image, Anna is not the sole supporter of the church; she is accompanied by a ducal figure, who was most likely meant to have been her husband, Henry II.

The short origin narrative on the *verso* of the *Notae* opens with the narrative of the male community, which states that the brothers arrived in Wrocław in 1240, where they were brought by Henry II, who built a monastery for them along with Anna. The construction of the monastery was completed by Anna after Henry had died.¹⁹⁴ It is noteworthy that the epithet given to Henry by the chronicler at this point in the text is 'son of St Hedwig', rather than 'son of Henry I'. More important than Henry's primogenitary right to the duchy of Silesia in the context of this text — which served in part to cement the identity of the Franciscan monasteries as institutions that promoted the sanctity of the Piast dynasty — were his maternal blood ties to the figure most readily identified with Piast sanctity. In this context, the heavenly court had superceded the earthly one.¹⁹⁵ It is also possible that the author was building on the closeness that had been established — possibly by the same author —

¹⁹³ On this page, there also appears some biographical information on a friar named Henry of Bren. According to the text, Henry of Bren was the son of the Count of Bren, and died in 1302. The text tells us that he was buried in the middle of the choir of the church of St Jacob, to whom the church of the male Franciscan community was dedicated. It also tells us that he was the nuns' visitor, which is presumably the reason that his short biography has been included in the codex and which provides another institutional link between the friars' and the nuns' monasteries in Wrocław. For an edition of the text, see MGH SS, XIX, p. 536. For the manuscript copy, see BUW IV F 193, fol. 156v. On the artistic trend of donors holding up models of the church, see Emanuel S. Klinkenberg, *Compressed Meanings. The Donor's Model in Medieval Art to around 1300: Origin, Spread, and Significance of an Architectural Image in the Realm of Tension between Tradition and Likeness*, *Architectura Medii Aevi*, 2 (Turnhout: Brepols, 2009), esp. pp. 165–85, which discusses the image in the imperial-royal tradition, using Trier as a case study, and pp. 187–96, which discusses the trend in Poland.

¹⁹⁴ 'Anno domini 1240, fratres minores de loco in quo prius morabantur foris civitatem Wratislaviensem ad locum, in quo nunc commorantur per dominum Henricum ducem Slesie secundum translati venerunt. Eodem anno illustrissimus dominus dux Henricus secundus, occisus a Tartaris, filius sancte Hedwigis, cum beatissima conjugue sua domina Anna filia regis Bohemie claustrum eisdem fratribus minoribus de propriis inpensis construxerunt, quod nondum perfectum a beata Anna conjugue sua post mortem ipsius consumatum est per totum.' MGH SS, XIX, p. 536; BUW IV F 193, fol. 156v.

¹⁹⁵ On the 'heavenly courts' that grew up around pious Central-European women, see Klaniczay, *Holy Rulers*, pp. 243–79.

between Hedwig and Anna in Anna's *vita*, and on the references to the chapel of St Hedwig in the *Notae*.¹⁹⁶ In any case, her repeated invocation in the codex suggests that Hedwig was an important figure to the community at Wrocław, and one that served to fortify the community's prestige as a stronghold of dynastic spirituality.

The chronicle goes on to discuss the establishment of the women's Franciscan community in Wrocław. According to the chronicler, sisters from the Order of St Clare in Prague came to Wrocław in the year 1257. Clearly based on the *Notae*, the text then mentions that the sisters lived first in a wooden cloister — adding the detail that the house of the monastery's procurator was now located in the same place — while they waited for a permanent stone structure. The text ends by explaining that the monastery was 'completed by the blessed Anna completely at her own expense, as the following picture clearly shows'.¹⁹⁷ The accompanying image does not 'clearly' show this, as Anna is portrayed holding up the Wrocław monastery alongside Henry II.¹⁹⁸

Here we find an instance in which the vision of the artist differed from that of the author. The artist may have been motivated by the gender parity provided by the 'dual founder' narrative — it gave the Wrocław nuns a founding father as well as a founding mother — or the added prestige that Henry II brought to the communal identity of the institution as a blood member of the Piast family and son of Hedwig. Indeed, including Anna and Henry in the image drew together the Přemyslid and Piast bloodlines, which gave greater prestige to the monastery as one that was supported by members of these two great dynasties.¹⁹⁹

The artist may have wanted the image to reflect the narrative that was put forward in one of the papal bulls that had been issued to the monastery in 1257, that Anna completed the

¹⁹⁶ See p. 173.

¹⁹⁷ 'Post mortem vero ejusdem domini Henrici ducis Slesie secundi, anno videlicet domini 1242. sorores ordinis sancte Clare de Praga in Wratislaviam venerunt et habitaverunt primo in ligneo claustro, ubi nunc est curia procuratoris, expectantes donec lapideum claustum, in quo morantur, fuit consumatum, quod videlicet beatissima Anna de propriis expensis totaliter consumavit sicut sequens pictura evidenter declarat.' MGH SS, XIX, p. 536; BUW IV F 193, fol. 156v. As Amy Remensnyder has explained, the fact that an individual was portrayed as a founding figure or major donor even though they had died before the monastery was completed would not have been problematic. Communities of professed religious often adopted founders who were long dead by the time that the community had come into being. See Remensnyder, *Remembering Kings Past*, p. 19.

¹⁹⁸ For the image, see p. 179.

¹⁹⁹ Klinkenberg gives the example of an image in the late-twelfth/early-thirteenth century manuscript of the *Liber aureus* from the imperial abbey of Esterbach, which displays an image of the foundress Irmina (d. 716), who was of the Merovingian bloodline and known as the first abbess of the monastery, and Pepin the Middle (d. 714), the Carolingian Mayor of the Palace. The image was painted as such, according to Klinkenberg, in order to inspire the descendants of both bloodlines to continue to support the Church. See *Compressed Meanings*, pp. 177–78.

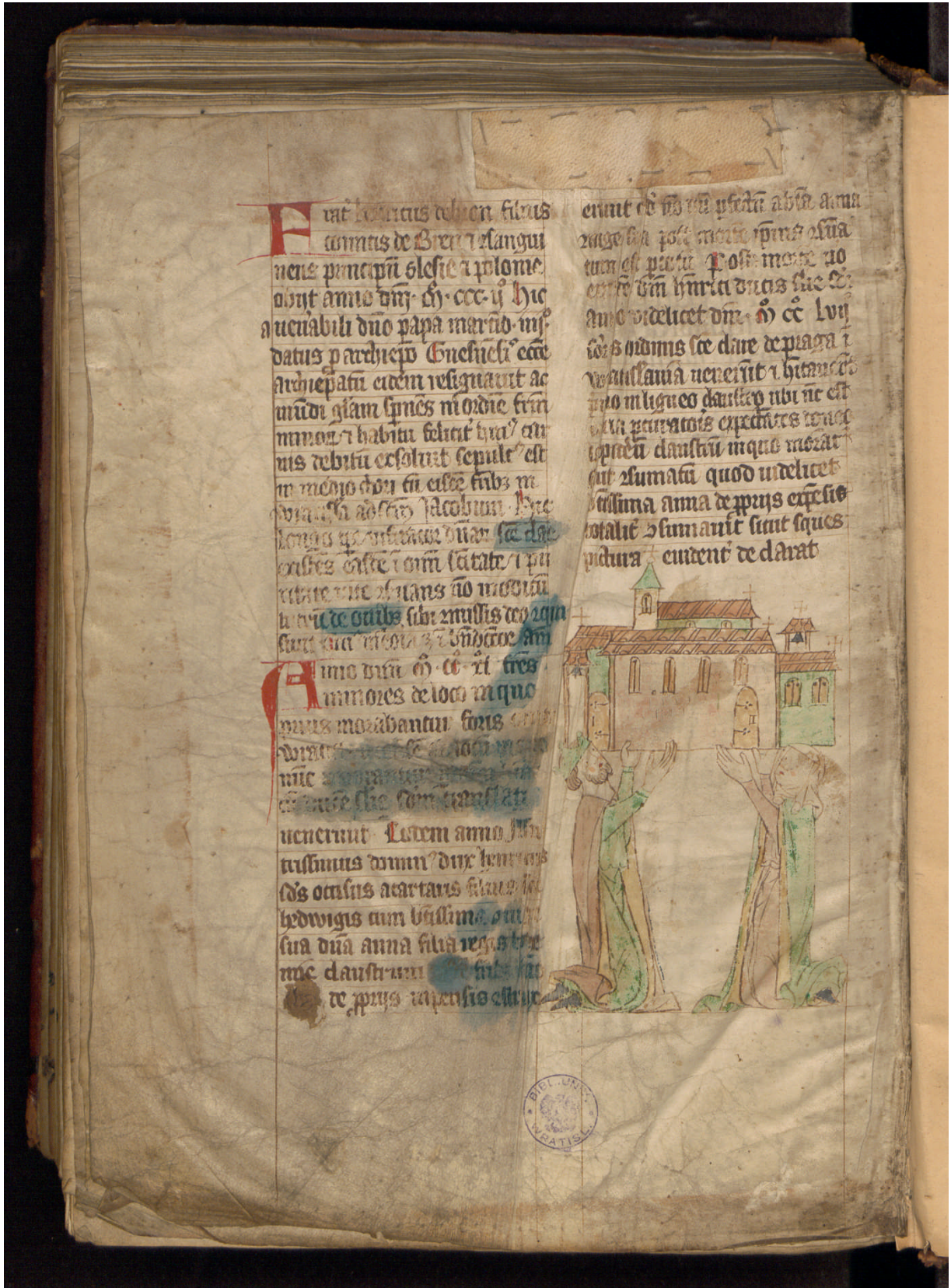


Fig. 1: Anna of Silesia and Duke Henry II of Silesia holding up the Church of St Clare at Wrocław. Biblioteka Uniwersytecka w Wrocławiu, IV F 193, fol. 156v.

construction of the monastery at Henry's behest. There is a chance also that she thought that a prominent male donor or founding figure would add prestige or authority to the narrative, though this is less likely given that images of female saints, Hedwig and Agnes of Bohemia included, supporting churches or handing them over to the monastic community that they had established were popular in the fourteenth century.²⁰⁰

Whatever it was that motivated the artist to choose an image of dual patronage over one of the sole benefactor, the discrepancy between text and image draws our attention again to the plurality of narratives that existed for the figures that were significant to the Wrocław monastery. To the existing narratives of Anna as sole founder or major patron, and of Henry as the person who requested that the monastery be constructed, we now have to add the narrative of the dual benefactor. The discrepancy between text and image presented in this codex is not one that has received, to my knowledge, any scholarly attention. The first known edition of the text, which was produced by Gustav Stenzel in 1839, does not include a description of the picture or any indication that there was a picture on the folio.²⁰¹ The *Monumenta Germaniae Historica* edition was produced in 1846 and the editor does make a note of the image, but does not highlight the difference.²⁰² Scholars' desire for a linear origin narrative for the monastery that incorporates one or two distinct founders appears to have overridden the need to explore the discrepancy between text and image.

The nuns' various origin narratives appear to have been written by the Wrocław community and its guardians for various reasons. Exploring their construction in the contexts in which they were produced, as well as noticing the continuities and inconsistencies between these narratives, tells us about the type of identity that the community wanted to portray at a given point in time, as well as about the role that exchange played in shaping their identity. Though all case studies present have a variety of narratives of origin, Wrocław provides the best case study for the damage that can be caused when scholars flatten out origin stories in the process of creating one distinct foundation event.

²⁰⁰ For an image of Agnes of Bohemia handing the hospital church of the Crosiers with the Red Star in Prague to the Grand Master of this house, from the fourteenth century codex known as the *Breviář křižovníckého velmistra Lva* (Breviary of Leo, the Grand Master of the Crosiers), see Klaniczay, *Holy Rulers*, p. 239. Klaniczay's book states that the image shows Agnes founding the Clarissan convent in Prague, but the manuscript's provenance and the text accompanying the image, which states that she founded the 'Order of the Brothers of the Crosiers with the Star', suggests that she is founding the hospital Church in the picture.

²⁰¹ *Scriptores rerum silesiacarum*, II, p. 132.

²⁰² MGH SS, XIX, p. 536, note a.

III.5 Conclusion

Property offered monastic communities a form of stability that was abhorrent to the Franciscans. However we might seek to revise traditional ideas about the meaning of property and poverty within the order, it is impossible to contest this. But it was also true that by giving property to a monastery, the donor transformed the meaning of what was once their superfluous wealth. Even before it became a gift, property held an otherworldly status. While in the possession of the lay owner, property weighed down the owner's soul and in turn became imbued with potential for the layperson's salvation, which they could achieve by ridding themselves of spare wealth. Dynastic institutions, with their histories of attracting the goods of rich donors and transforming these items into tokens of salvation, were therefore contexts in which the ideals espoused by the Franciscan order in its nascent years could thrive.

This view having been put forward, the way in which donations of property to the monasteries of Prague, Zawichost, Wrocław, Stary Sącz, and Gniezno took on dynastic meaning may still appear as a process through which property gained a status that was repugnant to the order, rather than one which ameliorated the problematic status that property held in the Franciscan imagination. This is perhaps why these communities' incorporation of elements from the dynastic and Franciscan identities has been interpreted by some as an awkward combination, and why the histories of female communities — which flourished as a result of their connections to donors of high status — tend to be narrated as a story of decline from the original ideal. But it was precisely the power of dynastic communities to reconceptualise earthly property as spiritual treasure that facilitated a union between the royal communities and the Franciscan *religio*. Members of a dynastic community and members of a ruling dynasty depended mutually on one another. The community ensured the holiness of the royal bloodline and contributed to the longevity of the dynasty by saving the souls of members of the royal family, and the stability that a connection to a dynastic community provided was integral to the communities' ability to perform their pastoral role, a role that they performed by praying for the dead. Moreover, these monasteries acted as repositories of memory for the dynasty, preserving the pious acts of these dynasties for eternity, which would have strengthened the *beata stirps* of the Přemyslid and Piast ruling dynasties.

That a dynastic affiliation was a great asset to a monastic community's vocation is one of the reasons why we cannot speak of the bond that was built between a Franciscan

community and a ruling dynasty as evidence of decline. The 'dynastic community' had existed for far longer than the Franciscan order, and so the links that were formed, by gift exchange, between the Bohemian and Polish ruling dynasties and the Franciscans do not signal a decline from the Franciscan ideal but simply the point at which dynastic and Franciscan currents of thought merged. As this chapter has shown, this was not a merger that was entirely free from tension. Such friction can be felt in Wenceslas I, Bolesław V, and Anna of Silesia's anxiety over the potential for their donations to violate the form of life followed by the Prague, Zawichost, and Wrocław communities. These episodes do not, however, indicate decline, but rather that the donor had some level of vested interest in the particular vocation followed by their community. The communities were not simply nondescript channels for their donors' salvation.

Beginning the monastery's histories at the point at which dynastic spiritual initiatives and Franciscan forms of professed life met in the context of exchange rather than foundation also highlights paradigms of decline as inappropriate narratives for these monasteries. Foundation is a construct, and, through text and image, was always created by monastic communities after the chronological point at which these communities claimed the act of foundation occurred. When texts or images that detail foundation are used by scholars to create a pre-discursive moment of origin with which they begin their histories of a community, scholars begin their narratives with an ideal that may not have existed at the time at which they place the foundation moment. Divergence from the 'original ideal' is thus inevitable, because it was an ideal that was created after the period of 'decline'. Moreover, a failure to interpret moments of foundation within the contexts in which they were produced runs the risk of silencing many voices that were involved in the development of a monastic community. For instance, in stating that the establishment of the Wrocław community came at the sole insistence of Anna of Silesia, or Anna and Henry I of Silesia, we lose the voices of the nuns who wanted to join the community, of the souls in the vicinity of the monastery that required pastoral care, and of the pilgrims or the other minor donors who helped to fund the monastery's construction. We also ignore that it was the nuns' choice to appropriate Anna, and occasionally Henry, as their founders or major donors, and the pressures that influenced that choice.

Chapter Four

Renouncing the world as a royal Franciscan subject

From their establishment in around the second half of the thirteenth century, the members of the communities at Prague, Zawichost, Wrocław, Stary Sącz, and Gniezno were under a great deal of eschatological pressure. In addition to atoning for their own sins, they also assumed responsibility for undoing the misdeeds of others; though, of course, contrition on the part of the souls-to-be-saved was a requisite of this relationship. The nuns, and to some extent the lay sisters, who lived within the bounds of the monastery thus had to repel the world in the way that they knew best — in accordance with what they understood of the Franciscan penitential model that they had adopted — and to ensure that others were made aware of their efforts. This incentive was so pressing that we have a variety of evidence for the way in which the nuns' and lay sisters' renunciation of the world was portrayed by members of the community and by others.

As the women who lived within the community were the channels of salvation in this spiritual transaction, their voices are far from marginal in the extant evidence. The previous chapter examined how the way in which modern scholarship has treated concepts such as foundation has pushed the voices of certain groups to the peripheries of histories of the Franciscan order. In this chapter, which examines the way in which the renunciation of the earthly in exchange for the heavenly was built into the communities' identities, it is necessary to keep challenging the grand narratives that have flattened out how the nuns and lay religious sisters communicated the roles that they played as Franciscans within dynastic institutions, and how this was understood and relayed by others.

It is perhaps in this chapter where the intersections between efforts to create and maintain a dynastic cult and to establish affiliation to the Franciscan order come through most prominently. Bonds between ruling dynasties and the order were, of course, created through gift-giving, as Chapter Three demonstrated. Moreover, the generous patronage and protection that a ruling dynasty was able to provide could determine the longevity of a monastery. The need for royal families to provide such services was surely more urgent if a member of their own family lived within that monastery, or if the family had spent time and resources

building their cult around such an institution. This can be demonstrated by comparing the fate of the community at Zawichost/Skała with that of the nuns of St Francis at Doubravnik (Moravia) in the face of Mongol incursions. Though it had received patronage from Queen Kunegund of Bohemia, the community at Doubravnik was located far away from the royal court of Bohemia and does not appear to have been the locus of the concerted development of a Přemyslid cult. Zawichost/Skała, on the other hand, received a great deal of patronage from Salomea, Kinga, and Bolesław V, appears to have been a community upon which the donors desired to imprint their identities, and included Salomea, a member of the dynasty.¹ The Zawichost/Skała community survived; the Doubravnik community did not. But in theory, anyone with property to spare could donate gifts to a monastic community; this act was not the sole preserve of ruling dynasties. Gifts could be used to imprint a family's identity onto an institution, but there was nothing inherently 'dynastic' about gift-giving to monasteries.

One incentive that did make distinct the identity that was forged at the convergence of Franciscan and dynastic spiritual aims was the promotion of the *beata stirps*, or the holy bloodline. The genealogies that appear in hagiographies of royal saints provide the best examples of Piast and Přemyslid attempts to promote the hereditary holiness of these saints and, by extension, the dynasties to which they belonged. Blood ties to renowned holy figures supported the hegemonic rule of the dynasty, while the noble blood of the family members in turn verified the holiness of the subject of the hagiography. In addition, and as Gabrielle Spiegel has argued,

genealogies were expressions of social memory and, as such, could be expected to have a particular affinity with historical thought and, at least to a certain extent, to impose their own consciousness of social reality upon those whose task it was to preserve for future generations images of society in the record of history[.]²

It is important to point out that Spiegel does not refer here to the concept of the *beata stirps*, but instead to medieval genealogies as a form of history writing. However, this framework could be applied also to the family genealogies that were included in *vitae* of saints. They conserved the memory of the dynasty and, to add to Spiegel's model, cemented the holiness of the dynasty within a fixed point in time. By the time in which the *vitae* of the holy women

¹ See p. 125 and pp. 228–29, respectively, for my discussions of the Mongol attacks on Doubravnik and Zawichost.

² Spiegel, *The Past as Text*, p. 104.

of Bohemia and the Polish duchies were written, namely in the late-thirteenth and early-fourteenth centuries, this genre of writing was well-known in Central Europe. Conscious that their memory would be preserved for years to come in this form, members of royal dynasties were more inclined to avoid being the weak link, and therefore less inclined to transgress orthodoxy by disobeying the specific model of penitence in which they were invested.³

Building on the rich research into the concept of the *beata stirps*, this chapter first begins with an examination of how narratives of filiation were communicated through the *vitae* of prominent nuns and lay sisters, and how this reinforced the portrayal of these holy women's renunciation of the world. As these texts were, naturally, constructed after the first generation of prominent donors and religious had died, this chapter breaks with the trend so far followed in this thesis of examining evidence in the chronological order in which it was produced. The reason for departing from the established methodology is that the filial links conveyed by such genealogies are often used as narratives around which modern histories are structured. To give an example, Agnes of Bohemia's choice to pursue religious life — and/or the specific form of life that she had chosen — is often attributed by scholars directly to the influence of her cousin, Elizabeth of Hungary, at the expense of examining other influences. This is in part because the links created between the two women in Agnes's *vita* are used as an organising structure for the history of Agnes's religious life. These connections were, of course, not simply plucked from the air, but in placing such great emphasis on them, scholars have blotted out the many other factors that medieval authors such as Clare of Assisi or Agnes's hagiographer cited as having influenced Agnes's conversion. Even more importantly for the present study, emphasis on this particular relationship has obscured the many other models upon which those who wrote about Agnes's life, Agnes included, drew to convey her renunciation of the world. It is therefore necessary to reassess the role of hagiographic filial ties in the growth of Franciscan dynastic cults, by examining these ties in the contexts in which they were produced. In addition to demonstrating how familial relationships were used in hagiography to communicate the subject's religious vocation, this reappraisal also highlights where investigations into the transfer of Franciscan status via family lines has blotted out other influences on the women's identities.

We are then able to consider how the nuns' and lay religious women's renunciation of the world was portrayed by themselves and others. This chapter argues that we should not

³ See also the introduction to this thesis for discussion of the *beata stirps*, pp. 12–14.

measure the women's renunciation against the conversion model put forward in Celano's *vita* of Francis. Instead, in order to determine how the communities constructed their identities as members of a dynastic Franciscan institution, we need to understand what they identified in their own social milieu as having posed a problem to their religious vocation — in essence, the 'world' that they were trying to reject — and what aspects of their dynastic identity supported their endeavours. Reframing discussion of women's identity around the adherence to models of penance, rather than focussing on how rich or poor the community was, helps us to see what was most important to the nuns and lay sisters in their own quests for salvation. Often the nuns do become involved with property, but usually in order to achieve ends that were more pressing to the nuns' salvation than a need to avoid being involved with property completely. Agnes of Bohemia, for instance, sells her property to fund the construction of a cloister for friars, most likely for the purpose of administering pastoral care to the nuns. Salomea of Cracow wrote a will in 1268, which necessitated her involvement with property. She instructed the nuns not to alienate the gifts that she had given to the community from their monastery building. When read within a wider context of the pressures enacted on her by the dynastic and Franciscan penitential models, we realise that she was afraid that the nuns would forget about her gifts and would thus neglect to pray for her soul after she had died. The nuns' involvement with property is not evidence that they were turning away from the demands of their spiritual vocation, but is often a sign of their response to other pressures that formed the spiritual climate in which their identities developed.

The end of this chapter examines the Polish communities' involvement in the German settlement, the discussion of which seems to be incongruous within a study of acts performed for spiritual benefit. There is abundant evidence to suggest that all of the monasteries located in the Polish duchies placed their lands under German law, and thus played a large role in the migration of peoples from the Empire into the Polish duchies in the thirteenth and fourteenth centuries. These acts were never articulated as *pro anima* exchanges and cannot be characterised as acts that were directly beneficial to the nuns' souls. However, they act as a useful reminder that monasteries served a range of functions in society, and their engagement with the laity took a number of forms. It is possible that this form of lay-religious interaction inspired closer spiritual relationships between the two sectors of society. Moreover, in securing the means for their own sustenance through these transactions, they ensured the longevity of their communities, and thus the salvation of the souls of their dynasty.

IV.1 *Filiae Sanctae Elizabeth?*

For those who wrote the *vitae* on the prominent women that were associated with the communities at Prague, Zawichost, and Stary Sącz, for instance, the family tree metaphor was employed to attest to the royal stock of their subject.⁴ This act might seem to run contrary to the gospel ideal of leaving one's family, hating them even, to follow Christ, but the employment of this trope demonstrates why the marriage of Franciscan and dynastic ideals rarely encountered problems. As so many historians have demonstrated, a person's noble or royal lineage strengthened the legitimacy of their spirituality, and vice-versa.⁵ Because they are such prominent tropes, it is tempting to reproduce the roots and branches that were employed in such medieval source material to connect people and events in our own research. But as has been discussed previously, there were a range of purposes that a hagiographer may have had in employing such tropes and when we reuse them without interrogating them we lose the hagiographer's purpose.

Scholars have not ignored the ways in which the *vitae* of the Central-European women incorporated the women's lineages as a way of promoting — and creating — the dynasties to which these women belonged. The problem is that the significance of the links created between women in texts such as hagiographic *vitae* can be overstated to the extent that these lineages are no longer treated as constructs.⁶ For instance, as Klaniczay has demonstrated, those who were involved in shaping the identities of the Central-European female religious often appropriated Elizabeth of Hungary as an influential figure in the lives of these women.⁷ However, the way in which Elizabeth has been created in scholarship as the mother of Central-European royal women who became professed religious has resulted in the homogenisation of these women's identities and vocations. Similarly to the way in which some scholars have treated Francis and Clare as starting points for the Franciscan order, Elizabeth becomes a point of origin for the histories of the Bohemian and Polish royal Franciscan women, rather than a construct formed within the textual and artistic evidence for her life and the lives of these women. As the portrayal of Elizabeth in this way in scholarship

⁴ The *vita* of Anna of Silesia, who was appropriated by the Wrocław community as their patron, does not incorporate a description of Anna's lineage, and the *vita* of Jolenta of Poland was not written until the seventeenth century, which falls outside of the remit of this thesis.

⁵ On the concept of the *beata stirps* or the saintly dynasty in Central Europe in particular, see Klaniczay, *Holy Rulers*, pp. 227–32. See also André Vauchez's famous essay on the concept, on which Klaniczay's study builds: '*Beata stirps: sainteté et lignage en Occident aux XIIIe et XIVe siècles*', pp. 397–407.

⁶ See my discussion of this in the introduction to this thesis, pp. 11–12.

⁷ See Klaniczay, *Holy Rulers*, pp. 209–43.

has had such an influence on the way that the identities of the women in the dynastic Franciscan communities in Bohemia and the Polish duchies are discussed, it is worth examining here the ways in which she was adopted by these communities in the *vitae* that they commissioned of their prominent patrons. On reading the links made between these women and Elizabeth in their *vitae* within the contexts in which they were produced, it becomes clear not only that Elizabeth was understood to be one amongst a number of other figures who influenced these women's lives, but also that Elizabeth was incorporated into the identities of these women and those of the case-study communities in ways that were very deliberate.

Examining Elizabeth's role in the hagiographic representation of the prominent female figures associated with each case-study monastery demonstrates that hagiographers did not employ Elizabeth as the most influential role model, or spiritual mother, of the subjects of their texts. Elizabeth is invoked by the authors of Agnes's, Anna's, and Kinga's *vitae* as an important figure, but the authors do so in different ways. Salomea's hagiographer does not mention Elizabeth at all. The hagiographers also identify a wide range of other exemplary figures, including Clare and Francis of Assisi, Martha and Mary, and various men and women from the Old Testament. Acknowledging that Elizabeth was used by the authors as just one of these models does not lessen her importance; in fact, by doing so it is possible to ascertain how those who saw her as an influential figure understood her piety and sanctity in instances where she is not the main object of their devotional writing.

Hagiographic representations of Elizabeth's life, much like those of Clare and Francis are often used as evidence to reconstruct a 'historical Elizabeth'. The most significant consequence of this is that instead of being used as prisms through which to view trends in dynastic and Franciscan spirituality, multiple representations of Elizabeth taken from different periods in time are conflated into one and treated as a product of the early thirteenth century — during Elizabeth's lifetime — when many of these came only later. Alison More and Lori Pieper have demonstrated that in doing this, scholars have attributed to the 'historical' Elizabeth a Franciscan status that was not attributed to her, and one that she may

not have wanted.⁸ They have thus become caught up in a static debate over whether Elizabeth was a Franciscan tertiary or not, instead of noticing how the type of spirituality that Elizabeth was understood to have embodied was assimilated by various groups of Franciscans into their corporate identity.⁹ This approach has also meant that we have not yet been able to understand exactly how the idea of Elizabeth was integrated into the identities of the Polish and Bohemian royal Franciscan women.

Scholars have also missed how the Polish and Bohemian royal Franciscan women were integrated into Elizabeth's identity. A hagiographical *vita* of Elizabeth from the late-thirteenth/early-fourteenth century, which was composed by an author known now as the 'Anonymous Franciscan', ends by connecting Elizabeth with her nieces Kinga and Jolenta and sister-in-law Salomea.¹⁰ She is explicitly portrayed as Kinga and Jolenta's 'most holy aunt' and as a role model in royal piety to all three. Beginning with Kinga and Jolenta, the author states that they 'followed their most holy aunt Elizabeth in precious poverty', that they both took vows, and that they were founders of abbeys in Stary Sącz and Gniezno, respectively.¹¹ The author does not provide any more specific detail as to their 'poverty', their 'vow', or to the type of abbeys that they had founded. Interestingly, he devotes more attention and space in the text to Salomea than to Kinga or Jolenta. It is perhaps important not to read too much into this, but it is worth recognising that this is unusual given that Salomea's hagiographer does not mention Elizabeth at all. The 'Anonymous Franciscan' states that once Salomea had been widowed, 'rejecting the entire world as false and transitory, [she] entered

⁸ Alison More, 'Institutionalizing Penitential Life in Later Medieval and Early Modern Europe: Third Orders, Rules, and Canonical Legitimacy', *Church History*, 83 (2014), 297–323. Lori Pieper 'A New Life of St. Elizabeth of Hungary: The Anonymous Franciscan', *Archivum Franciscanum Historicum*, 93 (2000), 29–78 (pp. 29–33).

⁹ Though she occasionally reads the *vitae* of holy women other than Elizabeth outside of the contexts in which they were produced, Pieper's work moves beyond static and long-standing discussions over whether Elizabeth was or was not a member of the Franciscan tertiary order. She instead demonstrates how the Franciscan accounts of Elizabeth's life that were produced in the thirteenth and fourteenth centuries reflect trends in Franciscan spirituality, and charts the process by which she was appropriated by the Franciscan order. See her PhD thesis: Lori Pieper, 'St. Elizabeth of Hungary and the Franciscan Tradition' (unpublished doctoral thesis, Fordham University, 2002).

¹⁰ Pieper suggests that the text was written between 1279 and 1301. See 'A New Life of St. Elizabeth of Hungary', pp. 35–36.

¹¹ 'Que quidem ambe viduitatis delicias abhorrentes, verum etiam mundi regna penitus contempnentes, quin potius sue sanctissime mathertere Elysbeth pretiose paupertatis lucrum centesimum satagentes consequi, beati Francisci filiarum ordinem una die in Cracovia pariter intraverunt. Statimque voto solemniter emisso et feliciter completo, duas abbacias predicti ordinis magnificis sumptibus acquisitis famosissime fundaverunt. Domina, scilicet Cunegundis, quondam ducissa Cracovie, suam fundavit abbaciam in Zander, et domina Ioleta, quondam ducissa maioris Polonie, suam fundavit in Guezna'. 'A New Life of St. Elizabeth of Hungary', pp. 77–78.

the order of sisters of blessed Francis'.¹² The author describes also how she built two Franciscan convents in Zawichost and Skala.¹³ Elizabeth's *vita* ends with a commentary on royal piety and sanctity, via a description of the penitential practices of those who were part of Salomea's community and beyond:

There [in the Zawichost/Skala community] and elsewhere, in that order [meaning the Franciscan order] virgins and daughters of kings were led to the king, serving the Lord in joy and exultation, without sin and in chastity, awaiting the blessed hope and the arrival of the glory of the great God and our saviour Jesus Christ. Who with the father and the Holy Spirit lives and reigns all-powerful forever and ever. Amen.¹⁴

Playing on the relationship between the earthly and heavenly kingdoms, the author here recognises royal female sanctity as a penitential trend. By ending Elizabeth's *vita* on this note and by portraying her as the main inspiration for the women who engage in these acts of penitence, the Anonymous Franciscan establishes Elizabeth as an archetype for Franciscan dynastic piety.

In portraying this role as a virtue of Elizabeth's, he also demonstrates the spiritual importance of the women for whom Elizabeth acted as a role model in the promotion of Elizabeth's cult. A similar motif is employed by the author of Clare of Assisi's *vita*, who states that

the highest of the nobility stooped to follow her footprints and left its race of proud blood for her holy humility. After the invitation of Clare was made known, not a few [women], worthy of marriage to dukes and kings, did

¹² 'sponsa Christi Salomeya thoro viduata regali, cuncta mundi velud falsa et transitoria respuens, ordinem sororum beati pauperis Francisci ingressa est'. 'A New Life of St. Elizabeth of Hungary', p. 78.

¹³ Rather than explaining how Salomea built a monastery for Franciscan nuns, however, the author states that she built convents for the Friars Minor in Zawichost and Skala. He then explains that enclosed sisters lived there: 'Que statim progrediens de virtute in virtutem, edificari precepit in territorio patris sui, apud civitatem que Zanitost dicitur, conventum pro fratris minoribus et alium in castro Scala nomine, quem quidem dote per maxima copiosisque redditibus, prout potens erat, ampliavit. In quo cum multis sororibus famosis et nobilibus reclusa, Dei disponente clementia, multis clarescere miraculis consuevit'. 'A New Life of St. Elizabeth of Hungary', p. 78. It is unclear as to whether the author understood these monasteries to be institutions that encompassed both men and women — and therefore whether he viewed them as buildings that had been built for men in the first instance, but which then gained cloisters of nuns — or that, in the same way as some charters state that Kinga and Jolenta had taken the habit of the Friars Minor, he is using the title 'fratres minores' as a blanket term that covered the women's vocations too.

¹⁴ As Pieper points out, this is a direct quote from the Epistle of St Paul to Titus 2. 13. 'A New Life of St. Elizabeth of Hungary', p. 78, n. 125.

severe penance, and those who were married to rulers imitated Clare in their own way.¹⁵

This imposed a genealogy onto the order of nuns that posited Clare as the mother and most important member of the order, while the prestige of her followers increased her own virtue. Agnes's *vita* similarly states that

following her example, several famous persons in various parts of Poland began to build convents; countless noble virgins and widows flocked into the religious life, and living in the flesh, beyond the flesh they sought heavenly life.¹⁶

The author of Elizabeth's *vita* employs Kinga, Jolenta, and Salomea for the same purpose but within the context of Central-European royal piety as a branch of the Franciscan order's spirituality rather than for an entire order in itself. Although it is unclear as to which province the Anonymous Franciscan belonged, according to Pieper the Anonymous Franciscan was most probably writing for an Árpád king, and one of the three extant manuscript copies of the text was originally part of the library of the Franciscan convent in Koblenz, which indicates that the cults of Kinga, Jolenta, and Salomea were not simply local and that they were significant enough to be used by the author to enhance Elizabeth's prestige.¹⁷

The significance of Elizabeth in the construction of the cults of these women, on the other hand, is rather less straightforward. She does not act as a mother, or even a main role model, for any of the women whose *vitae* are extant. She has genealogical importance for some of the women, but in a slightly different way than that which she exhibits in the text of the Anonymous Franciscan. In Agnes and Kinga's *vitae*, Elizabeth of Hungary is first invoked when the authors of these texts outline the bloodline of the two women. Agnes is related to Elizabeth via her mother's brother Andrew of Hungary, who was Elizabeth's father:

¹⁵ 'Flectitur nobilitatis apex ad eius sectanda vestigia, et a superbi sanguinis genere sancta humilitate degenerat. Nonnullae ducum ac regum matrimonio dignae, Clarae invitante praeconio, arctam poenitentiam faciunt, et quae potentibus nupserant, Claram suo modulo imitantur'. *Escritos*, p. 145. Translation in CAED, pp. 290–91.

¹⁶ 'Nam ipsius exemplo plures illustres persone in diuersis Polonie partibus ceperunt monasteria construere, innumere nobiles uirgines et uidue ad religionem confluere et in carne preter carnes uiuentes celicam uitam actitare.' *Vita Agnetis*, p. 107. English translation from *The Legend of Blessed Agnes of Bohemia*, p. 149.

¹⁷ On the author's link with the Árpáds, see Pieper, 'A New Life of St. Elizabeth of Hungary', pp. 34–36, and see pp. 48–49 for Pieper's descriptions of the manuscripts. One of the other copies is known as the Trier manuscript but the history of the manuscript is unknown, according to Pieper. The other copy was made by the Dutch friar, Henricus Sedulius, as part of his *Historia Seraphica*, which he published in the seventeenth century.

She was born of a renowned family, that is of royal ancestors, for her father was Premysl, called Otokar, the illustrious King of Bohemia, and her mother was Constance, sister of the ruler Andrew, King of Hungary, the father of St Elizabeth. Her whole ancestry through both her mother and father was royal, and elegance of manners wonderfully adorned her noble family background.¹⁸

Kinga, on the other hand, was the daughter of Béla IV of Hungary, who was Elizabeth's brother:

It is read in the chronicle of the Hungarians, that Andrew, having married the uterine sister of the blessed Hedwig, fathered from her two sons Béla and Kálmán and one daughter, namely St Elizabeth.¹⁹

Although it is commonplace in hagiographic writings on royal saints from this time to include a genealogy that attests to the royal stock of the subject, the inclusion of St Elizabeth is significant. By point of comparison, Anna's *vita* does not include such a genealogy — perhaps because her *vita* does not appear to have been prepared in support of an effort to canonise her — but Salomea's does, and it does not mention Elizabeth, most likely because she was not a blood relation of Salomea's. Elizabeth is not given a token mention in Agnes's and Kinga's *vitae* simply because, like these women, she also happened to be royal and holy — and in close geographic proximity — but, rather, she is invoked because Agnes's and Kinga's direct blood relation to Elizabeth could be 'proven' and thus be used to add to the prestige of these women as royal saints who should be venerated accordingly. In using their genealogical links to Elizabeth — a figure who was renowned for her rejection of the wealth and security that came with being a member of important royal and noble households — in order to emphasise their high status, the hagiographer also added penitential weight to the women's acts of renunciation.

Although she is not mentioned as a blood relation of Anna's in Anna's *vita*, Elizabeth's cult is invoked in this text.²⁰ The cult is mentioned within the context of a litany

¹⁸ 'Ex inclita namque prosapia, utpote regie styripis progenita, quia pater eius Premissilius dictus Ottacarus illustris rex Bohemorum — mater uero Constancia, soror domini Andree regis Vngarie patris sancte Elyzabeth et tota progenies utroque parente regalis, originem nobilem morum elegancia mirifice uenustauit.' *Vita Agnetis*, p. 101. English translation from *The Legend of Blessed Agnes of Bohemia*, p. 140.

¹⁹ 'Legitur in cronicis Hungarorum, quod Andreas accepta uxore uterina sorore beate Hedvigis generavit ex ea duos filio Belam et Colomanum et unam filiam, sanctam scilicet Elisabeth'. 'Vitae Sanctae Kingae Ducissae Cracoviensis', p. 683. Interestingly the author of Kinga's *vita* holds that she was also related to the Emperor Nero on the side of her Byzantine mother, Maria Laskarina.

of Anna's pious acts of gift-giving. According to the text, Anna gave a relic of Elizabeth, one of her ribs, to the Cistercian monastery in Trzebnica, which was founded by Hedwig of Silesia and with which the Wrocław community seems to have shared a bond.²¹ She also gave a chasuble to the Church of St Elizabeth at Marburg.²² It is clear that the author wanted to incorporate Elizabeth into Anna's identity — and therefore the identity of the Wrocław community — and to do so in the context of Anna's exchange of earthly for heavenly gifts. Elizabeth's authority is not, however, derived from her actions, or from her role model status, or from her potential to add prestige to Anna's bloodline. Rather, it is her cultic influence upon which the author chooses to seize.

Given that Elizabeth's cult features in Anna's *vita*, it is perhaps unusual that the dedication of the hospital in Wrocław, which the author of the text believes to have been constructed by Anna, is not mentioned. We learn in a 1257 charter that was issued by the master of the hospital of St Elizabeth in Wrocław — which was staffed by the Crosiers with the Red Star, a military order that followed the rule of St Augustine — that the hospital recognised Prague as a mother-house of sorts, and that the community understood Anna along with her sons Bolesław, Henryk, Konrad, and Władysław to have been responsible for the hospital's construction.²³ The author of Anna's *vita* states that Anna built a hospital, but does not mention that the hospital was dedicated to St Elizabeth. The possibility that the author was discussing a different hospital should not be ruled out, of course, and it should also be noted that the author does not always refer to the dedications of the ecclesiastical buildings constructed by Anna, or the ones to which she donated items.²⁴ That the hospital's dedication to Elizabeth is not mentioned by the author may not be as significant as it may seem. It was most likely the case that the author wanted to place full emphasis on Anna's pious act at this stage of the text, rather than the link that the hospital's dedication created between Anna and Elizabeth.

²⁰ Kinga's *vitae* states that one of Kinga's miracles occurred on the feast day of St Elizabeth, which demonstrates her importance as a figure in the author's liturgical calendar, 'Vitae Sanctae Kingae Ducissae Cracoviensis', p. 704.

²¹ A papal bull issued by Alexander IV in 1260 grants permission for the Wrocław community to break enclosure in order to receive the abbess of the Cistercian community at Trzebnica as a guest. SUB, III, p. 222. I discuss this on p. 232.

²² 'In Trebnitz dedit[...]costam sancte Elizabet ornatam auro et argento...et ad sanctam Elizabet in Marchburg dedit etiam casulam'. *Vita Annae*, p. 659.

²³ SUB, III, pp. 170–71. For the history of the Crosiers, see Willy Lorenz, *Die Kreuzherren mit dem Roten Stern* (Königstein im Taunus: Königsteiner Institut für Kirchen- und Geistesgeschichte der Sudetenländer, 1964).

²⁴ 'Hospitale etiam fecit, in quo infirmos collegit...' *Vita Annae*, p. 658.

This contrasts with the way in which Elizabeth is invoked in Agnes's *vita*, in which she clearly acts as Agnes's inspiration for her construction of the hospital of St Francis in Prague:

Then, in imitation of her cousin Elizabeth, she built, at the foot of the bridge in the city of Prague, the famous hospital for the sick dedicated to the most holy confessor Francis, endowed it with revenues and property, and installed in that place the Crosiers with the Red Cross and Star, in order that they should undertake the care of the aforementioned sick, and in order that whenever anyone was in need, they would solicitously provide all things that were necessary.²⁵

The difference between the two texts is important as it demonstrates that not all authors of hagiography engaged with the idea of Elizabeth in the same way. Where to some she was a role model for the construction of hospitals for the poor and sick, others chose not to use Elizabeth in this way.

In much the same way as in Anna's *vita*, Kinga's *vita* does not employ Elizabeth as an exemplary model for Kinga's acts of piety. The final reference to Elizabeth in Kinga's *vita* is found after the account of Kinga's death. Elizabeth escorts Kinga to heaven, 'surrounded by a host of angels'.²⁶ It may be significant that she appears in the section of the *vita* that attests to Kinga's royal birth and that which describes her ascent to heaven. It draws attention to the eschatological significance of dynastic sanctity, the idea that if a subject was of noble stock and embraced religious life then they would be granted immediate access to the saintly pantheon, simultaneously by virtue of their high birth and their rejection of the worldly comforts that they enjoyed as part of this high birth. Though not an exemplar for Kinga's acts of penitence, Elizabeth embodies the type of sanctity for which Kinga was to be venerated.

²⁵ 'Deinque ad imitationem beate Elyzabeth consbrine sue, hospitale sollempne pro infirmis in pede pontis ciuitatis Pragensis ad honorem sanctissimi confessoris Francisci construxit, quod redditibus et possessionibus amplis ditauit, Cruciferos cum rubea cruce et stela ibidem collocans, qui predictorum infirmorum curam gerent, et prout unicuique opus esset, de necessariis omnibus sollicite prouiderent.' *Vita Agnetis*, p. 106. English translation adapted from that which is given in *The Legend of Blessed Agnes of Bohemia*, p. 147.

²⁶ 'Nam quedam soror nomine Elisabeth Hungara, Deo devota, eadem hora et in eadem domo, in qua felix domina migravit, in oracione existens, sompno arripitur et videt animam felicis domine angelorum agminibus circumdatam sub specie telle splendidissime celos in exultacione ascendare.' 'Vitae Sanctae Kingae Ducissae Cracoviensis', p. 730.

As is evident from the examples above, Elizabeth of Hungary was not treated as a spiritual mother or sole exemplary penitential model in the *vitae* of Agnes, Anna, Salomea, or Kinga. A careful study of where she features in the hagiographic narration of these women's lives reveals a variety of ways in which she was appropriated by the authors of these narratives. It must, again, be stressed that this does not rule out that Elizabeth and the 'idea of Elizabeth' shaped currents of dynastic spirituality, or imply that others did not shape such currents using the idea of Elizabeth. Rather, it reveals that the evidence for this moulding did not manifest itself in ways that would suggest the figure of Elizabeth was as monolithic as she can sometimes appear in scholarship.

IV.2 Exchanging earthly for heavenly status

If the historiographic trope of Elizabeth as spiritual mother to the Central-European women has resulted in the homogenisation of these women's identities, then the weight that is given in scholarship to the image of Francis's renunciation of his father in the town square of Assisi may be the biggest influence on the portrayal of women's expressions of Franciscan life as a divergence from the norm.²⁷ Francis's renunciation of his father is often taken in scholarship as the archetype of Franciscan conversion. The prominent members of the dynastic Franciscan communities of Bohemia and the Polish duchies did not, however, reject their familial ties. In the identities of the royal women who joined these communities, the bonds that they shared with their families instead co-existed alongside the subjects' Franciscan status, and the two often served to strengthen one another.

The four letters that Clare of Assisi wrote to Agnes of Bohemia between 1234 and 1253, in which Clare praised Agnes at length for her renunciation of the world on becoming a nun, demonstrate why it is not surprising that a convert's royal and Franciscan status should be able to co-exist. Through the letters, Clare created a narrative of conversion that placed Agnes within a tradition of monastic renunciation while also carving out a distinct identity for Agnes that reflected her circumstances as a royal convert. Agnes's identity appears separate from Clare's in the letters; the women have chosen the same vocation, but their pre-conversion lives were very different from each other's. In addition to the insight that they provide into the development of identities that were perceptibly royal and Franciscan, the letters therefore also demonstrate that the experiences of Franciscan women were not placed

²⁷ I discuss this episode in Chapter Two of this thesis. See pp. 104–106.

into narratives that made these experiences as homogenous as they can appear in Franciscan scholarship.

Clare had written to Agnes in order to encourage her in the faith and her vocation. In her first letter to Agnes, written in 1234, Clare praises Agnes for rejecting a lucrative marriage to Frederick II in favour of a life of religious poverty. As Gregory IX congratulated Agnes for becoming a 'poor enclosed Nun' in his 1234 bull *Sincerum animi*, it is most probable that Agnes entered the convent in the same year, at some point before the bull's composition on 22 August.²⁸ Clare begins her letter with this salutation:

To the venerable and most holy virgin, the Lady Agnes, daughter of the most renowned and illustrious king of Bohemia, Clare, unworthy servant of Jesus Christ and useless handmaid of the enclosed ladies of the monastery of San Damiano, her subject and handmaid in all circumstances, commends herself in every way and sends, with special respect, the prayer that Agnes attain the glory of everlasting happiness.²⁹

After Clare addresses Agnes according to her religious vocation, she then addresses Agnes in a way that emphasises her status and her familial connection with the Bohemian royal family. In *Sincerum animi*, Gregory too addresses Agnes in accordance with her family ties: 'To his dearest daughter in Christ, Agnes, sister of his dearest son in Christ, the king of Bohemia'.³⁰ It would not have been problematic that Agnes was identified with her family before her religious vocation. It was proper that both Gregory and Clare showed deference appropriate to Agnes's royal status, especially as Agnes was, in a personal sense, a stranger to both of them at that point. Clare also uses the convention typical of medieval letters to place emphasis on her own humility: where Agnes belonged to one of the highest ranks of society, Clare was an 'unworthy servant' and a 'useless handmaid'.

²⁸ There is a general assumption in scholarship that Agnes entered the monastery on Pentecost of that year, due to the entry in the *Annales Stadenses*, which states: 'Eodem anno in die pentecostes soror regis Boemiae, domina Agnes... se reddidit ordini pauperum dominarum de regula beati Francisci in Praga'. However, this is placed in the entry for the year 1236, which disagrees with the prevailing view that Agnes entered the monastery in or before 1234. MGH SS, XVI, p. 363.

²⁹ 'Venerabili et sanctissimae virgini, dominae Agneti, filiae excellentissimi ac illustrissimi regis Bohemiae, Clara indigna famula Jesu Christi et ancilla inutilis dominarum inclusarum monasterii Sancti Damiani, sua ubique subdita et ancilla, recommendationem sui omnimodam cum reverentia speciali aeternae felicitatis gloriam adipisci'. *Claire d'Assise, Écrits: Introduction, texte latin, traduction notes et index*, ed. and trans. by Marie-France Becker, Jean François Godet and Thaddée Matura, Sources Chrétiennes, 325 (Paris: Éditions du Cerf, 1985), p. 82.

³⁰ 'Carissime in Christo Filiae Agneti Sorori carissimi in Christo Filii illustris Regis Bohemiae Salutem, & Apostolicam Benedictionem.' BF, I, p. 138.

Although Clare connects Agnes to the Bohemian royal family and acknowledges the renown that she enjoyed by virtue of being a Přemyslid princess, she does not treat this as contrary to the great sacrifice and ‘praiseworthy exchange’ that Agnes had made by rejecting Frederick II’s proposal of marriage. Sources such as Francis’s *vitae* might have led modern scholarly audiences to believe that Franciscan converts were to reject earthly familial ties, but Agnes’s renunciation came in the form of her refusal to marry. In fact, Clare does not associate the status that Agnes held before her conversion, and its connected wealth, with Agnes’s ties to her immediate family. Clare instead refers to the worldly wealth and status that Agnes spurned as that which she would have gained had she agreed to be the wife of an Emperor. That which she had renounced in favour of religious life, in Clare’s conception, was therefore potential rather than concrete. Towards the beginning of the letter, she congratulates the royal convert on refusing the hand of the Emperor and the status with which it was associated:

I rejoice because you, more than others, could have enjoyed public ostentation, honours and worldly status having had the opportunity to become, with eminent glory, legitimately married to the illustrious emperor, as would befit yours and his pre-eminence. Spurning all these things with your whole heart and mind, you have chosen instead noblest poverty and physical want, accepting a nobler bridegroom, the Lord Jesus Christ, who will keep your virginity always immaculate and inviolate.³¹

It is evident in this passage that Clare has chosen to praise Agnes for refusing a ‘worldly status’ that she might have enjoyed upon marriage, rather than one that she did enjoy as a Bohemian princess prior to her conversion. In her description of Agnes’s conversion, Clare does not detail a clean break or immediate transition from a life of worldly riches to a life of poverty. Her ‘public ostentation, honours and worldly status’ were conditional on her marriage to Frederick II — a condition that she did not fulfil. For Clare, Agnes’s ‘moment of conversion’ hinges on her decision not to marry.

The dynamic of sacred exchange rested on the pressure that it placed on those with property and high status in the world to give these up in order to store up treasures in heaven.

³¹ ‘Hinc est quod, cum perfrui potuissetis prae ceteris pompis et honoribus et saeculi dignitate, cum gloria excellenti valentes inclito Caesari legitime desponsari, sicut vestrae ac eius excellentiae decuisset, quae omnia respuentes, toto animo et cordis affectu magis sanctissimam paupertam et corporis penuriam elegistis, sponsum nobilioris generis accipientes, Dominum Iesum Christum, qui vestram virginitatem semper immaculatam custodiet et illaesam’. *Claire d’Assise: Écrits*, p. 84.

Clare's use of the conditional invokes this dynamic in a slightly different way. The penitential value of Agnes's conversion rests not upon the property or status that she had, but that which she might have had (if this was, of course, in turn contingent on the fact that her status and wealth made her an appropriate match for the Emperor). This demonstrates that sacred exchange was a flexible concept; the authors of such exchanges could adapt the notion to fit in with the type of renunciation undertaken by their subjects.

Although the description of Agnes's rejection of Frederick II in her *vita* is framed in language that is less conditional than that which is employed by Clare, the author of the *vita* also uses Agnes's rejection of the status that she would have gained upon marrying Frederick II to mark Agnes's renunciation of the world. The *vita* depicts Agnes as having been betrothed first to a duke of Poland, most likely a son of Hedwig and Henry I of Silesia, then, after he died, to the son of the Emperor Frederick II, then to the king of England, then to Frederick II himself. It is likely that Agnes's hagiographer had access to Clare's letters as a copy of them is found together with the *vita* in a codex which appears to have been sent to John XXII as part of an unsuccessful attempt to secure Agnes's canonisation.³² The hagiographer does not portray Agnes's rejection of Frederick in the same way as Clare does, as an act synonymous with Agnes's conversion, but the way they do so is intriguing. According to the hagiographer, legates from the emperor and the king of England came to the royal court of Bohemia to ask for Agnes's hand in marriage on behalf of the rulers that they represented. The legate of the emperor was shown a vision in a dream, in which he saw Agnes reject a crown 'of amazing size' in favour of an 'incomparably better' crown. The legate, 'lacking spiritual understanding', interprets this as Agnes's rejection of the king in favour of the emperor. The hagiographer tells us the true meaning of the vision, which was that

Agnes, soon to become the spouse of Christ, was to be crowned by him for all times not with the crown of a perishable kingdom, but with the unfading diadem of glory.³³

Otherwise put, Agnes would reject an earthly spouse who, possessing the largest realm on earth (or within Latin Christendom), represented the direct opposite of the spouse that she

³² The manuscript is in the Biblioteca Ambrosiana, Milan, under the shelfmark E S IV4 f 442. See Jan Kapistrán Vyskočil's commentary on his edition of the letters and Agnes's *vita* in *Legenda Blahoslavené Anežky a čtyři listy sv. Kláry*, ed. by Jan Kapistrán Vyskočil (Prague: Universum, 1932), p. 15.

³³ 'Agnes sponsa Cristi mox futura, pro dyademate regni corruptibilis inmarcessibili corona glorie ad ipso esset perhenniter coronanda'. *Vita Agnetis*, p.104. English translation in *The Legend of Blessed Agnes of Bohemia*, p. 145.

would come to receive in heaven. As discussed in the context of Clare's letters to Agnes, earthly marriage was not only perceived as having been valuable to Agnes, the potential for her to marry made her valuable to others too; her family, namely, along with those who vied for her hand.³⁴ The reader would therefore have understood that the exchange she had made was absolute.

Clare's choice to structure Agnes's conversion around her rejection of Frederick's proposal might be interpreted using a gendered analysis. On a very basic level, the rejection of a marriage proposal is a motif that features more heavily in representations of female conversion to religious life than male conversion to religious life, presumably because it was less common for men to be proposed to, and therefore to reject marriage proposals. Religious and semi-religious men were celebrated for their virginity and chastity, and for living out chaste or virginal marriages, and they might be presented as having escaped marriage in order to join a monastery or take priestly vows. However, rejecting a marriage proposal is not an important feature in representations of male religious or semi-religious.³⁵ Bynum has addressed the representation of holy women's renunciation of marriage via a critique of Victor Turner's theory of the liminal stage. Turner argued that when humans experience ritualistic life crises — conversion, for instance — they employ images of status reversal or status elevation, either as part of the ritual or when telling the story of this ritualistic stage.³⁶ Following this disturbance, the individual either experiences a clean break from the previous stage of their life and integration into a new social order, or reconciliation with and reintegration into the value system from which they severed themselves during the liminal stage. To illustrate Turner's theory, and to demonstrate how it might be applied to medieval life stories, Bynum gives the example of Francis's renunciation of his father.³⁷ At this point in Francis's life story, he is portrayed as experiencing status reversal by adopting images of

³⁴ Mueller and Felskau discuss the significance of Agnes's value as a marriage prospect, though it is important to note that they base their findings on hagiographic material taken out of its context. Felskau, *Agnes von Böhmen*, pp. 102–32; Mueller, *The Privilege of Poverty*, pp. 53–54.

³⁵ For discussions of virginity and chastity in male religious contexts, see in particular Katherine Lewis, 'Becoming a Virgin King: Richard II and Edward the Confessor', in *Gender and Holiness: Men, Women, and Saints in Late Medieval Europe*, ed. by Sam Riches and Sarah Salih (London: Routledge, 2002), pp. 86–100; Lewis, 'Male Saints and Devotional Masculinity in Late-Medieval England', *Gender & History*, 24 (2012), 112–133, esp. pp. 119–22; and Pat Cullum, "'Give Me Chastity'": Masculinity and Attitudes to Chastity and Celibacy in the Middle Ages', *Gender & History*, 25 (2013), 621–36.

³⁶ Caroline Walker Bynum, 'Women's Stories, Women's Symbols: A Critique of Victor Turner's Theory of Liminality', in *Anthropology and the Study of Religion*, ed. by Frank Reynolds and Robert Moore (Chicago: Center for the Scientific Study of Religion, 1984), pp. 105–25 (pp. 106–107). For Turner's theory on the liminal stage, see his *The Forest of Symbols: Aspects of Ndembu Ritual* (Ithaca, NY: Cornell University Press, 1967), pp. 93–111.

³⁷ Walker Bynum, 'Women's Stories, Women's Symbols', p. 110.

nudity: he takes off all of his clothes in court, a public arena, before the bishop of Assisi. Francis's act of stripping nude does not make him experience status reversal in becoming vulnerable simply because the act is a violation of social norms. It is especially poignant, and would have been so to a medieval audience, because of the symbolic meaning imbued in the clothing that he sheds: his family's wealth was based on his father's activity as a cloth merchant, so by removing his clothing he rejects both his father and his patrimonial link to worldly riches.³⁸ Following the liminal stage, Thomas of Celano does not reconcile Francis with his father and worldly value system, but instead integrates him into a new social order.³⁹

As Bynum demonstrates, Turner's theory applies well to men's experience. She argues, however, that medieval women's stories did not have such turning points. Turner's theory suggests that women's images and symbols should be suggestive of status reversal. For instance, a woman of aristocratic status would employ images of poverty at the liminal stage. However, she argues that biographical sources on female religious in the medieval period use images of typical women's experiences that are more indicative of continuity than reversal. Such enhancement of female imagery, then, does not demonstrate the elevation or inversion that should be expressed at the liminal stage of conversion. Instead, it serves to enforce the female role of the subject in question, 'so that one either has to see the women's religious stance as permanently liminal or as never quite becoming so'.⁴⁰ Bynum puts this down to the social imbalance between men and women during the late- medieval period; specifically, on women's reliance on their acceptance into male-imposed social structures.⁴¹ She gives an example from her interpretation of Clare of Assisi's early religious life:

Although Clare herself did manage to renounce her noble family, shedding her jewels and her hair, she was never able to live the full mendicant life she so desired. Her story is a complex one, but it seems that, fleeing family and a possible husband only to accept the leadership of brother Francis, she was led by Francis' rejection to accept enclosure, which she did not originally want.⁴²

Bynum's example is flawed in that there is no evidence, either in Clare's *vitae* or in non-hagiographical sources, to suggest that Clare was opposed to enclosure, or that she wanted to

³⁸ I discuss this in greater depth in chapter two, see pp. 104–106.

³⁹ Walker Bynum, 'Women's Stories, Women's Symbols', p. 110.

⁴⁰ Walker Bynum, 'Women's Stories, Women's Symbols', p. 108.

⁴¹ Walker Bynum, 'Women's Stories, Women's Symbols', p. 114.

⁴² Walker Bynum, 'Women's Stories, Women's Symbols', p. 114.

engage in mendicancy.⁴³ Bynum's choice to compare starkly the representation of male and female Franciscan experience thus weakens her overall argument by positing one model of conversion — which was designed to construct Francis as a charismatic founder — as an artificial male norm, against which she then judges female experience.

The Franciscan women who are examined in this thesis do, of course, continue to stress their ties to their spouses or male family members after conversion, and this was often due to the weakened legal status that they faced upon detachment from these men. For instance, Kinga and Jolenta were linked to the Piast dynasty not by blood but by marriage.⁴⁴ Following the death of their Piast husbands, their status within the regions in which they lived, Lesser and Greater Poland, was weakened. Alongside the necessity for these women to own property within these regions, it was most likely also necessary that they stressed ties to their dead husbands in order to strengthen the legitimacy of legal acts such as property transfer. As I discuss below, emphasising their marital bonds, or the status that their marriage afforded them, may have helped in turn to facilitate their Franciscan status by strengthening their claim to the lands that sustained the monastery's existence. However, not only are the case studies examined in this thesis unrepresentative of all Franciscan women, or all female religious, it is also the case that accounts of the male Franciscan experience of conversion do not provide the best point of comparison for female accounts of Franciscan experience. The men's ability to perform mendicancy and to access space outside of the cloister can only lead to male Franciscan experience being treated as the norm when Franciscan men's and women's lives are contrasted as starkly as in Bynum's analysis. This is not to say that Bynum is wrong in pointing out contemporary social inequalities between men and women; the reason that mendicancy was not a choice for women was, of course, because women were unable to escape patriarchal structures. But as Franciscan women could not choose

⁴³ Mueller has asserted convincingly that there is no evidence in Clare's writings to suggest that Clare was opposed to accepting enclosure. See Mueller, *The Privilege of Poverty*, p. 29. Chapter 5 of Rowan Williams' thesis on Clare's theology of personhood discusses how Clare envisaged her vocation as radical gospel poverty enacted within an enclosed space. See Rowan Williams, 'Mirror of Eternity: Image and Identity in Clare of Assisi's Theology of Personhood' (unpublished doctoral thesis, Cambridge, 2013), pp. 131–51.

⁴⁴ Elizabeth of Hungary was exiled from Thuringia after her husband, the landgrave of Thuringia, died. Elizabeth's weakened status left her vulnerable not only to abuse from her fellow countrymen, but, as Elliot has argued, to the harsh punishments of her confessor Conrad of Marburg, who assumed the type of power over Elizabeth that a husband would have been able to possess. See Elliot, *Proving Women*, pp. 92–95. Sébastien Rossignol has noted that Anna of Silesia was an exception to the rule, that she did not lose her authority after her husband died, most probably because authority of duchesses was beginning to enjoy greater recognition in the second half of the thirteenth century. See Rossignol, 'The Authority and Charter Usage of Female Rulers in Medieval Silesia, c.1200–c.1330', *Journal of Medieval History*, 40 (2014), p. 75.

mendicancy, in the strictest sense, or itinerancy in the first place, the way in which their moment of conversion was depicted would differ from that of a friar.

The difference between the representations of mendicant and contemplative religious lifestyles may make it impossible for us to draw gender-based comparisons between male and female Franciscan lives. But it is also wrong to insinuate that Francis's conversion is representative of all male Franciscan experience. Moreover, the differences between male and female forms of life did not preclude those who articulated these experiences from drawing on similar imagery to illustrate the rejection of wealth and status. Towards the end of her letter, Clare states that Agnes had given up her 'worldly riches' in favour of a life of poverty. As she knows that 'a person wearing clothing cannot fight with another who is naked, because the one who has something that might be grasped is more quickly thrown to the ground', Agnes has 'cast aside [her] clothing', or rather her 'worldly wealth'.⁴⁵ The metaphorical connection that Clare draws between clothing and temporal riches is reminiscent of the episode of Francis's renunciation in Celano's *Vita prima*, a text with which Clare may well have been very familiar. As discussed, the casting aside of clothing is one example of the status reversal that was laid out by Turner. As clothing is representative of Agnes's richness pre-conversion, nakedness, its opposite, is representative of Agnes's poverty. In becoming naked, even metaphorically, Agnes has experienced a typical reversal of status.

The rejection of luxurious clothing as a symbol of conversion and renunciation is not an uncommon trope in hagiography written on women or men of high status who became professed religious.⁴⁶ Agnes's hagiographer uses this trope also in Agnes's *vita* (written c.1318–1322). Flight and fleeing from the world are invoked by the author as metaphors for Agnes's conversion, and her setting aside rich clothing in favour of poor clothing is the central marker in this transition. As the author of the text was most probably a Franciscan friar or a Franciscan nun, and as those who provided the information for the narrative were Franciscan nuns, along with Agnes's living relatives, the rejection of clothing may have taken on a new, or renewed, significance given that they would have been aware of the hagiographic tradition of Francis of Assisi's conversion.

The final stage in Agnes's conversion is described by her hagiographer as follows:

⁴⁵ 'Credo enim vos novisse quod...vestitum cum nudo certare non posse...Ideo abiecit vestimenta, videlicet divitias temporales'. *Clare d' Assise: Écrits*, p. 88–90.

⁴⁶ For discussion of this trope within the context of Central-European female royal saints in particular, see Klaniczay, *Holy Rulers*, p. 239, p. 249, pp. 252–53.

rejecting the highest rank of royalty and holding all worldly glory in contempt, together with the seven noble virgins of her native country like an innocent dove from the deluge of the wicked world, flew into the ark of the religious state. When in the convent her hair was cut off and she laid aside her royal garments like Esther of old, she put on other garments suitable for weeping and mourning, in order to be like her mother Clare in her actions and in wearing a poor habit. Thus fleeing and going away from the hazardous storms of this world, she confidently fastened the anchor of her salvation to the rock which is Christ.⁴⁷

This passage is fascinating for a number of reasons. The Genesis metaphor seems to have been invoked for its specific eschatological overtone. The ark — in other words, the monastery — into which she flees from the flood — the world and her royal status— is neither heaven nor earth, but instead an arena in which she will attain salvation.

The author of Agnes's hagiography does not depict Agnes's conversion in the same way as the authors of Francis's hagiographies — if portraying Agnes stripping off completely in public was an option for her hagiographer, it was not one he choose to take— though the clothing itself is imbued with the same patriarchal and patrimonial values. Invoking the example of Clare, it is the change from rich to poor clothing that provides the most striking image of Agnes's conversion process. The exchange of clothing as a penitential act in itself, and as a metaphor for renunciation, would have been understood to have had more penitential value when performed by a royal convert, because they were exchanging the finest clothing for the most simple. It is pertinent that, alongside Clare's hagiographic conversion, the author also references the passage in the Book of Esther in which the Old Testament queen changes into poor clothes as a way of humiliating herself before praying.⁴⁸ It could have been that the actions of Esther simply provided a useful metaphor for the replacement of rich with poor clothing, but it is more likely that the author was employing a biblical queen as an exemplar in order to illuminate as clearly as possible the type of sacrifice that Agnes as a royal woman was making. Clare of Assisi's hagiographer emphasises that Clare was from the Italian high nobility in order to demonstrate the penitential value of her conversion, but Clare did not

⁴⁷ 'spreto regni fastigio et omni gloria contempta, cum septem nobilissimis regni sui uirginibus ut columba innocua de diluuio nequam seculi ad archam sacre religionis conuolauit. Cumque in monasterio crinibus tonsis uestes regias deposuisset, fletibus et luctui, ut Hester altera, apta uestimenta suscepit, quatenus Clare matris sue pauperi se habitu conformaret et gestu Sicque elongauit fugiens a periculosis huius mundi procellis et salutis sue anchoram supra petram que Cristus est fiduciliter collocauit.' *Vita Agnetis*, p. 107. English translation in *The Legend of Blessed Agnes of Bohemia*, p. 148.

⁴⁸ Esther 14. 2.

enjoy royal status, so Agnes's hagiographer may have felt the need to select a role model from Agnes's social rank. The hagiographer therefore did not choose examples from just any famous professed religious who shared Agnes's gender, but was careful to use models that reflected appropriately Agnes's status. Clare's change of clothing is used by the author as a model for Agnes's, as Clare shared the same spiritual vocation as Agnes, but the author necessarily modifies the example with that of someone who shared the same social rank as Agnes.

In her second letter to Agnes, written between 1235 and 1238, Clare places less focus on Agnes's conversion and greater focus on her 'heavenly status'. She does, however, rely on Agnes's earthly status in order to emphasise the heavenly, and in doing so demonstrates how both can co-exist in Agnes's identity. In writing this letter, Clare did not address her correspondent in accordance with her familial ties as she did in her first letter. Instead, Agnes is placed first and foremost within a heavenly family:

To the daughter of the King of kings, handmaid of the Lord of lords, most worthy bride of Jesus Christ and, therefore, very noble queen, the Lady Agnes.⁴⁹

As Mueller has noted, Clare makes it clear that Agnes's nobility is derived from her betrothal to Christ, not from her royal bloodline.⁵⁰ By pointedly attributing Agnes's nobility to her relationships with her spiritual family, she was implying that it did not originate from another source: her blood ties to the Bohemian royal family. In order to do this, however, she had to recognise that Agnes was part of a royal family. As Clare's salutation challenges Agnes's status by ranking her earthly bloodline below her heavenly 'bloodline' in terms of importance, it necessarily plays on the royal status that Agnes held on earth.

Clare used a similar technique when composing the *salutatio* of her third letter to Agnes, which she wrote in 1238. Her greeting reads thus:

⁴⁹ 'Filiae Regis regum, ancillae Domini dominantium, sponsae dignissimae Iesu Christi et ideo reginae praenobili dominae Agneti.' *Clare d' Assise: Écrits*, p. 92.

⁵⁰ Mueller, *Clare's Letters to Agnes*, p. 62, n. 4.

To Agnes, most venerable lady and sister in Christ, deserving of love before all other mortals, sister of the illustrious king of Bohemia, but now [‘sed iam’] sister and bride of the most high King of the heavens [...] ⁵¹

Again, Clare elevates Agnes’s relationship with Christ above her earthly familial ties without suggesting that she has severed these ties. She is the sister of the king of Bohemia — this is a statement in the present tense — and she is also the sister and the bride of Christ. It is Clare’s careful use of ‘sed iam’ that gives precedence to Agnes’s relationship with Christ within the *salutatio*, without wholly negating her relationship with her brother, who is honoured in accordance with his rank.

Her approach to the salutation of the third letter does, however, differ from her second letter in that she makes an explicit reference to Agnes’s brother. It is interesting that she made the decision to do this after not referring to any of Agnes’s family by royal designation in her previous letter. Considering Clare’s letter as part of a dialogue with Agnes might help to explain this choice. Although Agnes’s side of the nuns’ correspondence has been lost, there is extant a charter issued by Agnes in 1245, in which she styles herself as ‘disciple of Saint Francis [and] sister of the king of the Bohemians’.⁵² It might be the case that this was how she typically referred to herself, and therefore may have been how she styled herself in her letters to Clare. In the absence of evidence it is only possible to speculate, but Clare may have intended her salutation of her third letter to act as a reminder to Agnes that although her ties to a powerful family made it necessary for her to cite them in her title, she was now part of a new spiritual family. Whether Clare is deliberately playing on Agnes’s self-styling or not, however, it is clear that ‘sed iam’ gives a greater immediacy and greater substance to her spiritual relationship with Christ than her blood-relationship with her brother.

There are no sources for the Polish institutions that present narratives of conversion as rich as those that Clare created for Agnes. However, by examining how the prominent women that were associated with these institutions were addressed in the extant source material, it is possible to get a sense of how those associated with the communities under examination treated the social status of the convert. Similarly to the way in which Clare and the papacy treated Agnes’s status, those who wrote about the royal women who joined the communities

⁵¹ ‘In Christo sibi reverendissimae dominae ac prae cunctis mortalibus diligendae sorori Agneti, illustris regis Bohemiae germanae, sed iam summo caelorum Regi sorori et sponsae [...]’ *Clare d’ Assise: Écrits*, p. 100.

⁵² ‘...discipula Sancti Francisci, soror regis Boemorum’. CDB, IV, p. 155.

of Zawichost/Skała, Wrocław, Stary Sącz, and Gniezno associated the women simultaneously with their royal and Franciscan statuses.

Salomea of Cracow is most commonly identified according to her former status as Queen of Halych, accompanied by her religious status and occasionally also her relationship to the writer. In a 1257 charter in which he gives some property to the Zawichost hospital Bolesław V refers to Salomea as the ‘spouse of Christ our sister, former Queen of Halych, Sister Salomea of the aforementioned monastery [the monastery of St Francis at Zawichost] and order’.⁵³ Pope Alexander IV addresses Salomea as his ‘beloved daughter in Christ, sister Salomea, former Queen of Halych’.⁵⁴ Salomea too addresses herself on one occasion as being of ‘the order of St Clare’ and as ‘former Queen of Halych’, adding also that she is the ‘daughter of the most serene prince of happy memory, Leszek, Duke of Cracow and Sandomierz’.⁵⁵

As Salomea had lost the position in 1219 when Halych fell to Mstislav of Novgorod, a long time before she became a nun, Salomea’s designation as former Queen of Halych does not appear to have been used as a way of narrating her renunciation of that status, but instead as a mark of prestige. Those who wrote to or about Salomea thus most probably referred to her as a former Queen of Halych as a way of affirming her social status rather than disassociating her from it. Salomea’s self-styling as the former Queen of Halych and daughter of Leszek I, alongside identifying as a member of the order of St Clare, demonstrates that Salomea did not reject identification with her family as a method of renouncing the world. Similarly to Agnes, Salomea could be identified according both to her religious and social statuses.

The ‘next generation’ of nuns who inhabited the monastery after Salomea’s death in 1268 are never referred to according to any current or former social status. This is the case for all of the other monasteries under examination, aside from the monastery of St Clare at Wrocław. Although the nuns at Wrocław are never addressed according to their social status in charters or papal bulls, the chronicle known as the *Notae Monialium Sancte Clare Wratislaviensium*, written in the first half of the fourteenth century and discussed in greater detail in the previous chapter, describes the social ties of some of the monastery’s abbesses

⁵³ ‘Sponsae Christi germanae nostrae, quondam Galitiae Reginae, sorori Salomeae Monasterii et Ordinis praedictorum’, BF, II, p. 66.

⁵⁴ ‘Dilecte in Christo filie, sorori Salomee, regine quondam Galicie’. KDM, I, p. 56.

⁵⁵ ‘Nos Soror Salomea ordine sancte Clare de lapide sancte Marie, quondam Galicie regina, filia serenissimi principis bone memorie Lestconis, Cracouie et Sandomirie ducis’. KDM, I, p. 90.

and one nun who was buried in the monastery. The familial connections of the first abbess, Vriderunis, and its fourth abbess, Jutta Polona, are not outlined in the chronicle.⁵⁶ The chronicle tells us, however, that Wrocław's second abbess, Jadwiga, was the daughter of Duke Henry II of Wrocław, and its third abbess was the daughter of Henry, Duke of Głogów.⁵⁷ Sister Ofca, a nun who was buried in the monastery along with the first four abbesses, is the daughter of Przemysł I of Greater Poland.⁵⁸ The chronicle's recognition of the nuns' ties to the Piast dynasty ensured that the Piasts to whom they are linked were remembered in the community's prayers, and also increased the prestige of the monastery as a Piast institution.

Before discussing the lay religious women, it is useful here to discuss the portrayal of Anna as a pious donor in her *vita*, and how this is used to promote Wrocław as a stronghold of Piast sanctity. Anna's *vita* provides an interesting point of contrast with the *vitae* of the other women because hers does not appear to have been submitted for canonisation, which affects the way in which Anna's penitential acts are framed. Anna's *vita* was likely read only by the nuns of the community and was thus most probably meant to establish Anna as the nuns' chosen founder while also acting as a reminder to the nuns that, because she was a generous donor, they had to pray for her. As the nuns and the author of the text understood one of these gifts to be the monastery itself, Anna's acts of penitence made the walls of the monastery themselves purer and therefore enhanced the spiritual identity of the institution. The other *vitae* would, of course, have had this effect, particularly in contexts where their subjects were understood to have been the founders or donors of the monasteries with which they were associated, but it does not appear to have been their main purpose.

The list of Anna's pious acts in her short *vita* legitimised her role as donor and imbued her gifts with greater holiness. Most likely because Anna was characterised predominantly as a pious donor in her *vita*, it is her imitation of St Hedwig of Silesia in the text that provides a framework for her acts of renunciation. Hedwig also features in Agnes's *vita*, as Agnes is schooled at Trzebnica, and in Salomea's as a friar, named Bogufał, gives a

⁵⁶ MGH SS, XIX, p. 534. As far as I am aware, these women were not linked to any prominent families of which we currently know.

⁵⁷ The chronicle does not mention that Anna of Silesia was Jadwiga's mother, despite describing Anna as founder in the same text. MGH SS, XIX, p. 534.

⁵⁸ MGH SS, XIX, p. 534.

sermon on Salomea on the anniversary of the translation of Hedwig's relics.⁵⁹ The opening line of Anna's *vita* reads:

Most blessed Anna, after she entered the land of Poland, thus appeared subordinate and obedient to St Hedwig in all things, and, as it was the custom that the wives of dukes were accustomed to sit a little higher at the table, holy Anna, who was the lawful daughter of the King, was at no time upset that she took up an inferior position before all others and she thus appeared as a familiar to St Hedwig, as if she was conscious of all the secrets of her sanctity.⁶⁰

As the text was not submitted as part of an effort to canonise Anna, it does not incorporate the typical preamble that was often included in saintly *vitae*, such as a statement of humility on the part of the author or a passage that extols the subject's royal bloodline. The reader is immediately introduced to Anna as a figure who is related to Hedwig. As Hedwig was, like Anna, a member by marriage of the Silesian branch of the Piast dynasty, stressing Anna's relationship with Hedwig secured Anna's place, and the place of the monastery by extension, as an important vestige of Silesian dynastic piety.

It is interesting that, in the extant evidence at least, Anna's former marriage to Henry I of Silesia is never invoked as a way of enhancing her present or former social prestige.⁶¹ Kinga is addressed in 1281 by Bishop Paweł I of Cracow as 'Lady Kinga, once duchess of Cracow and Sandomierz, now a sister of the order of St Francis'.⁶² The formulation used in Paweł's charter is similar to that which is used in Clare's second letter to Agnes, where Clare states that Agnes is the 'sister of the illustrious king of Bohemia, but now ['sed iam'] sister and bride of the most high King of the heavens'.⁶³ The important difference between the two is that where Clare was playing on Agnes's current social status in a way that subordinated it to her religious status, Paweł was referring to a status that Kinga no longer held, but which

⁵⁹ Klaniczay, *Holy Rulers*, p. 222. *Vita Salomeae*, p. 791.

⁶⁰ 'Anna beatissima, postquam intravit terram Polonie, sancte Hedwig in omnibus ita subdita et obediens extitit, et, sicut mos erat, quod uxores ducum ad mensam altius sedere solerent, sancta Anna, licet filia regis fuerit, nunquam inde turbata fuit, quod pre ceteris inferius consedit et sancte Hedwigi ita familiaris extitit, quod omnium quasi secretorum sanctitatis eius conscia fuit'. *Vita Annae*, p. 657. On the relationship of the women in the *vitae*, see Klaniczay, *Holy Rulers*, p. 241, and p. 256.

⁶¹ Again, as Rossignol has pointed out, this may have to do with the growing recognition in Silesia of the legislative authority of duchesses. Rossignol, 'The Authority and Charter Usage of Female Rulers in Medieval Silesia', p. 75.

⁶² 'domine Kunegundi, quondam ducisse Cracouie et Sandomirie, nunc vero sorori ordinis sancti Francisci'. KDM, II, p. 150.

⁶³ *Clare d' Assise: Écrits*, p. 100.

added to her social prestige in the same way that referring to Salomea as a former Queen of Halych did.

The widowed status of both Kinga and Jolenta is invoked in a number of documents associated with these women. Kinga styles herself on two occasions, in a charter of 1288 and a charter of 1289, as the ‘widow of Bolesław [...] former duke of Cracow and Sandomierz’, and a ‘lady of Stary Sącz engaged in divine service under the order of St Francis’.⁶⁴ In a charter issued by Mściwój II in 1285, Duke of Pomerania, Jolenta is referred to as ‘widow of the former renowned prince of happy memory lord Bolesław, duke of Poland’ and states that she had ‘received the habit of the *religio* of the order of Friars Minor’.⁶⁵ As Kinga and Jolenta were linked to the Piast dynasty by marriage rather than blood ties, it was important that these links were stressed as without them they had no legitimate social status within the region in which they lived. These women’s Franciscan and royal statuses therefore not only co-existed, but it is likely that the women’s ability to live as Franciscans in their adoptive regions was reliant on their ties to their husbands. Their titles ensured the security of their property within the regions in which they lived, including the land on which their monasteries were built. In addition, it was the connection between these institutions and the Piast name that secured the monasteries’ longevity, as it was in the spiritual interest of the dynasty’s members to ensure that the institutions did not fall into ruin. The women may well have needed to stress their ties to their dead husbands not only in order to secure the legitimacy of their residency in their new homelands, but also to ensure the safety and viability of the arenas in which they carried out their religious vocation.

Whether the Franciscan converts who were linked with the Přemyslids or Piasts were nuns or lay sisters, it is clear that their familial links were not seen as having been in any way contradictory to their identification as Franciscans. Descriptions of the liminal stage in these women’s conversions reverse the elements of their subjects’ worldly statuses that were incompatible with their new status. This is perhaps an obvious point, but as the women’s links to their families were compatible with their new status, those who recorded their liminal experiences would not have employed images of status reversal that signalled their rejection

⁶⁴ ‘nos Kunegundis [*sic.*], relicta serenissimi principis Boleslay, bone memorie quondam ducis Cracouuiensis et Sandomiriensis, domina de Sandech, sub ordine Sancti Francisci diunis manicipata obsequijs’. KDM, II, pp. 171–72. See also KDM, II, p. 173.

⁶⁵ ‘relicte quondam incliti principis felicis recordacionis domini Boleslai ducis Polonie...recepto habitu religionis Ordinis fratrum Minorum’. KDW, I, p. 519.

of family. Total rejection of family was not part of their penitential model. That a female model of liminal experience differed from a male model does not mean, as Bynum argued, that women were unable to experience a full conversion; representations of Francis and Clare's liminality were not characteristic of the experiences of all Franciscan men and women. Moreover, being of different genders and social statuses, Francis and Clare were portrayed as atoning for different sets of sins. The worlds that they were trying to reject were not the same and they did not reject these worlds in the same way; therefore, their experiences of liminality were not the same.

Though women rejected elements of their royal status, not all of the elements which made up this status were seen as too worldly to pollute their new, otherworldly status. There was no need to portray the women as having rejected the facets of their royal status that were unproblematic. And due to the prevalence of the cult of the *beata stirps*, for instance, the women's social status could support and enhance their spirituality. In the case of Agnes, even when her familial status was being rhetorically manipulated by Clare in a way that placed her status on earth below her heavenly status, her royal and religious statuses were still able to co-exist in Clare's letters. Moreover, Agnes did not have to renounce her familial ties in order to renounce the world. For all of the royal converts, it is clear that their royal status supported their Franciscan identities. Wrocław's institutional prestige was strengthened by the familial bonds that its abbesses shared with the Piast dynasty, and the invocation of these bonds in the *Notae* benefitted the abbesses' prominent family members as they inscribed these subjects into the convent's memory. As non-blood members of the Piast dynasty, the legitimacy of Kinga and Jolenta's status as lay Franciscan sisters in the Polish duchies relied on their marital ties to the Piasts. These women's links to their royal families was thus never an obstacle to their Franciscan identities or contradictory to it, but very much a part of it.

IV.3 Religious as donors

Unlike their familial connections, the nuns did renounce their individual will over property upon taking their vows. In some ways this makes it difficult to account for the extant evidence that demonstrates instances in which they exercise this will. In 1268, Salomea of Cracow issued a will in which, due to the nature of the document, she showed a great deal of concern over what would happen to the property she had donated to the monastery of St Clare at Skala — where the community of nuns at Zawichost had moved due to Mongol incursions

— after her death. Kinga and Jolenta too donated property after becoming lay religious sisters, though as it is harder to determine what form of life they were following, it is also difficult to tell whether their donations would have been seen as problematic in any other context. Kinga gave away her own property as gifts while identifying herself as holding a religious status. Jolenta of Poland also became a Franciscan lay sister at Gniezno after her husband had died in 1279 — though it is less obvious as to whether she became a lay sister immediately after his death or later on — and, curiously, re-gifted property that had been given to the Gniezno monastery. All three women are held up as professed religious, and their concern over their donations are not treated as having been problematic.⁶⁶

In her will, issued on 30 August 1268, Salomea explains that after her death, the estates and other moveable items ‘pertaining to my monastery [‘meum monasterium’] of St Mary of Skąła’ should be placed ‘under the power and management of the Lady Abbess and community of this monastery’.⁶⁷ The ecclesiastical goods — ‘relics of the saints, chalices of gold and silver, crosses, thuribles, tablets and painted images, church ornaments multiple and precious, chasubles, stoles, maniples, [and] albs’ — that Salomea had given to the monastery, however, were not to be placed under the control of the abbess or community and the community were not to ‘sell, exchange, or alienate’ the goods. These were not goods that she currently held, but which she had already given up, most likely on becoming a nun. Instead, these items were to be placed under the power of another nun in the monastery, also called Salomea, who would be responsible for their preservation.⁶⁸ They were only allowed to separate the goods from the monastery in order to alleviate their poverty, or to repair the monastery should it have been damaged, and only then after seeking the counsel of the Friars

⁶⁶ In addition to this, as part of their administrative role as abbesses, Agnes and Salomea both partook in monetary transactions. Moreover, the abbesses of the Polish communities are involved in landed transactions surrounding the placement of their monasteries’ lands under German law.

⁶⁷ ‘Volo enim, quod omnes ville ad monasterium meum de Lapide sancte Marie pertinentes, cum omnibus rebus mobilibus sint in potestate et dispositione domine Abbatisse et conventus eiusdem monasterij’ KDM, I, p. 92. Interestingly, this contrasts with the account of Salomea’s bequest of all of her property to the abbess in her death scene in her *vita*: ‘In the name of the Lord! All that I have, whether I possess duly or not duly, if I live or if I die, I resign everything into the hands of the abbess.’ *Vita Salomeae*, p. 780 (my translation).

⁶⁸ ‘Res vero alias, quas ad honorem dei et sanctorum eius et ad decorem domus dei comporau[i] [sic], nolo esse sub potestate Abbatisse et conventus ipsius, prohibens firmiter sub atestacione diuini iudicij, ne eas vendant, commutent uel quolibet alio modo a monasterio predicto alienent, sed Soror Salomea, quam ad conseruacionem predictarum rerum iudicau[i] esse ydoneam, cui ipsas custodiendas committo, bona fide et diligenter eas custodiat et conseruet. Sunt autem huiusmodi Res: Relique sanctorum, Calices aurei et argentei, Cruces, thuribula, Tabule et ymagine depicte, ornatus ecclesie multiplex et preciosus: in Casulis, Stolis, Manipulis, Albis, et in alijs ornamentis varijs existens, que per singula explicare non expedit propter nimiam numerositatem que omnia predicta soror Salomea, quam ad conseruacionem predictorum iudicau[i] ydoneam ut predictum est, diligenter et sine aliqua distractione ea conseruabit’. KDM, I, p. 92.

Minor.⁶⁹ The will also mentions ‘books, as much as choirbooks as those pertaining to study’, which Salomea had given to Borzysław, the lector of the monastery, during her lifetime. After the death of Borzysław, these books and choirbooks were to be ‘conferred, for use, to the brothers’ who administered the sacraments to the sisters, and who, presumably, were from the Friars Minor.⁷⁰

Given that Skała was a Franciscan monastery and Salomea a Franciscan nun, the will may seem problematic for a number of reasons. Even though it was written after Urban IV had issued his new rule for the Order of St Clare, which did not demand absolute — both individual and communal — poverty from its adherents, the fact that Salomea exhibits concern over her individual property would ostensibly have stood at odds with the vow of individual poverty to which Urban’s rule required her to adhere. The formula ‘*meum monasterium*’ also has proprietary overtones, especially given that Alexander IV had considered her to be responsible for the construction of the Skała monastery. But her use of this phrase demonstrates that she did not see it as violating her form of life, and if anyone else, her notary, for instance, found it problematic then we do not have any evidence of their unease. The will does not convey any sense that she was deviating from an established ‘norm’.

The will should therefore be read by us on its own terms, without us bringing any of our own prejudices to it. When we do take the source on its own terms, it helps to shed light on contemporary pressures that formed Salomea’s identity as a Franciscan nun. Salomea’s prime concern in the will was the legal and physical positioning of property that she had donated to the Skała monastery. It is important to bear in mind that she had already given up the property in question; the will does not concern property that she held currently. Salomea’s concern centres on the fact that she gave these goods to the monastery for the purposes of

⁶⁹ ‘*Hoc excepto, quod si sororibus meis karissimis per incendium aut per hostilem insultum in rebus domus aliquod dampnum contingeret, quod tunc ad reparacionem domus et ad sue paupertatis subluamen aliquas de predictis, quas uoluerint, possint uendere et distrahere de consilio fratrum minorum discretorum*’. KDM, I, p. 92.

⁷⁰ ‘*Libros autem tam chorales quam ad studium pertinentes, et eos quos pro fratre Borizlao Lectore comparau, post decessum ipsius conferre fratribus ad usum, qui circa predictas Sorores meas karissimas morabuntur et eis diuina ministrabunt sacramenta*’. KDM, I, p. 92. It is interesting here that the person who was to exercise ownership over the books after Borzysław’s death is left unclear. If they were to be used by the friars, presumably they were to fall into the papacy’s ownership. As Borzysław was probably a friar himself, it seems unlikely that he would have exercised ownership over the books. It is possible that the monastery was to continue to own the books, and had owned the books while they were being used by Borzysław. This seems odd in the case of the books that were intended to be used by the friars for study, though, as this could suggest that the friars came to the women’s monastery to study. Perhaps the monastery exercised ownership over the books from a ‘distance’ by keeping the books in the men’s monastery; this way, they could retain their links to Salomea and still be used by the friars.

benefitting her in the afterlife. She would, therefore, have been anxious to ensure that the property that she had renounced on becoming a nun could benefit her after she had died. Salomea's renunciation of goods as a donor had value as a penitential act, but the goods themselves had longer-lasting penitential value as physical reminders of her renunciation. They provided concrete reassurance to Salomea that the Skala community would engage in commemorative prayer for her soul after she died, and the possibility that they might be removed from the community would therefore probably have been very troubling for her.

It is worth discussing briefly the way in which Salomea's role as a donor is portrayed in her *vita*, written in c.1290 and therefore just over twenty years after Salomea died. The way in which acts of renunciation are depicted in Salomea's *vita* are less dramatic than those outlined in Agnes's *vita*, but the way in which they are deployed suggests that the hagiographer wanted to tie her status as a donor to her status as a professed religious. After narrating the death of Salomea's husband, Kálmán, the author of the *vita* states that Salomea joined the Order of St Clare. After her conversion, 'the humble queen lived' for twenty-eight years 'in devout prayer, in the performance of exemplary acts, in generous almsgiving, in the construction of churches, and the reform of cloisters'.⁷¹ The hagiographer appears to be creating a model of dynastic Franciscan conversion in which donation and profession can be linked inextricably. In the hagiographer's mind, Salomea's pious acts of donation were as much a marker of her conversion as her adoption of the habit and her devout prayer. It was possible for Salomea to fulfil both roles.

Kinga too showed concern over the property that she had donated to the monastery of Sary Sącz, and her status as a semi-religious is invoked in an episcopal charter in which her concern over the property that she had donated to the Sary Sącz monastery was also addressed by the bishop. We first learn that Kinga had taken on some form of religious status in a charter of 1281, in which the Bishop of Cracow, Paweł z Przemankowa, referred to Kinga as a 'soror ordinis sancti Francisci'.⁷² This is similar to the way in which Kinga styled

⁷¹ 'Que XXVIII annis castis viceribus in devotis oracionibus, in exemplaribus demonstracionibus in elemosinarum elargacionibus, in ecclesiarum constructionibus et in coenobium reformationibus tamquam regina humilis vixit'. *Vita Salomeae*, p. 779.

⁷² KDM, II, p. 150. Confusingly, Roest states that Kinga and Jolenta were both elected abbesses a few years before their deaths. He does not provide evidence for this, and I am yet to find any evidence that would substantiate this claim. Roest, *Order and Disorder*, pp. 148–49. For Bishop Paweł's relationship with the Sary Sącz community, see Barbara Kowalska, 'Biskup krakowski Paweł z Przemankowa a klasztor klarysek w Starym Sączu', in *Zeszyty Historyczne*, ed. by Marka Cetwińskiego, Prace Naukowe Akademii im. Jana Długosza w Częstochowie, 10 (Częstochowa: Akademia im. Jana Długosza w Częstochowie, 2009), pp. 29–42.

herself in her own charters. In two charters that she issued in 1288 and 1289, she styles herself as being ‘sub ordine sancti Francisci divinis mancipata obsequiis’.⁷³ In another, issued also in 1289, she states that she is of the ‘ordinis sancti Francisci’.⁷⁴ It is very unlikely that Kinga was a nun, as other nuns at Sary Sącz refer to themselves, and are referred to by others as, being of the ‘ordinis sancte Clare’. Although the regularity of the designations that were given to women who held the same status as Kinga is not conclusive proof that Kinga was not a nun, it seems more likely that she was a lay sister of some kind.

The 1281 charter details the settlement of a conflict between Kinga and Leszek II, who became the high Duke of Poland after the death of Kinga’s husband Bolesław V in 1279.⁷⁵ The conflict first comes to light in a charter issued by Leszek in 1280. Leszek states that he would no longer disturb, inflict or injure the lands of Sary Sącz or Biecz. It is not possible to tell from the charter whether Leszek tried to take the land because he felt that he had a claim to it or not. In the charter in which Paweł referred to Kinga as being of the ‘order of St Francis’, he also confirmed Kinga’s donation of the lands of Sary Sącz and thirty estates associated with it to the monastery, and states that Leszek would not be permitted to infringe these lands. If the construction of this monastery offended Leszek, and he wanted titular jurisdiction over these lands as well as Biecz and Korczyn, he would have to pay twenty thousand marks of cast silver for the right to the lands.⁷⁶ If Leszek chose to ignore these orders, the bishop promised that he would defend the monastery against Leszek.⁷⁷ Whether the issue of this charter indicated that Leszek had chosen to continue to hassle Sary Sącz after he had promised not to do so, or whether Paweł was just ensuring that Leszek would not do so in the future is unclear.

⁷³ KDM, II, p. 171–72 and p. 173.

⁷⁴ KDM, II, p. 175.

⁷⁵ The conflict seems to have been so severe that it gained a place in Kinga’s *vita*. See *Vita Kyngae*, p. 717.

⁷⁶ ‘Notum sit vniuersis[...]quod nos Paulus Dei gracia episcopus Cracouiensis, venerabili domine Kunegundi, quondam ducisse Cracouie et Sandomirie, nunc uero sorori ordinis sancti Francisci, moti zelo iusticie promissimus bona fide, dominum Lestconem ducem Cracouie et Sandomirie tam per nos quam per amicos inducere consilio, monitis et racionibus, ut ipse predictam dominam Kunegundim ab edificacione claustrum pro sororibus ordinis s. Clare non attemptet impedire, quod videlicet claustrum eadem domina dotauit suo teloneo de Sandecz et triginta villis ibidem situatis, et ut donaciones, quas ipsa post mortem mariti sui domini Boleslai ducis quondam felicis memorie pro suis suorumque utilitatibus fecit, non infringat et infringi non permitat. Si autem huiusmodi structura claustrum ipsi domino Lestconi duci supradicto non placeret, extunc pro omnibus possessionibus seu hereditatibus, que ipsam dominam pertinent, et pro dominio tum castellaturis videlicet Sandecz, Biecz et Chorczin, uiginti millia marcarum fusi argenti titulo redempcionis eidem domine ipse dux assignabit’. KDM, II, pp. 150–51.

⁷⁷ ‘Si uero sepredictus dux L. nullam predictarum ordinacionum uellet admittere, extunc nos una cum amicis nostris iusticiam ipsius domine contra quemlibet hominem uel personam constanter promittimus deffensare’. KDM, II, p. 151.

When compared with other transactions in which Kinga and also Jolenta were involved, Paweł's charter provides an insight into the agency that Franciscan semi-religious felt that they were able to exercise over their donations to their own communities. Like Salomea, Kinga was able to be associated with property that she had donated to the Sary Sącz monastery, and to demonstrate concern that it might be taken away from the community. Unlike Salomea, however, Kinga and Jolenta both gave property away to people outside of the community. In 1292, Kinga gave some land to her chaplain Bogufał who, interestingly, was not a Franciscan friar but a canon of Sandomierz.⁷⁸ The land does not appear to have been given to Bogufał in exchange for money, but is a gift. Similarly to some other charters that document donation, the charter does not invoke a 'pro anima' clause, but as Kinga does not receive anything in return it was clearly meant to be a gift. That Kinga had personal land, separate from that which belonged to the monastery, to give away to people outside of the community while she was a semi-religious member of the community demonstrates how Kinga's status differed from a fully-professed member of a female Franciscan community. Salomea and Agnes sold property on behalf of the community, but we do not have any evidence to suggest that they retained any of their own property, which they could then give to people living outside of the community. Salomea's will demonstrates that she was able to retain control over the future of the property that she had donated to the monastery, but it was property that belonged to the monastery. It may have been the case that Salomea or Agnes, for instance, did have access to their own property and the evidence for this simply has not survived. But given that they were not supposed to hold property as individuals, this is unlikely.

We do not have any evidence for the community of St Clare at Gnienzo that uses the same formula as the evidence for Kinga's donation to Bogufał; however, in 1294, Jolenta obtained permission from Mściwój II, duke of Pomerania, to give the estate of Bruzdewo to the archbishop of Gniezno, an estate which Mściwój had given to the Gniezno community in 1285. Jolenta too is described in this charter as having taken the habit of the Order of the Friars Minor. This is worth mentioning in part because, in a similar way to the evidence for Kinga's donation of land to her chaplain, this transaction demonstrates that lay sisters could legitimately donate land to people who lived outside of their communities.⁷⁹ But Jolenta's gift differs from Kinga's because not only is it a re-donated gift, it is also framed as Jolenta's

⁷⁸ KDM, II, pp. 183–85.

⁷⁹ Borkowska suggests that this might also indicate that Jolenta had taken on the role of prioress, though it is important to note that she is never described as such. Borkowska, 'Fundacje kościelne', p. 96.

donation when, in actual fact, the land belonged to the community. Mściwój's 1294 charter tells us that Jolenta wished to donate Bruzdzewo to the archbishop for the health of her soul, and to 'claim eternal life and heavenly joy through all good works'.⁸⁰

It is unclear as to why Jolenta chose to donate Gniezno's property to the Archbishop in particular. What Mściwój's charter does tell us is that it was perceived, by the duke at least, as permissible for Jolenta as a semi-religious Franciscan subject to alienate property from the monastery, in order to engage in a gift transaction in part for her own spiritual benefit. This does not, of course, mean that other members of the order would have tolerated this degree of involvement in property; indeed, there may be evidence that is now missing to suggest that Jolenta and other women who became involved in proprietary exchange faced reproach from the order's government.

In the context of the area examined in this thesis, the base of evidence that would allow us to ascertain meaningfully what the differences were between the way in which nuns and lay sisters functioned as donors is too small. However, there are some important patterns across the evidence for Salomea, Kinga, and Jolenta's donations that illuminate the motives behind acts of donation by royal women in Bohemia and the Polish duchies who held some form of religious status. The evidence shows that the women were responding to a range of socio-religious pressures and reveals how each woman felt they could act in the situation with which they were faced. What is constant in all of the evidence is the pressure exerted on the women by the ideal of the sacred exchange in which they had participated, and how this interacted with other social and political burdens that they had to confront. Although they may have renounced their property, in full or in part, on becoming professed religious, it was evidently necessary for the women to make efforts to ensure that the property was closely identified with them even after they had converted, or to donate earthly property with which they were still associated. In doing so, they had to demonstrate concern over property, but the process by which the property was reconceptualised as a gift imbued it with spiritual significance that removed any problematic 'earthly' connotations of property. The transformation of the meaning of property through the process of gift exchange created a context in which Franciscan women's involvement with gift-property could not have been conceptualised as contrary to their vocation.

⁸⁰ KDW, II, p. 88. See also Borkowska, 'Fundacje kościelne', p. 95.

IV.4 Negotiating Franciscan status and involvement with property and money

The act of donation forced the donor to maintain their concern over their property even after they had given it up. In order to ensure that the monastic community to which they had donated the property would remember to pray for their souls, it was necessary that the gift remained in close proximity to the community. The pressure placed by the dynamic of sacred exchange on the souls of those with property to part with it meant that it was not unusual for nuns who were benefactors to show anxiety over the property that they had renounced, even after their conversion. Concern over their gifts was not an act that was foreign to the nuns' Franciscan identities, but very much a part of them.

Not all of the records that detail the nuns' or lay sisters' involvement with property were, however, framed as spiritual transactions *pro anima*. Both monastic communities and those from outside of the monastery who entered into transactions with professed religious well knew, as Bouchard has argued, the difference between gift exchange and other types of transaction.⁸¹ This means that they were not simply disguising the property transaction as a gift. Silber also explains that all parties involved in the transaction would have understood that these other transactions did not disrupt the spiritual lives of the monastic community.⁸²

This is not to argue, of course, that other transactions were free of spiritual significance. If a monastery was not, for instance, large enough to accommodate all of the nuns in its community, the options available to those who governed the monastery were limited. They could either expand the monastery and, in doing so, become involved in transactions involving property and money, or leave it alone and run the risk of the nuns' spiritual duties being compromised due to inadequate resources. Nuns performed their penance, in part, by inhabiting uncomfortable living conditions; however, if they were starving or too cold to enact their vocation then the efficacy of their prayers would deteriorate. Participation in exchanges involving goods and money often helped to safeguard the nuns' position within the framework of the society to which they belonged.

A papal bull issued to Prague in 1237 helps to illustrate the necessity of the nuns' health to their ability to function as intercessors, and the relationship between the structures that were introduced to mediate these concerns and the types of penance that determined their

⁸¹ Bouchard, *Holy Entrepreneurs*, pp. 76–77.

⁸² Silber, 'Gift-giving in the Great Traditions', p. 219.

identities as Franciscans.⁸³ The bull granted the abbess of the monastery, in consultation with the community's visitor, permission to relax the constitutions in the nuns' form of life that concerned the adoption of poor dress and observation of fast days.⁸⁴ A preoccupation with ownership in Franciscan studies can blind us to some of the other penitential practices that signified renunciation within Franciscan communities. Unfortunately, we are afforded very little insight outside of normative and hagiographic documents into how these acts were carried out within the dynastic communities under examination in this thesis. It could be the case that all of the communities followed their constitutions to the letter without question. Evidence for how these practices were carried out within individual communities would only be available if a community wanted to break or to seek clarification of these rules; if they asked the pope or another of their religious guardians to relax or explain a certain statute, or if a religious guardian of theirs had reprimanded them for deviating from a statute.

It is possible, however, to use the 1237 bull to discern the importance that was attached by the Prague community to the restriction of food and renunciation of rich dress in relation to their Franciscan vocation. At that time, the nuns followed the form of life that had been drawn up and issued to them by Gregory IX. This form of life prescribed the following strictures for fasting:

[T]hey should fast at all times, abstaining on Wednesdays and Fridays outside of Lent from fruit or vegetables and wine, unless a principal feast of some saint occurs and should be celebrated on those days. If fresh fruit or vegetables are available on these Wednesdays and Fridays, they should be served to sustain the sisters. But they should fast on bread and water for four days a week during the greater Lent, and for three days a week during the lent of Saint Martin. They may also do this of their own free will on all solemn vigils.⁸⁵

⁸³ In reference to a Cistercian monk, Baldwin, who had worked himself so hard that it drove him to attempt suicide, Caesarius of Heisterbach warns monks against excessive penance. See Caesarius of Heisterbach, *Dialogus Miraculorum: Volumen Primum*, ed. by Joseph Strange (Cologne, Bonn, and Brussels: J.M. Heberle, 1851), pp. 212–13.

⁸⁴ CDB, III, p. 190.

⁸⁵ 'Ieiunandi autem haec observantia teneatur, ut omni tempore ieiunent quotidie, quarta quidem et sexta feria extra quadragesimam a pulmento et vino pariter abstinentes, nisi praecipuum festum alicuius Sancti in eis occurrerit celebrandum. In quibus diebus, quarta scilicet et sexta feria, si poma aut fructus vel herbae crudae adfuerint, reficiendis sororibus apponantur. In quadragesima vero maiori, quatuor diebus; in quadragesima autem sancti Martini, tribus diebus in hebdomada, in pane et aqua ieiunent; et omnibus vigiliis solemnibus, si de ipsarum fuerit voluntate'. *Escritos*, p. 223. Translation in Armstrong, *Clare of Assisi*, p. 94

The form of life added that sisters who were very young, old, or ‘debilitated physically or mentally’ were not bound to follow this regime.⁸⁶ It did not, however, take into consideration the problems that might be introduced by intemperate climates. The strictures regulating the nuns’ clothing did take weather into consideration to a greater extent than those which governed fasting, but only accommodated for hot weather:

[E]ach one may have two tunics and a mantle besides a hair shirt or a woven one if they have it, or one of sackcloth. They may also have scapulars of smooth, religious cloth or of woven cloth if they wish, which are of fitting length as the nature and size of each one demands. They should be clothed in these when they are working or doing something which they cannot fittingly do wearing a mantle. If they wish to have the scapulars together with the mantles, or even wish to sleep in them, they are not prohibited from doing so. They can be without them sometimes, if it seems fitting to the Abbess, when perhaps because of excessive heat or the like they are too heavy for the sisters to wear.⁸⁷

The abbess was also permitted to absolve the community from wearing the scapular altogether if it proved to be a point of contention.⁸⁸

This prescribed diet, however, proved too restrictive and the nuns’ clothing too thin for the Prague community to cope with the low temperatures brought by the Central-European winters. The 1237 bull stated that because of the ‘excessive cold and inclemency of the air’ in Prague, it was not possible for the nuns to observe the form of life in its entirety. The bull allowed the nuns to wear pelts for warmth and to refrain from fasting on bread and

⁸⁶ ‘Hanc autem ieiunii et abstinentiae legem adolescentulae vel anus et omnino corpore imbecilles ac debiles omnino corpore observare minime permittantur, sed secundum earum imbecillitatem tam in cibariis quam ieiuniis’. *Escritos*, p. 223.

⁸⁷ ‘De indumentis autem hoc observetur, ut unaquaeque duas habeat tunicas et mantellum, praeter cilicium vel stamineam, si habuerint, sive saccum. Habeant et scapularia de levi et religioso panno, vel staminea, si voluerint cum mantellis, vel etiam iacere cum ipsis, minime prohibentur. Possunt et sine ipsis esse aliquando, si visum fuerit abbatissae, cum forte propter calorem minimum vel aliquid aliud eis gravia multum fuerint ad portandum.’ *Escritos*, p. 224. Translation in CAED, p. 80.

⁸⁸ ‘Quod si praeceptum hoc, de scapularibus scilicet deferendis, tam grave fortasse visum fuerit aliquibus vel molestum, quatenus ad illud suscipiendum nec inclinari valeant nec induci; patienter cum eis super hoc dispensetur. Quae vero suscipiunt, multum honestius agunt et multo plus nobis placent, et Deo multo magis ex hoc illas credimus complacere’. *Escritos*, pp. 224–225.

water on designated fast days if the abbess permitted them to do so.⁸⁹ The justification provided by the bull is that the ‘service which a creature ought to offer the creator should be reasonable’.⁹⁰ In other words, the sisters’ fasting and the discomfort that they faced due to the cold would have acted as a distraction from performing their penitence.

Given the significance of the adoption of poor clothing, or wholesale renunciation of clothing as a marker of status in both dynastic and Franciscan spiritual traditions, the adoption of fur might seem to contradict the nuns’ vocation. In Agnes’s *vita*, having been motivated by the traditional apostolic imperative to sell all one’s property and distribute it to the poor, the hagiographic Agnes

immediately ordered her gold and silver, as well as her splendid gowns and various ornaments to be sold and distributed to the poor, wishing through their hands to exchange her possessions for heaven.⁹¹

Here the motif of the sacred exchange is invoked directly and the author refers explicitly to the intercessory role of the poor, though the poor do not receive spiritual benefit from this exchange themselves. In this passage, it is her clothing and ‘ornaments’ along with her gold and silver that is symbolic of the problematic worldly possessions that she needs to exchange for heavenly treasures. For Agnes’s hagiographer, clothing often acts as the main representative of the material world, and the moment of her admission into the monastery of Franciscan nuns at Prague uses her shedding of rich clothing as a metaphor for her rejection of the world. Similarly, in Kinga’s *vita*, while Kinga does not undergo one clear moment of conversion, there are a number of instances in which she divests herself of the richer vestiges of her earthly status. Before making a ‘profession to the rule of blessed Francis’ — an act which, interestingly, occurs in the *vita* even before the point in the narrative where her

⁸⁹ ‘Monialibus inclusis monasterii sancti Francisci Pragensis, ordinis sanctii Damiani. Cum, sicut fuit propositum coram nobis, propter nimium frigus et aeris intemperiem non possitis in omnibus asperitates ordinis sustinere, nos quia rationabile decet esse obsequium, quod creatura debet impendere creatori, presentium vobis auctoritate concedimus, ut super eo, quod secundum statuta eiusdem ordinis in pane et aqua certis diebus ieiunare debetis et usu calciamentorum et pellium ac propter debilitatem relaxando continuo ieiunio, ad quod tenemini iuxta statuta predicta [...] abbatissa monasterii vestri de visitatoris consilio valeat, prout expedire viderit, dispensare.’ CDB, III, p. 190.

⁹⁰ ‘quia rationabile decet esse obsequium, quod creatura debet impendere creatori...’. CDB, III, p. 190. Translation based on that which is provided by the *Epistolae* database. See ‘A Letter from Gregory IX, Pope (4/9/1237)’, *Epistolae: Medieval Women’s Latin Letters* <<http://epistolae.ccnmtl.columbia.edu/>> [accessed 22 August 2015].

⁹¹ ‘Mox ergo aurum et argentum iocalia quoque preciosa ac ornamenta diuersa iussit distrahi et pauperibus dispergi, cupiens facultates suas per eorum manus in celestes thesauros deportari’. *Vita Agnetis*, p. 106. Translation in the *Legend of Blessed Agnes of Bohemia*, p. 147.

husband dies — she gives her crown to the crucifix in a nondescript church.⁹² This act was not only intended to be symbolic of the hagiographic Kinga's rejection of her status, but an indication that she found greater inspiration in the celestial kingdom than in her earthly one.

Clothing, and the exchange of rich for poor clothing, was an apt metaphor for the rejection of the world not only because of its significance within the Franciscan hagiographic tradition, but because it was such a prominent marker of status both visually and tangibly.⁹³ The adoption of poor, rough clothing had penitential value for those who did it as an act of bodily mortification, and we see Agnes perform this act of penitence even in the earliest stages of the *vita*, where she secretly wears poor clothing under her finest garments in order to signify that she resisted worldly things even before she joined the Franciscan order.⁹⁴ Similarly, Kinga, in imitation of the virgin martyr St Cecilia, is described as having worn a horse hair garment under her rich clothing, which caused her body to bleed.⁹⁵ Kinga's hagiographer also portrays her as having adapted her clothing to 'cope' with changes in temperature: 'For in the time of winter she persisted in prayer clothed in only a cloak. In the time of spring and heat, she would subdue her body in rough clothes'.⁹⁶ The exchange of rich for poor clothing in hagiographic *vitae* acted as the clearest marker of the sharp descent in a subject's status. It was an act which best conveyed to the reader the transformation in how the subject looked and felt, and thus how great their penitential act of renunciation was.

The subjects of hagiographic *vitae* might be concerned also with introducing markers of worldly status into otherworldly spaces. Before entering the closed-off space in which Hedwig listened to mass, Anna

⁹² 'Et in quocunque clenodio aut veste commendabatur, totum illud Deo dedicabat ita, quod eciam quandam coronam, quam ad ecclesiam transeundo ferret, illico ipsam de capite suo deponens pro fabrica sancte crucis assignavit.' *Vita Kyngae*, p. 697. Kinga's exact religious vocation is uncertain in the *vita*. At the beginning of the *vita* it states that she lived 'under the habit and rule of St Clare' ('sub habitu et regula sancte Clare'), which indicates that the hagiographer thought that she was a nun. *Vita Kyngae*, p. 683. At the point of the text in which places her crown on the crucifix, however, it states that she took the 'habit and cord' of the Friars Minor. *Vita Kyngae*, p. 697.

⁹³ Klaniczay, *Holy Rulers*, p. 239.

⁹⁴ *Legend of Blessed Agnes of Bohemia*, p. 145.

⁹⁵ 'Nam cum sericeis ac purpureis in domo socrus sue vestibus tegetur, ipsa autem intus ad carnem more sancte Cecilie de pilis equinis veste asperrima coxas corporis tegebat, quod quasi omni nocte corpusculum suum tenerrimum cruentum reddebat.' *Vita Kyngae*, p. 690.

⁹⁶ 'Nam tempore hiemali sola clamide amicta in oracione persistebat. Tempore autem veris et estus, veste asperrima et pellibus corpus suum domabat'. *Vita Kyngae*, p. 697.

took off all of her ornaments, and everything that she was wearing of silk and purple, during mass and fashioned herself in all holiness like St Hedwig[...]neither did she wear tight sleeves.⁹⁷

Though it is not articulated explicitly in the text, Anna here is portrayed as being averse to the contamination of the otherworldly with the worldly. In order to be allowed into this sacred space, Anna physically rids herself of everything problematic related to her high status and the most prominent example of this would have been clothing: ornaments, silk, purple dye, tight sleeves. In addition to being symbols of high status and therefore inappropriate in the context of a practice in which the wearer was supposed to demonstrate their humility to God, presumably the way in which these items felt to the wearer would have distracted them from intense contemplation, either through being heavy or too sumptuous. Although Anna has not, at this point in the text, adopted formally a semi-religious life, she is aware of what she needs to reject in order to enter an otherworldly space.

These kinds of moments were created by hagiographers, however, to emphasise starkly the penitential process; the difference in how a person looked and felt on assuming poor clothing.⁹⁸ The 1237 bull that was issued to Prague demonstrates that the nuns' guardians could adapt the constitutions followed by the community to make the constitutions accommodate for geographic peculiarities. Created on the premise that it would add greater spiritual efficacy to the nuns' penitential routine, the adaptation demonstrates that the normative texts were not inflexible.⁹⁹ In the bull, Gregory's form of life acts as a centripetal force in the construction of the community's identity as a member of the larger order, as the bull's author acknowledged the form of life as a frame of reference in which other factors that shaped the nuns' identities — geographic circumstances, in this case — could be placed. These other elements could put pressure on the wider framework of the order's identity and redefine its boundaries, and that they did so did not weaken the nuns' Franciscan identity, particularly as the community recognised their acknowledgement of the constitutions as a central part of their membership of the order.

⁹⁷ 'Quando vero missa celebratur, sancta Hedwigis velo circumdabatur et nullus permittebatur interesse, nisi sola sancta Anna, que etiam omnia ornamenta sua deponerat infra missam et in omni sanctitate conformabat se sancte Hedwigi et quidquid portabat de serico et purpura ita amplum semper formari fecit, ut aptum esset ad officium altaris, nec strictas manicas portabat'. *Vita Annae*, p. 657.

⁹⁸ Klaniczay, *Holy Rulers*, p. 239.

⁹⁹ In addition, one of the reasons that religious orders held General Chapters was to address and negotiate any points of contention that arose from adherence to the normative texts.

The eschatology of the sacred exchange meant that renunciation of things deemed worldly, whether they related to property or to physical comfort, had to be carried out in a way that worked for the salvation of the soul undertaking the penitential practice of renunciation. The bull suggests that afflicting the body with too much harm was not beneficial to this exchange, and would compromise rather than reinforce the elements of the women's Franciscan identity that were concerned with privation.¹⁰⁰ It also demonstrates that the nuns themselves were aware of the constitutions that tied them to their religious identity and were concerned about following them properly. It is helpful to bear this in mind when examining the sources that detail the nuns taking part in transactions involving property or money in which they show no concern at all that their actions might offend their professed vocation. Viewing these transactions in relation to sources in which the nuns do show concern over violating their form of life helps to demonstrate why our default interpretation of these transactions should not be to mark them out as a sign of laxity or decline. If the nuns believed there to be a reason that their involvement with property might contradict their vocation, they would have enquired about it.

There is evidence associated with the Prague monastery that details the nuns' involvement with property transactions while asserting their Franciscan status, although it is slim. Perhaps because of the carefully crafted arrangement which allowed the hospital of St Francis at Prague to hold property on behalf of Prague's community of Franciscan nuns, there is more evidence extant for the hospital's involvement with worldly communities than the monastery. As the previous chapter discussed, the few gifts that were given to the monastery — a number of precious liturgical goods donated by Wenceslas I to the community — were intended for use only by the sisters; it does not appear that they were supposed to exercise ownership over the items, even as a community.¹⁰¹ The focus on use in the charter which details this donation may, however, have had more to do with the function of the gift than the specific religious vocation that had been chosen by the sisters. As the gift had been given for the health of Wenceslas' soul, it was important that the community remembered Wenceslas as a donor. The use of the donor's gift provoked the nuns into remembering the donor, and thus remembering to pray for him. The nuns were not otherwise meant to be involved with the property in any way.

¹⁰⁰ Indeed, one of the criticisms that was levelled at the male Franciscans was that their vow of poverty was simply far too difficult to observe. See David Burr, *Olivi and Franciscan Poverty: The Origins of the 'usus pauper' Controversy* (Philadelphia: University of Pennsylvania Press, 1989), p. 156.

¹⁰¹ See pp. 158–159 of this thesis.

In the case of Prague, this understanding seems not to have applied to instances in which improvements needed to be made to the monastery. Architectural historians have noted that the Prague monastery went through a process of expansion from around 1238, and have commented on the impressive structure of the complex, the ornate decoration of the buildings, and the luxuriousness of the objects that they housed.¹⁰² At the beginning of its life, the monastery comprised the church of St Francis and six interlinked chambers to the north side of the church, including a dormitory, a refectory and a chapter house. During the next phase of construction, which is thought to have been initiated in 1238, the monastery was developed into a much larger complex of buildings. The monastery itself gained a cloister, a kitchen, and a private oratory for Agnes. The church was expanded to include a presbytery and a chapel dedicated to the Virgin Mary. The complex also gained a claustral building that would house the Friars Minor; the second cloister of the Friars Minor in Prague. As there was an existing community of male Franciscans in Prague, scholars have postulated that this new community was installed for the express purpose of providing pastoral care to the nuns.¹⁰³

As mentioned in the introduction to this study, Benešová has noted the incongruity between the grandeur of the monastery complex and the efforts of Agnes's family to secure the absolute poverty of her community over the course of the 1230s.¹⁰⁴ A charter issued by Agnes in June 1245 states that she sold the neighbourhood of Přeštice, which had been given to the Prague monastery by Wenceslas, to the church of Kladruby for 1200 marks.¹⁰⁵ We are able to learn a little more about the circumstances surrounding Wenceslas's initial acquisition of Přeštice from a charter issued, again, in 1245 by Kunegund of Swabia (c.1200–1248), to

¹⁰² Soukupová, *The Convent of St. Agnes of Bohemia*, p. 10, pp. 19–20, p. 23; Helena Soukupová, 'Relikviáře z kláštera blahoslavené Anežky v Praze na Františku', *Památky a příroda*, 13 (1988), 395–400; Sasse, 'Das Doppelkloster' p. 221–22; Benešová, 'Les Religieuses de la famille royale', pp. 775–82.

¹⁰³ Sasse, 'Das Doppelkloster', p. 221; Soukupová, 'Relikviáře z kláštera blahoslavené Anežky v Praze na Františku', p. 397.

¹⁰⁴ Benešová, 'Les Religieuses de la famille royale', p. 778. See also pp. 145–51 of this thesis for discussion of Agnes's family's attempts to preserve the poverty of the Prague monastery.

¹⁰⁵ 'Notum igitur sit omnibus Christi fidelibus tam futuris quam presentibus, quod ego Agnes, discipula sancti Francisci, soror regis Boemorum, circuitum quendam nomine Preschtiz, qui a fratre meo domino Wenczelao, rege Boemorum, ad edificationem domus sancti Francisci [sic], in qua ipsa constituta sum, collatus erat liberaliter, ecclesie Cladorubensi pro mille ducentis marcis vendidi' CDB, IV, p. 155.

whom Wenceslas was married.¹⁰⁶ The charter details exactly the same transaction as Agnes's; however, the language used gives the transaction greater legal clarity than Agnes's does, and it also bears the royal seal. It tells us that Přeštice was ceded to the crown when its previous owner died heirless. Wenceslas then gave the land to Agnes and the other sisters, 'with permission to sell to raise the structures of the church and the cloister and for any necessities'.¹⁰⁷ In Roman civil law, ability to sell land constituted one of the three elements that formed full dominion; the other two being use and fruits.¹⁰⁸ The charter does not provide any information as to the date upon which the land was returned to the crown, but it does tell us that the land was given directly to the nuns, who had the agency to sell the land; an agency that, as Agnes's charter reveals, they chose to exercise.

If the land had indeed been sold for the purpose of using the revenue to expand the monastery, the evidence given in this charter would seem to support Benešovská's thesis that the monastery's expansion contradicted the efforts made by Agnes and her family to preserve the absolute poverty of the Prague monastery. The previous chapter demonstrated that Wenceslas played a significant role in assuring that the monastery was allowed to be connected juridically to the hospital of St Francis, in such a way that the community were able to access the necessities that they needed to function without being tainted by the ownership of property.¹⁰⁹ Wenceslas's endeavour appears to stand at odds with his mandate that the sisters had the right to sell land. However, Agnes's charter does not give any indication that she saw the combination of the two as an incongruity. In Agnes's charter, Agnes is styled as 'Agnes, disciple of St Francis, Sister of the King of the Bohemians'. Not only does this exemplify Agnes's status as an individual who was comfortably both a member of the Bohemian royal family and of the Franciscan order, it suggests that Agnes did

¹⁰⁶ There are numerous legal weaknesses in Agnes's charter. It lacks named witnesses, calling instead upon the collective witness of the other sisters at the monastery and the brothers of the monastery of Friars Minor at St Jacob, 'testimonium advocans cunctarum sororum mearum fratrumque Minorum omnium de sancto Jacobo tam presentium quam futurorum'. In addition, it did not receive a date from a notary. CDB, IV, p. 155. On comparison with Kunegund's charter, we also discover that Agnes omitted the fact that the marks given as payment for the land were silver marks, 'marcis argenti', and that it was not the church but the abbot and the brothers of the monastery of Kladruby, 'venerabili viro Reinherio, abbati Cladrubensi, et fratribus ibidem domino deo famulantibus', to whom Přeštice was being sold. CDB, IV, p. 174. That this charter is addressed directly to Kladruby might indicate that the abbot appealed for a second charter of greater legal coherency after being issued with Agnes's charter.

¹⁰⁷ 'Notum siquidem facimus praesentibus et futuris, quod, cum Swatobor, nobilis suppanus, carens heredibus decessisset et omnia praedia sua coronae regiae cessissent iure exigente principum antiquorum, quae praedia dilectus dominus et maritus noster Wenceslaus, dei gratia illustris rex eiusdem regni, charissimae sorori suae et aliis sororibus ad sanctum Franciscum domino deo famulantibus contulit cum licentia vendendi ad structuram ecclesiae et ad claustrum et quaevis necessaria elevanda'. CDB, IV, p. 174.

¹⁰⁸ Inst 2.5 pr. and Inst 2.5.1, in *Corpus Iuris Civilis*, I, p. 14.

¹⁰⁹ See pp. 150–57.

not view her ability to engage in monetary transactions as contradictory to her Franciscan identity, perhaps because the need to develop the monastery was a more pressing penitential concern. This would likely have been a point of contention with some groups of Franciscans, had they known about it, but what is important here is Agnes's own conception of her vocation and identity. Kunegund's charter too states that the nuns were 'serving the Lord God at St Francis'.¹¹⁰

The links made by Agnes between herself and Francis as spiritual leader, or by Kunegund between the community and Francis as dedicatee is more than enough proof to suggest that they saw their ability to sell property as being able to co-exist with their Franciscan identity. Agnes saw neither the assertion of her dynastic identity nor her direct involvement with money as contradictory to her Franciscan identity. Moreover, the efforts made by donors to ensure that the nuns were not juridically linked with property, and the community's concerns about breaking fast days and wearing fur are not opposed to their having the ability to sell property. The fact that the nuns and their benefactors were anxious about transgressing what they perceived to be the norms of the nuns' vocation in these instances indicates that they would not have engaged in, or involved the nuns in, other types of transaction if they did not feel comfortable doing so. To this it should be added that the expansion of the monastery to accommodate the needs of the nuns was, in itself, an important spiritual endeavour. Expanding the monastery was an act that was similar to the papacy's relaxation of the community's constitutions regarding fasting and dress; if the nuns were living in inadequate conditions, it meant that they could not carry out their spiritual roles as Franciscans.

For the years during which the community resided at Zawichost and Skala, there are a number of documents that give some insight into the administrative structures of which the Zawichost/Skala/Cracow community became a part, and which allow us to explore the relationship between the women's administration, their earthly property, and their Franciscan identities. The first, a papal bull issued by Alexander IV on 30 March 1257, charges the Franciscan provincial minister of Polonia with appointing a person to establish the number of nuns who were living at the monastery, the amount of resources that they had, and their costs

¹¹⁰ CDB, IV, p. 174.

and expenditure.¹¹¹ Alexander's appeal to the provincial minister demonstrates where the community fit within Franciscan administrative structures; in attempting to organise the administration of the women's community, the first person to whom Alexander takes recourse is the provincial minister of the Friars Minor. This bull is particularly interesting because Alexander states that the monastery at Zawichost 'abounds in temporal things'.¹¹² In this bull, Alexander was appealing to a person who exercised a high degree of administrative importance within an order which held up absolute poverty as one of its main tenets, about a community which would have in theory been following absolute poverty. The ease with which the bull invokes the 'temporal things' in which the monastery 'abounds' suggests that the involvement of the monastery with 'temporal things', in the eyes of the papacy at least, was not unusual. The fact that the pope was appealing to the provincial minister of the Friars Minor suggests that the women were seen as part of a Franciscan administrative network, and thus had cultivated an identity that warranted its inclusion in this network.

It might be argued that the papacy's appeal to the provincial minister of Poland is not based on an understanding that the Zawichost monastery formed part of such an administrative structure or that the women held, or desired to hold, any sort of Franciscan identity, but that it was simply part of an effort by the papacy to incorporate the mass of women who wanted to pursue life as a professed religious into the male orders for purposes of securing the *cura monialium* from these orders. The need to ensure that the Zawichost community was properly cared for must have been an important factor in the papacy's decision. But this does not at all negate the fact that the women also identified themselves as part of a Franciscan order. In another early bull associated with Zawichost, this time issued directly to Salomea, Alexander grants Salomea's request that her monastery have a confessor from the Friars Minor specifically.¹¹³ Salomea's desire to ensure that she was able to give confession to someone from her chosen order is most probably indicative that she wanted her confessions to be dealt with in the way that was most spiritually effective.¹¹⁴ It also perhaps shows a concern of hers to secure her community's links to the Franciscan order. The bull

¹¹¹ KDM, I, 56. Interestingly, it is Alexander's papacy, not the Franciscan regional minister, who set the number of nuns who were allowed to reside in the Wrocław monastery. He caps their numbers at forty. SUB, III, p. 217.

¹¹² 'in temporalibus abundare'. KDM, I, p. 56.

¹¹³ 'Devotionis tue supplicationibus inclinati, quod monasterii tui claustro inclusa, aliquos ex fratribus minoribus honestos et providos ad te vocare valeas, cum videris expedire et pro salute anime et alias honeste sanis eorum consiliis tua communicare secreta; continua constitutione dicti ordinis non obstante, auctoritate tibi presencium indulgemus.' KDM, I, p. 56.

¹¹⁴ It is also important to note that, as Elliot has argued, adherence to sacramental confession in the wake of Lateran IV was one of the surest proofs of orthodoxy. See Elliot, *Proving Woman*, pp. 9–43.

demonstrates that the choice to appoint pastoral and administrative carers from the Friars Minor did not only reflect the papacy's need to ensure that communities of female religious were adequately regulated, but also Salomea's desire to ensure that her confessor conformed to the type of spirituality that she herself had chosen.¹¹⁵

It is interesting to observe how the Zawichost community asserted their identity after moving to Skąła in order to avoid the Mongol incursions, as the surviving documentation regarding this concerns the women's property. The general supposition in scholarship is that the community received intelligence about a Mongol incursion, prompting them to move to Skąła. This hypothesis is supported by a bull issued to Salomea by Alexander on 6 August 1260, which states that they had moved to Skąła because 'the sisters [...] were not able to remain there [in the monastery at Zawichost] without grave personal danger on account of the Tartar [Mongol] incursions'. The purpose of the bull was to reinstate all of the indulgences that the community had enjoyed prior to their move. It explains that they had moved to an area known as 'the stone of St Mary', which was also located, like Zawichost, in the diocese of Cracow. Although they had moved location, the community's religious affiliation remained the same; Salomea is referred to as belonging to the 'Order of San Damiano'. The bull also implies that Salomea was viewed as having been responsible for the construction of the new monastery, which also, like the Zawichost monastery, had an adjoining hospital.¹¹⁶

In response to the hardship that they faced in the wake of the Mongol attack on the monastery, the Skąła community asked the pope for permission to hold possessions as a community. Seven days after the papacy confirmed the Zawichost community's privileges on their relocation to Skąła, Alexander issued a bull, this time addressed to the Skąła community as a whole, that gave the community permission 'to receive and to retain possessions',

¹¹⁵ In 1258, the provincial minister of Polonia seems also to have been given the responsibility of organising the visitation for the women at Zawichost. It is important to exercise caution when examining this bull in particular, because Alexander refers to Salomea as having been a 'queen of Hungary', a title that she never held. The notes accompanying the edition of the text do not suggest that there is evidence of forgery, so it may simply have been a curial mistake. KDM, I, pp. 62–63.

¹¹⁶ 'Sane te nobis accepimus intimante, quod cum olim quoddam Monasterium ordinis sancti Damiani in loco de Zawinchest et Hopsitale de bonis propriis pietatis intuitu duxeris construenda, tandem considerans, quod sorores in Monasterio ipso degentes non poterant ibidem propter Tartarorum incursus absque gravi personarum periculo remanere, quoddam aliud Monasterium in loco, qui Lapis sancte Marie uulgariter nuncupatur, Cracouiensis diocesis, cum Hospitali pro evitando huiusmodi periculo construxisti.' KDM, I, p. 66. 'Skąła' can be translated into English as 'stone', 'rock', or 'lapis', hence why it is referred to as such occasionally in Latin documents.

because of the impoverishment that the community faced as a result of the Mongol attacks.¹¹⁷ The bull, in which the women are referred to as being of the ‘Order of San Damiano’, suggests that the reason that the women appealed for this permission was because they felt that to receive property would be to go against their customs. As we learned from previous bulls that Zawichost’s abundance of temporal goods was mentioned openly by the papacy, this bull suggests perhaps that the women were asking permission ‘to receive and to retain’ possessions themselves as a community, rather than using another juridical body — the papacy — as a proxy. Given that the bull does not go into this level of detail, it is only possible to guess at the reason why the women were asking permission to receive possessions. However, in whatever way this arrangement was new to the community, the bull demonstrates that they were able to receive possessions and still refer to themselves, and be referred to, as belonging to the Order of San Damiano.

If the community at Skala saw their reception and retention of property as being in any way contrary to their form of life, this was soon to change. In 1263, three years after the sisters had moved from Zawichost to Skala, Urban IV issued a bull to all of the nuns who claimed affiliation with the Franciscan order. The bull, entitled *Beata Clara*, orders that the various groups of female religious who had previously been referred to as ‘Sisters, other times Ladies, often [as] nuns, sometimes as the Poor Enclosed of the Order of San Damiano’ should be referred to henceforth as the ‘Order of St Clare’, and follow one rule, which Urban outlines within the bull.¹¹⁸ One of the contentious differences between this rule and the form of life that had been issued to the Franciscan women in their entirety by Innocent IV lies in how they articulate the observation of poverty. Innocent IV’s form of life states that the sisters should follow the Rule of St Francis ‘with respect to [...] obedience, the renunciation of property in particular, and perpetual chastity’.¹¹⁹ The form of life then goes on to reiterate that the sisters should ‘observe this law of life and discipline, living in obedience, without

¹¹⁷ ‘Ex serie uestre petitionis accepimus, quod gentis immanitate tartaree [*sic.*] gregem christiane religionis in regione Polonie persequente, multiplices defectus in uestris necessitatibus, solitum a christi fidelibus illarum partium nequeuntes habere subsidium, necessario sustinetis. Ne igitur quod absit, circa nutrimenta corporum oportuno uobis deficiente suffragio, ad illa querenda uos adeo sollicitudo compellat, ut interdum diuinum obsequium impediri contingat, uestris supplicationibus inclinati, ut quascumque possessiones ad uos largitione fidelium legitime prouenturas et alias, quas iustis modis dante Domino poteritis adipisci, licite recipere ac receptas retinere, non obstante aliqua constitutione contraria libere ualeatis, auctoritate uobis presentium indulgemus’. KDM, I, pp. 66–67.

¹¹⁸ ‘In hoc autem Ordine, vos et alias ipsum profientes sub nominationum varietate, interdum Sorores, quandoque Dominas, plerumque Moniales, nonnumquam Pauperes Inclusas Ordinis Sancti Damiani[...]Nos itaque[...]decreuimus Ordinem Sanctae Clarae, uniformiter nominandum’. *Escritos*, pp. 334–35.

¹¹⁹ ‘Quapropter, dilectae in Domino filiae, quia divina uobis gratia, inspirante, per arduam viam et arctam, quae ad vitam ducit, incedere elegistis, uestris piis precibus inclinati, beati Francisci Regulam quamtum ad tria tantum, videlicet, oboedientiam, abdicationem proprii in speciali et perpetuam castitatem’. *Escritos*, p. 242.

anything of one's own, and in chastity'.¹²⁰ This is the formula that is used at the beginning of the approved Rule of St Francis, referred to in scholarship now as the *Regula bullata*. Urban IV's rule omits Innocent's first injunction, only including the extract from the *Regula bullata*.¹²¹ Where Innocent indicated that the nuns should follow the precepts regarding ownership in the *Regula bullata* — which specified that the friars were to own property neither individually nor in common — Urban's rule only indicated that the sisters were to live *sine proprio*. This places emphasis on individual poverty, but does not preclude the sisters living in communal poverty. He does not put forth any other injunctions regarding property in his rule, which suggests that he wanted to allow the communities of the 'Order of St Clare' to determine the degree of poverty that they wished to observe.

But although there may have been no formal attempts to establish the monastery as juridically poor after this time, the community was still regarded as part of an order that was regarded as having a spiritually poor identity. In 1265, Clement IV issued a bull to the order of Franciscan women in their entirety stated that the women were not bound to paying taxes to the legates and nuncios of the Apostolic See.¹²² Although the monasteries of the Order of St Clare held 'various properties', they were exempt from paying taxes 'or contributions or other subsidies' because their order was 'founded in poverty' and the women 'had devoted [themselves] to the Poor Christ'.¹²³ The bull therefore suggests that it was not seen as unusual that the women's houses owned property but retained their identity as a poor order. Moreover, as the bull was most probably a response to requests made by members of the order regarding the avoidance of tax, it is more than likely that the appeals made to the pope invoked the women's poor identity as a reason why they should not be taxed. The bull, then, gives an insight into how at least some of the women in the order viewed their status.

Even though the women's poverty exempted them from paying certain taxes, it did not seem to prevent them from receiving taxes from others. It is likely, in fact, that their poverty necessitated some form of outside income. In 1266, Bolesław commanded the town of Bochnia to pay one gold mark per year to the Skała monastery in addition to the one hundred marks of silver that Bolesław had already ordered Bochnia to pay to the Skała

¹²⁰ 'Omnes itaque, quae, saeculi vanitate relicta, religionem vestram assumere voluerint et tenere, hanc eas legem vitae et disciplinae oportet et convenit observare, vivendo in oboedientia, sine proprio et in castitate.' *Escritos*, p. 243.

¹²¹ For Urban IV's rule see *Escritos*, pp. 333–42.

¹²² KDM, I, p. 86.

¹²³ 'quod licet quam plura Monasteria vestri ordinis varia possessiones obtineant, idem tamen ordo in paupertate fundatur, vosque voluntarie pauperes christo pauperi deservistis'. KDM, I, p. 86.

community.¹²⁴ It does not appear that this injunction was met with any resistance, or that the nuns' receipt of money was seen as problematic. That the community's receipt of money would have involved the nuns' juridical involvement with money does not seem to have been conceptualised as a problem, as in 1266, Salomea bought, using silver, the estates of Bonowice and Sietejów from Bolesław, and the estate of Baranów from Kinga.¹²⁵ Salomea's involvement with money might offend historical narratives that denounce the involvement of money as a distinctly 'un-Franciscan' act. But it is not an act which Salomea saw as contrary to her identity. In the charter, she refers to herself as the 'humble handmaid of Christ' and a 'sister of the Order of Saint Clare'.¹²⁶ This is reminiscent of Agnes's self-styling as a 'disciple of St Francis' in a charter that detailed her attempt to sell property in exchange for money. Neither nun saw their involvement with money or property as contrary to their Franciscan identities.

The community at Wrocław, as the previous chapter discussed, played an important spiritual role as the recipient of their patrons' property. Given that the women played this role, it is tempting to suspect that the communities were simply vehicles for their rich donor's salvation and that they were not concerned with the internal life of their monastery. However, the sisters' own concern over their adherence to the enclosure of their monastery demonstrates that their receipt of property was not a result of their lack of awareness of the form of life that they were meant to follow, and that they did not simply play passive roles as recipients in acts that would benefit their donors. Four bulls in total demonstrate that the sisters were aware of the significance of the strict enclosure under which they had been placed. The first three, all issued on 18 April 1258 and all addressed to the abbess and community of the monastery, are concerned with the friars' entry into the enclosed area of the monastery. One of these states that a brother from the Friars Minor was allowed to enter the enclosure with a companion in order to take care of the fabric of the monastery, whenever the need arose.¹²⁷ A second informs the sisters that the brothers were allowed to enter the enclosure in order to celebrate the divine office on the death of a sister.¹²⁸ The third allowed for the entry of a friar into the enclosure in order to hear confession, in the case that a sister was so severely ill that she

¹²⁴ KDM, I, p. 88.

¹²⁵ KDM, I, p. 87. This is perhaps because *Beata Clara*, the Urbanist rule, does not say anything about money.

¹²⁶ 'Humilis Ancilla christi Soror Salomea, ordinis sancte Clare de Lapide sancte Marie'. KDM, I, p. 87.

¹²⁷ SUB, III, p. 179.

¹²⁸ SUB, III, pp. 179–180.

could not make it to the grille, through which the friars were meant to hear the nuns' confession.¹²⁹ The fourth example is a bull issued to the sisters by Alexander IV in 1260, which stated the abbess of the Cistercian monastery at Trzebnica would be given the freedom to enter the nuns' enclosure on her visit to the Wrocław monastery.¹³⁰ The bull does not state the name of the abbess, but as Gertrude of Trzebnica, the daughter of Hedwig of Silesia, was the abbess of Trzebnica at the time it is likely that it was referring to Gertrude.¹³¹

The nuns' anxiety over the specific circumstances under which their enclosure might be violated indicates not only that they were aware that their form of life stipulated that there were very few instances in which others were allowed to enter their enclosure, but also that they knew these instances and realised that they would have to ask for special dispensations to allow for certain situations that were not covered by their form of life. The requests discussed above do not reflect the actions of a group of women who were indifferent to what happened to them, and who were not acutely concerned with their form of life. As we have seen in previous chapters, the nuns' vocation was based on their performance of poverty within an enclosed space, so their exhibition of concern over the violation of this space was hardly surprising, but it also demonstrates that they must have been aware of the details of their form of life. This indicates that the nuns did not see their association with property as having posed a challenge to the poverty that was outlined in their form of life, and that they were not just a conduit for their patrons' salvation but were a community that was dedicated to their Franciscan spiritual vocation.

As in the case of the Zawichost/Skała/Cracow community, there is also evidence to suggest that they were aware that they were part of a wider Franciscan movement. The monastery at Wrocław was incorporated into a Franciscan administrative network fairly soon after its inception. In 1258, the administration of the nuns of Wrocław was given to the provincial minister of the Friars Minor in Poland by Alexander IV.¹³² Alexander entrusted the provincial with the care, visitation, correction and reform of the monastery, and stated that

¹²⁹ SUB, III, p. 180.

¹³⁰ SUB, III, p. 222.

¹³¹ This is comparable to the dispensation granted to Queen Jadwiga by John XXII in 1321, which allowed Jadwiga to visit the monasteries of Stary Sącz and Gniezno in spite of *Periculoso* and the rules governing enclosure in the Franciscan nuns' rule. I discuss this on pp. 167–168.

¹³² SUB, III, pp. 178–79. This command is renewed in 1260, and in 1262. See SUB, III, p. 218 and p. 269.

the minister was to appoint another friar from the order to celebrate the divine office for the nuns and to administer the sacraments to the nuns.¹³³

That the papacy's strengthening of the place of the sisters within the order is not indicative simply of a marriage of convenience between the friars and the sisters is attested to by the sisters' awareness of the behaviour of other groups within the Franciscan order as a whole. A bull issued to the sisters in 1259, allowing the nuns at Wrocław to receive communion as often as the lay Franciscan brothers did, demonstrates the sisters' desire to conform to Franciscan spiritual models.¹³⁴ It is not possible to tell from the very short bull — phrased as a response made to a request by the sisters — where the lay brothers were located, what contact the nuns had with these brothers, or how the nuns had heard about the brothers' spiritual routine. As there is no evidence for a form of life that was followed by Franciscan lay brothers at this time, it is also a mystery as to whether the communion patterns of the lay brothers were outlined in a text with which the women were familiar, or whether they had learned of the lay brothers' arrangements through observations made by another party. The bull also does not state how often the sisters were now to receive communion, or how this amount differed from the frequency with which they received the sacrament before. What it does suggest, however, is that they were aware of the behaviour of the lay brothers of their own order, and believed that their spiritual lives could be improved by following an aspect of this behaviour. Again, this demonstrates that the nuns were not just passively subsumed by the papacy into the order as a whole, in which they would have their constitutions and behaviour dictated by the papacy, but that they saw themselves as part of a wider Franciscan movement and that they took an active interest in the development of their own spiritual careers as part of the order.

The Wrocław nuns' request to follow the form of life composed by St Clare also demonstrates that they took an active interest in the formal shape that their spiritual life was to have. The Wrocław community was given permission to follow the form of life in 1262, one year before Urban II issued the Order of St Clare in its entirety with a new rule. At that time, there were several forms of religious life in circulation, one of which was the form of life of St Clare. It is not clear from the text as to what the Wrocław community saw as lacking in Innocent IV's form of life, which they were most likely following before asking for Clare's. It might have been the case that they preferred how the form of life articulated the

¹³³ SUB, III, p. 178–79.

¹³⁴ SUB, III, p. 190.

sisters' adoption of the gospel life, or to build a connection to Clare or San Damiano into their identity; a connection that was more direct than that offered by the dedication of their monastery church, or the title of the order to which they belonged. For whichever reason they wanted to follow this text, their choice to request papal permission to follow it demonstrates that the community were concerned over the set of precepts that they should follow or what affiliation to a particular type of text might say about their identity, and therefore that the community was not a body that acted solely to serve their rich donors.

It is important for the reader to bear this in mind when interpreting the manuscript in which the Wrocław nuns' copy of the form of life is preserved. If the original bull that the Wrocław community received is extant, it has yet to be identified. The copy forms part of a codex which also includes the *vita* of St Clare; the form of life appears before the *vita*.¹³⁵ It is likely that the copy was made shortly after the issue of the bull in 1262. Urban's introduction of the new rule that the entire order was to adopt in 1263 should have resulted in the nuns giving up Clare's form of life; however, we should not assume that they actually did so. Knox has shown that, in Italy in particular, there was widespread resistance to the adoption of the Urbanist rule and some communities were exempted from following it.¹³⁶ If the Wrocław community did continue to follow Clare's form of life after 1263 it is unclear as to whether they requested permission from the papacy to do so, or simply ignored Urban's injunction that they should follow the Urbanist rule.

Whether the nuns chose to adhere to Clare's form of life after 1263 or not, they kept hold of their copy of it. The copy is particularly fascinating for a historian of the Wrocław community because two of its pages incorporate fold-outs on which the monastery building and some nuns are depicted. One of the fold-outs appears alongside the form of life's discussion of the role of the abbess, and depicts a nun whom the artist may well have intended to represent the abbess within the monastery building.¹³⁷ The other fold-out appears alongside the section of the text which outlines the observance of canonical hours, and depicts one nun ringing the monastery's church bell, and another standing behind a column.¹³⁸ Most interesting for the purposes of this study is the first fold-out, as hanging up inside the monastery is the Piast heraldry: the eagle displayed. It is unclear whether the image was intended to reflect accurately the interior of the monastery, and had therefore

¹³⁵ BUW Q 202, ff. 1v–15r.

¹³⁶ Knox, *Creating Clare of Assisi*, pp. 77–83.

¹³⁷ BUW Q 202, f. 5v. For the image, see Fig.2 on p. 235

¹³⁸ BUW Q 202, f. 15r.

incorporated the heraldry because it was hanging in the monastery, or whether the artist felt it appropriate to depict the heraldry of the community's main donor, or whether the nun

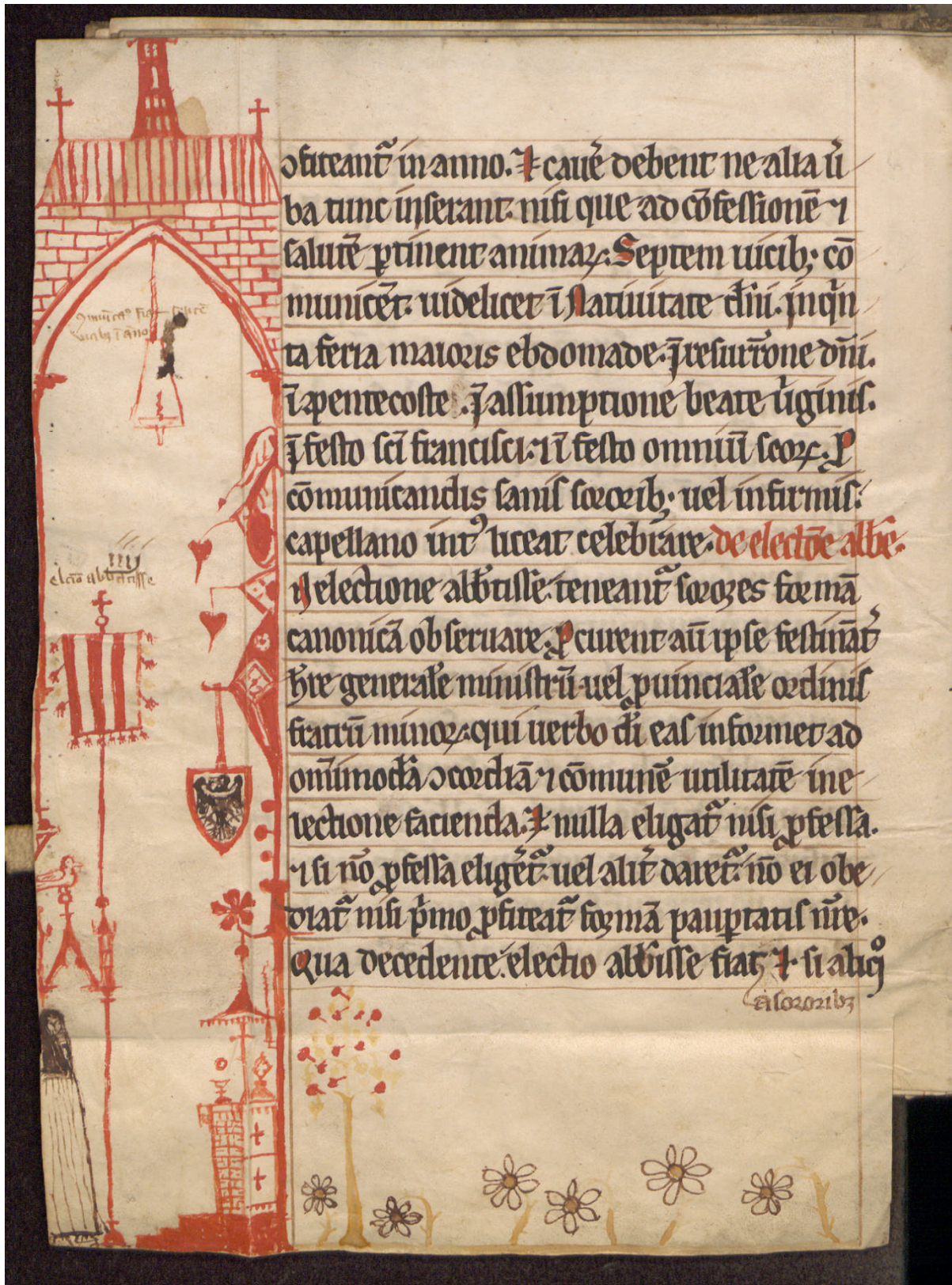


Fig.2 Depiction of the Piast heraldry on the Wrocław nuns' copy of the form of life of St Clare. Biblioteka Uniwersytecka we Wrocławiu, Q 202, fol. 5v.

depicted was a member of the Piast dynasty and the heraldry was intended to represent her familial identity.¹³⁹

For whatever reason the artist chose to incorporate the Piast heraldry, what is important is the commentary that is given about the identity of the community by the heraldry's presence on the nuns' form of life. Its depiction as part of the monastery building is symbolic of the nuns' Piast identity and the normality of the combination of Franciscan and dynastic elements of the identity. If the nuns were comfortable with emblazoning the Piast heraldry on the set of constitutions that they had chosen to follow, it shows that close identification with the Piast name was not contradictory to their spiritual vocation but very much a part of it, and therefore felt that it was necessary to reflect this in their institutional identity.

The care and interest that the community clearly exhibited over the specific form of life that they were to follow, as well as their close relationship with the Piasts, forms a context in which the nuns' potential receipt of money can be interpreted. In 1260, the nuns received permission from the pope to bury the Christian dead within their monastery. Although the bull does not mention the money or property that the community — including the priests or friars who performed mass at the monastery church — might have received in return for this service, those who wanted to be buried within the confines of the monastery would have been required to give goods or money to the community in return. Without the papal dispensation that permitted the burial of the dead, the nuns would not have been able to bury the Piast dead within their walls and thus cultivate a Piast cult. The presence of the dead in the monastery reminded the nuns that they had a duty to pray for the Piast dead, and without this physical reminder they would not remember to perform their role in the salvation of Piast souls. Maintaining the cult of the dead members of the dynasty would also have encouraged living Piasts to give money and goods to the nuns for their sustenance, which would in turn enable them to pray for the souls of their ancestors.

The Wrocław nuns were also involved in a number of transactions that cannot be placed within the context of the relationship that the community had forged between the Piast

¹³⁹As discussed in the previous chapter, the *Notae* indicates that many of Wrocław's abbesses were members of the Piast dynasty, p. 174. A comparative image can be found in a triptych housed in the monastery of St Klara in Köln. The triptych was painted in around 1480 by the Master of Liesborn, and depicts a group of nuns stood at the feet of Sts Francis and Clare. Four of the nuns, two of whom appear to be abbesses of the community, are also stood by their family's heraldry. This image is discussed by Klaus Schreiner in *Krone Und Schleier: Kunst Aus Mittelalterlichen Frauenklöstern*, ed. by Lothar Altringer et. al (Essen: Ruhrlandmuseum Essen, 2005), pp. 366–68.

dynasty and the Franciscan order. In 1276, the nuns acquired six dwellings in the town of Wąbnice from Duke Henry IV of Silesia for seventy marks of silver.¹⁴⁰ It is not clear as to what these dwellings were to be used for. In addition, an episcopal charter issued in 1291 tells us that the bishop of Wrocław, Tomasz II, ordered that the Wrocław nuns be given fifty marks of silver a year from the income of the parish of Świdnica for the sisters' food and other necessities to relieve their penury.¹⁴¹ According to the charter, Henry III, Anna's son, had ordered this while he was duke of Wrocław. It is interesting firstly that this echoes the language of the bull sent by Alexander IV to Zawichost in 1255, in which he confirms Bolesław's donation of a hospital to the monastery of St Francis at Zawichost 'for the relief of the needs' ('pro relevandis necessitatibus') of the monastery's community.

The arrangement of the yearly payment suggests that the Wrocław sisters were lacking in food and the necessities to support their lifestyle, which threatened their intercessory role in society. Indeed, the community is described by Tomasz as 'the poor sisters of St Clare at Wrocław, in which the daughters of Syon all rejoicing in their king reject the delights of this world for the love of their eternal spouse, choosing a prison for a palace'.¹⁴² This creates a context for the transaction in which the nuns were clearly understood as having rejected the high status and luxurious dwellings that they held in this world for those that were part of the next one. Much like the nuns at Prague, who were moved by the cold climate to request the relaxation of the constitutions regarding fasting and dress, the nuns at Wrocław needed to accept money in order to procure the basics for their daily lives. Accepting money for the relief of their penury did not impede their spiritual vocation; the amount of money that they were to receive was not viewed as excessive but as being enough to cover the necessities that allowed them to perform their eschatological role.

Unlike the Prague, Zawichost, or Wrocław communities, there are few documents available for the Sary Sącz community that give us hints as to how the nuns viewed their identities as Franciscans, at least from the late-thirteenth and early-fourteenth centuries. Aside from the charters issued by Kinga, discussed in the previous chapter, there is extant a charter that was issued by the Abbess Katarzyna in 1317, which describes a transaction in which Katarzyna sold the estate of Olszana and the attached office of *scultetus* of this estate to her servants

¹⁴⁰ SUB, IV, p. 202.

¹⁴¹ SUB, IV, pp. 16–17.

¹⁴² SUB, IV, pp. 16–17.

Czadomir and Piotr in return for thirty marks.¹⁴³ Katarzyna describes herself as ‘a humble handmaid of Christ, abbess of the venerable sisters of the Sary Sącz cloister, of the order of the propitious virgins of St Clare’.¹⁴⁴ Much like the evidence for the communities examined above, that Katarzyna was comfortable with selling estates while defining herself as a Franciscan nun is evidence that she did not see her involvement in transactions involving money as contrary to her vocation. Unlike the other communities, however, we have no evidence to suggest that the nuns at Sary Sącz requested permission to relax their rule in light of unique conditions, to follow different forms of life to the one which they had been given — we cannot even be sure as to which form of life they followed, though presumably it was the Urbanist rule of 1263 — or to request Franciscans as confessors, like the communities discussed above. Although the lack of extant evidence does not, of course, mean that the Sary Sącz community did not make these types of request, the difference between the content of the sources extant for Sary Sącz and the communities examined above is striking.

If the difference between content was, however, due to a lack of enquiries made on the part of the nuns at Sary Sącz rather than the sources being lost, then it is important that this is not necessarily interpreted as the result of laxity. The community was tormented by landholders who laid claim to their property rights. In addition to being a new institution at the end of the thirteenth century, Sary Sącz was a new town and, as such, the rights of ownership of properties within the town’s remit were being established as the monastery was carving out its identity within the world.¹⁴⁵ The conflict between Leszek II, the high duke of Poland, and Kinga over the ownership of the lands of Sary Sącz and Biecz was echoed in a number of conflicts over property that took place in the early fourteenth century.¹⁴⁶

Though he may not have done so in response to such a conflict, it is useful to note that in 1292, Václav II, king of Bohemia and duke of Cracow and Sandomierz confirmed the property that was owned by the Sary Sącz community.¹⁴⁷ Václav’s protection did not prevent other lay authorities from troubling the nuns. On 28 April 1309, a day after he sent a letter to the sisters to state that no-one had the right to charge them tithes, a friar known as Brother

¹⁴³ KDM, II, p. 236.

¹⁴⁴ ‘nos humilis Christi ancilla, domina Catharina soror, venerabilium sororum abbatissa cenobij Sandecensis, ordinis alme virginis sancte Clare’. KDM, II, p. 236.

¹⁴⁵ For the development of Sary Sącz as an urban centre, see Krasnowolski, ‘Plany urbanistyczne’, pp. 180–94.

¹⁴⁶ See p. 214 for my discussion of the dispute between Kinga and Leszek.

¹⁴⁷ KDM, II, pp. 187–88.

Gentilis sent a letter to the bishop of Gniezno, forbidding him from troubling the sisters.¹⁴⁸ What it was that prompted this response is unclear, but it was not the only instance in which the sisters would be harassed that year. Anna, the abbess of Stary Sącz, issued two appeals against sentences brought about by Baldwin, the abbot of the Cistercian monastery of Ruda. One of these appeals demanded the retraction of the sentence of excommunication that Baldwin had brought against Stary Sącz, on the grounds that only the papacy was allowed to issue such sanctions and that Baldwin was not a representative of the papal curia. Perhaps via Gentilis and the connections that he had to the papacy as its legate, news of the harassment that the sisters faced reached the papacy, and in 1311 Clement V issued a bull that prevented anyone from bothering the sisters.¹⁴⁹

Clement's bull did not, however, stop local authorities from bothering the sisters and in 1317, John XXII wrote to the abbot of Tyniec to judge a case in which the abbess and community at Stary Sącz had accused those living in the village of Kamienica of not paying the tolls that were due to the community. This was in the very same year that John had confirmed the sisters' property.¹⁵⁰ In 1322, Bishop Nankier of Cracow issued a charter that detailed his resolution of a dispute between Władysław, the king of Poland, and the sisters of St Clare at Stary Sącz over the right of patronage of the Stary Sącz parish church. Władysław claimed that he had this right because it was an annex of the prebend of Sandomierz. The sisters, on the other hand, argued that this could not be true as they had always had this right and it had never been an annex of this prebend. Nankier ruled in favour of the sisters, stating that there was no evidence that the church had ever been connected with the prebend.¹⁵¹ Two years later, Nankier mediated a conflict between a canon of Sandomierz, Czader, and abbess Katarzyna of Stary Sącz. Invoking again the privileges attached to the prebend of Sandomierz, Czader claimed that the sisters were bound to pay him fifteen marks a year. According to Czader, the 'senior sisters' of the community — abbess Katarzyna, Budka, Stronka, and Anna — had promised to pay him this money annually because Kinga had vowed to do so while her chaplain, Bogufal, was a canon of Sandomierz, but they had never done so. Nankier again ruled in the sisters' favour.¹⁵²

¹⁴⁸ KDM, II, p. 209.

¹⁴⁹ KDM, II, p. 223.

¹⁵⁰ KDM, II, p. 234. For John's confirmation of the sisters' property, see KDM, II, p. 233.

¹⁵¹ KDM, II, pp. 253–54.

¹⁵² KDM, II, pp. 254–55.

The harassment that the sisters faced at the hands of local landholders must have posed a significant disruption to the life of enclosed contemplation that the sisters had most likely vowed to fulfil. However, the protection and intercession that the community received from Church authorities and powerful rulers, as well as the tenacity of the monastery's abbesses, ensured that the monastery continued to function as a Franciscan institution in name at least. In spite of the disturbances that drew the sisters away from their spiritual life and into conflicts over property, they retained their status as members of the Franciscan order.

IV.5 The Polish abbesses' involvement in the 'German settlement'

A large portion of the charters that were issued by the abbesses of the Polish communities document the abbesses' placement of the land belonging to their communities under German law, or the *ius Teutonicum*. The development of the *ius Teutonicum* has been mostly the preserve of socio-economic historians, and has also been the subject of controversy because of the use by Nazi historians of the medieval Germanic migrations into Poland to justify the Nazi invasion of Poland during the Second World War.¹⁵³ The link between German law and the development of dynastic Franciscan identities does not seem immediately apparent, and it is normally the Cistercians and Premonstratensians who are more readily associated with the movement. Its neglect by scholars both of the Franciscan order and German law quite possibly stems from this. The abbesses' role as landlords in facilitating the German settlement was an important part of the life of these communities, which is why we should not continue to neglect the evidence for this, even if its relationship to the community's Franciscan identity is not immediately obvious. Recognising that the abbesses acted as landlords means that we have to acknowledge their — at least partial — dominion over the lands held by the monastery; a dominion which may seem foreign to a Franciscan vocation. The relationship between the regional peculiarity of the *ius Teutonicum* and the near-exclusion of Central European nuns from Franciscan scholarship may also feed into why there is no precedent for the discussion of the *ius Teutonicum* in Franciscan studies. Given, however, that the settlement clearly formed a large part of the abbesses' vocation, and that

¹⁵³ There are too many studies of this usage of the settlement period to enumerate here. For an overview of this usage, see Jan M. Piskorski, 'The Medieval Colonization of Central Europe as a Problem of World History and Historiography', in *The Expansion of Central Europe in the Middle Ages*, ed. by Nora Berend, *The Expansion of Latin Europe 1000–1500*, 5 (Farnham: Ashgate, 2012), pp. 215–35. Originally published in *German History*, 22 (2004), pp. 323–43.

the evidence points to the abbesses' close involvement with the members of their local communities, it must have had some impact on the way in which the abbesses identified themselves. It is therefore important to set a precedent for the inclusion of discussion of the role of Franciscan abbesses as landlords within Franciscan scholarship, even though it might be difficult to measure the extent to which this impacted how the abbesses understood their identities as Franciscans.

Before doing so, it is also worth pointing out that, although the dynastic element of the abbesses' involvement in the German settlement is not apparent, the colonisation of the lands belonging to the monasteries played a role in the preservation of the dynasty, especially when taking into consideration that dukes often gave lands to monasteries with the intent that the monasteries would encourage colonisation in order to raise money for the duchies through toll payments.¹⁵⁴ The money and goods that the colonists were required to pay the monasteries in return for immunity would also have helped to ensure the longevity of the monastic communities and therefore helped to facilitate their spiritual role in society. A consideration of German law thus helps us to place the monasteries' spiritual transactions within a wider context of social exchanges by highlighting the normalcy of the consideration of monasteries and abbesses as lords — as Piotr Górecki's study has highlighted, professed religious held the same economic status and enacted the transaction in the same way as any other landholder.¹⁵⁵

As Górecki has explained, German law was a form of lordship developed in response to German immigration into the Polish duchies, and which 'can best be defined as the set of norms that regulated the status, tenure, and land use of German settlers in the Polish

¹⁵⁴ Aleksander Gieysztor, 'Foreign Colonisation and the Introduction of German Law in the Thirteenth Century', in *The Expansion of Central Europe in the Middle Ages*, ed. by Nora Berend, The Expansion of Latin Europe 1000–1500, 5 (Farnham: Ashgate, 2012), pp. 399–406 (p. 402). Gieysztor's article in *The Expansion of Central Europe* is an excerpt from an article of his titled 'The Century of Economic Growth and Social Transition', in *History of Poland*, ed. by Aleksander Gieysztor et al. (Warsaw: PWN — Polish Scientific Publishers, 1968), pp. 97–104.

¹⁵⁵ See especially Chapter 7 of Górecki's study, which provides many examples of the placement of land under German law, by both monasteries and 'secular' powers. *Economy, Society, and Lordship in Medieval Poland, 1100-1250* (New York: Holmes & Meier, 1992), pp. 262–84.

duchies'.¹⁵⁶ From the early-twelfth century, Polish landholders invited settlers from the Empire in order to cultivate empty land within the Polish duchies. Needless to say, Germanic peoples had migrated into and invaded Poland before this period, but it was from the twelfth century that landlords from within the Polish duchies started actively inviting colonists from the Empire.¹⁵⁷ It was also during this time that the specific set of privileges known as the *ius Teutonicum* or 'German law' was developed to govern and protect those who colonised the land within the Polish duchies. The most common form of the application of German law that we see in the charters associated with the Polish dynastic foundations under examination in this thesis is the allotment of land by a lord — in the case, the abbess or monastery — to an official known as a *scultetus* or *advocatus*, for the purpose of colonising the land with German settlers.¹⁵⁸ The German settlers were able to live on the land and were exempt from Polish law and taxes. In return the lord who owned the land demanded a certain amount of money and/or goods to be given to the lord per year. Dukes would often give land to monasteries or other ecclesiastical institutions on the condition that those in charge of these institutions, such as their abbesses, arranged for German migrants to cultivate the land, presumably because the dukes would receive money from tolls in return.¹⁵⁹

The immunities that were implemented under the formula *ius Teutonicum* or *ius Novifori* ['Neumarkt law'] differed from institution to institution, but there seems to be a general pattern in how the transaction was narrated. For instance, in 1271, Świętosława, the abbess of Skała, issued a charter detailing her donation of Zadroże to Jan of Radoszów, a *scultetus*, in order for the land 'to be placed under Neumarkt law'.¹⁶⁰ The *scultetus*, who was occasionally referred to as an *advocatus*, was a judge who was versed in German law and who was there to settle any disputes that might arise within the jurisdictional boundaries of the estate, as well as ensuring that the tenants of the estate paid taxes and other duties to the lord.¹⁶¹ Those who settled on the estate, usually described as 'coloni' or 'incolae' then usually enjoyed a period

¹⁵⁶ Górecki, *Economy, Society, and Lordship in Medieval Poland*, p. 193. Górecki's book provides the most comprehensive Anglophone introduction to German law and its use by monastic communities in Poland in particular. Martyn Rady's article 'The German Settlement in Central and Eastern Europe during the High Middle Ages' provides a broader introduction to the phenomenon of German settlement in the Central European lands. The article can be found in *The Expansion of Central Europe in the Middle Ages*, ed. by Nora Berend, The Expansion of Latin Europe 1000–1500, 5 (Farnham: Ashgate, 2012), pp. 177–213. Originally published in *The German Lands and Eastern Europe: Essays on the History of their Social, Cultural and Political Relations* (New York, NY: St Martin's, 1998), pp. 11–47.

¹⁵⁷ Rady, 'The German Settlement in Central and Eastern Europe', pp. 177–78.

¹⁵⁸ On the role of the *scultetus*, see Gieysztor, p. 402.

¹⁵⁹ Rady, 'The German Settlement in Central and Eastern Europe', pp. 193–94; Gieysztor, 'Foreign Colonisation and the Introduction of German Law in the Thirteenth Century', p. 403–4.

¹⁶⁰ KDM, I, p. 99.

¹⁶¹ Górecki, *Economy, Society, and Lordship*, p. 229.

of freedom from taxes, before certain dues were to be paid to the lord of the estate. The immunity period and the amount and type of dues that were to be paid differed from charter to charter. In the case of Zadroże, Świętosława gave the settlers eighteen years of freedom, before the settlers of the estate had to give the monastery annually four measures of wheat, wheaten flour, and a *fertonem* (a quarter-mark) of silver per dwelling.¹⁶²

An aspect of this law was immunity for the German settlers who worked on an estate owned by a lord from being tried according to Polish law. This immunity could also be applied to Poles working on the same estate who were not under the jurisdiction of another lord.¹⁶³ Special measures were put in place to deal with disputes arising between German settlers, or between German settlers and people under another lord's jurisdiction. Normally, according to Górecki, conflict between Germans was to be dealt with by the judge of the lord of their estate and conflict between Germans and others was to be dealt with by ducal courts.¹⁶⁴ A charter issued in 1268, Archbishop Władysław of Salzburg, the son of Henry II and Anna of Silesia, however, seems to differ from this 'standard formula'. The charter was, for the most part, a confirmation of the lands given to the monastery of St Clare at Wrocław by himself, Anna, and his brother Duke Henry III of Silesia. As such, it is framed using the language of spiritual transaction; the charter states that Anna built the monastery — 'by the commission', of course, of Henry II — for 'the remedy of the souls of our progeny'.¹⁶⁵ However, two of the estates owned by the monastery, Nova Ecclesia and Wabienice, had been placed under German law.¹⁶⁶ The charter thus includes a clause at the end on how conflict should be dealt with. The charter states that the cases of disputes between the 'men of Saint Clare' ('homines Sancte Clare') who are under Polish law ('iure utentes polonico') should be judged by a rector of the monastery (the monastery, in this case, would have been the lord).¹⁶⁷ It is interesting both that the charter has inserted legislation covering those who followed Polish law — who, one might expect, would have been the norm and therefore not a group for whom special legislation needed to be drawn up — and that those who followed Polish law were to be judged as German immigrants normally were: by an agent of the lord.

¹⁶² KDM, I, p. 99. Other documents relating to Skąpa which follow much the same formula can be found in KDM, I, p. 103, and p. 188. Documents in which either Kinga or the current abbess of the monastery of St Clare at Stary Sącz place land under German law can be found in KDM, II, pp. 171–73, pp. 173–75, pp. 175–76, pp. 191–92, pp. 193–94, p. 194, p. 199, pp. 209–10, pp. 228–29. There is one instance of an abbess of Stary Sącz, Katarzyna, selling some land to a *scultetus* in return for thirty marks of silver. See KDM, II, pp. 236–37.

¹⁶³ Górecki, *Economy, Society, and Lordship*, p. 193–4.

¹⁶⁴ Górecki, *Economy, Society, and Lordship*, p. 198.

¹⁶⁵ SUB, III, p. 56

¹⁶⁶ SUB, III, p. 56.

¹⁶⁷ SUB, III, pp. 56–57.

In the ‘German estates’, cases were to be heard either by a judge of ‘our [Władysław’s] court’, or someone whom the judge entrusted with the case. Here we find what appears to be a deviation from the norm; disputes on the estates under German law were to be managed by the duke instead of an appointee of the lord of that estate.

Aside from this, direct ducal involvement in the monasteries’ use of German law appears to have been minimal. The earliest document associated with the Gniezno monastery, a 1284 charter that documented the donation of the estate of Winiary by Przemyśl, duke of Poland, to the monastery, states that the community could put the land under German law, or could convert the land for their own use.¹⁶⁸ A charter issued by Mściwój, duke of Pomerania, invokes exactly the same clause when detailing Mściwój’s donation of Bruzdzewo to the Gniezno monastery. There is no apparent obligation for the monastery to place Winiary under German law, and no mention of toll money that Przemyśl or Mściwój should receive in return. This indicates that the placement of land that belonged to the monastery under German law is — unsurprisingly — an act over which the abbesses did have autonomy.

Though we lack the evidence to measure how far their involvement in the implementation of the *ius Teutonicum* impacted on how they constructed their identities as Franciscans, acknowledging that the Polish monasteries were involved in the German migrations is important. It is tempting to brush aside the evidence for this, as it appears to have nothing to do with the nuns’ and lay sisters’ profession as Franciscans, and little to do with the interaction between the eschatological concerns of the Franciscans and the Piast dynasty. But to ignore it would be to ignore a large element of the way in which the Franciscan monasteries of this region interacted with other social groups. The abbesses were required to act as a responsible landlord for a number of reasons. One was to ensure that their community received their share of the goods that were generated through the tenants’ cultivation of the land. As they were representatives of both the Piast dynasty and the Franciscan order, they could not fail to adhere to the tenets of the *ius Teutonicum* as in doing so they would tarnish the reputations of these institutions. The fair treatment of the tenants who worked the land was another reason. The nuns’ involvement in the German settlement was therefore another force that acted upon their socio-religious behaviour, which in turn shaped how the nuns built their identities as Franciscans within their locality.

¹⁶⁸ KDW, I, p. 509.

IV.6 Conclusion

The communities of nuns and lay sisters, and their guardians, clearly recognised the multiple roles that the monasteries played in society. It is worth, however, bringing to the fore here that they never debated how, or whether, the communities' Franciscan ideals might be compromised to meet their dynastic obligations, or vice versa. They might concede the relaxation of certain austerities demanded by the nuns' form of life in order to cope with regional peculiarities, such as inclemency in weather. But there is never any hint of suggestion that closeness to powerful family members might violate the nuns' or lay sisters' *religio*, whether this familiarity comprised an individual assuming protection of the monastery or being entombed inside of it. This is because dynastic Franciscan institutions — much like any institution — were formed at the convergence of a number of spiritual aims, social relationships, local allegiances and those forged with parties further afield, time-honoured tropes, and new spiritual experiments. Singling out any one of these elements in order to understand the identities of the communities or individual women does not work as all of the elements operated in dialogue with, and shaped, one another. If powerful cultic notions such as that of the *beata stirps* fortified a subject's religiosity, then one man's rejection of his father in a town square in Italy should not negate the persistence of this trope, even if it promoted permanence through the continuity in, rather than a break from, the earthly bloodline.

Otherwise put, Celano's depiction of Francis's conversion was crafted as such a violent rejection of the world not in order to promote a high level of spiritual perfection that no-one could attain, but to emphasise Francis's rejection of what 'he' deep inside felt posed an obstacle to salvation in 'his' own world. Francis's world was that of a mercantile economy, and in such a context the family trade provided the framework that was intrinsic to continuous generation of profit in a cash economy. Francis's father was representative of the world that Francis had rejected. But Francis's 'world' was not the same as those of others who felt unease about the societies in which they lived. What was so useful, penitentially speaking, about Celano's model is that while it appears stark and definite, it is clear that Francis's conversion is contingent on his own personal circumstances rather than an unfathomable abstract ideal. The affective model created by Celano through his use of a personal narrative would motivate others to correct what was spiritually unhealthy about their own society.

This chapter thus advocated a break from employing Celano's depiction of Francis's conversion as the archetype against which other experiences of renunciation should be measured, at least not in the way that scholars such as Bynum have employed it thus far. The sisters were understood to have renounced their world; it is just that the world from which they fled was different from Francis's. And the world they had fled was so opulent that moving away from it in order to live in a cloister constituted a dramatic act of renunciation in itself. Particularly in the second section of this chapter, we saw the manifestation of the message drawn out from the normative documents discussed in Chapter Two: that the more you had, the more you had to lose, and the greater the penitential rewards you would thus receive in the next world if you did renounce what you had.

If the treatment of Francis's conversion as a norm for Franciscan men or women is one obstacle to our attempt to understand the way in which dynastic Franciscan monasteries were constructed, a second is how filial links, and the meaning with which they were imbued in texts such as hagiographies, have been used by scholars. Where those who wrote texts on the monasteries chose to draw links between the royal women who lived within their bounds and other women or men, they did so deliberately and never just had one role model on which their renunciation of the world was based. Family members were not privileged as role models other than in circumstances in which doing so was powerful. Elizabeth of Hungary was included in the genealogies of Agnes of Bohemia and Kinga of Poland by their hagiographers, for instance, in order to fortify their holy bloodline. The richness with which these connections were imbued in their hagiographic context does not allow, however, for our use of these connections as organising principles for our histories of the monasteries. By examining how these connections were depicted both in hagiography and elsewhere according to the contexts in which these texts were produced, this chapter has exposed the areas in which the paradigm of these saintly princesses as *filiae sanctae Elizabeth* has flattened out other models, provided a nuanced understanding of where and why this paradigm was used, and has revealed the other models. Elizabeth as a mythical figure was not monolithic; she inspired Agnes's construction of a hospital in Prague, she ushered Kinga to heaven, and her disembodied corpse was distributed in the form of relics to a variety of Central-European churches by Anna.

A third metanarrative that this chapter has challenged is that of the spiritual ideal failing, or having to be renegotiated, in the face of 'reality'. Or rather that the nuns' performance of acts which did not appear to be inherently, overtly, part of the Franciscan

religio, constituted a departure from the religion that they were supposed to uphold. Such a metanarrative contends that they did not constitute important parts of the women's religion, but instead a deviation or distraction from this. The implication, though hidden in the case of these women as they have been woefully neglected by scholars, is that these women were not properly 'Franciscan'. But not only is it wrong in itself to assume that the ideal would be enacted in the same way wherever anyone chose to perform it, it is also the case that religious rules usually allow for some diversity due to regional circumstance. To take the relaxation of the rules regarding dress at Prague, we noted that Innocent IV's form of life did accommodate for circumstances in which it was too hot to wear the prescribed habit. This form of life displayed a self-reflexive understanding that there were various ways of performing an ideal, and that it was better to accommodate people who may encounter difficulties beyond their control rather than stop them from following an approved, orthodox form of life. Such forms of life did not accommodate for involvement in gift transactions or in German law. However, it is important that we include participation in gift transactions and the performance of legal acts such as the placement of land under the *ius Teutonicum* as facets that made up the Franciscan identity of women such as Salomea, for instance, rather than outside of this. We need to refrain from picking out bits from these women's identities that seem 'Franciscan' to us, and putting the rest aside.

As a final point, dismantling this narrative has demonstrated that by shaping our enquiries with an assessment of how 'Franciscan' the nuns were by measuring how far they stuck to a certain set of ideals (or not), we lose a sense of the wider penitential concerns that were fundamental to their choice to pursue religious life and to do it well. In addition to proper obedience to the rule, the nuns' need for Franciscan confessors and proper pastoral care — pressures which in the wake of Lateran IV would have intensified — seem to be prominent concerns both of the papacy and the nuns. Alexander IV ordered the Franciscan provincial minister for Polonia to appoint a friar to assess the Zawichost nuns' numbers, resources, and expenditure, in a bull in which he also claimed that the monastery 'abounds in temporal things' because associating the nuns with property was a lesser spiritual danger than a lack of appropriate pastoral care. Ensuring that the nuns did not appear as a potential financial burden to the provincial minister was important in achieving this end. Agnes became involved in a monetary transaction in order to expand the Prague monastery complex in order to gain a house for friars, presumably so they could administer pastoral care. The nuns at Wrocław asked permission for friars to break their enclosure so that these men could

hear confession if a sister was too sick to make it to the speaking-grille, and in order to celebrate the divine office on the death of a sister. This demonstrates both the nuns' desire to adhere correctly to enclosure, and to receive pastoral care from the friars. As we turn to the conclusion of this thesis, it is important to bear in mind that the penitential model embraced by the sisters came out of a post-Lateran IV spiritual climate in which, especially for female religious, obedience was a central proof not only of piety, but of orthodoxy.¹⁶⁹

¹⁶⁹ Elliot, *Proving Woman*, pp. 1–8 and pp. 9–43.

Conclusion

This study has contextualised the identity formation of female Franciscan dynastic communities within the development of the penitential frameworks that were promoted by the Franciscans, Přemyslids, and Piasts in the thirteenth and early fourteenth centuries. It has focussed in particular on the pressure placed by these structures on dynastic society to renounce elements of their high status, in full or in part, and how these acts shaped the identities of the communities of Prague, Zawichost, Wrocław, Stary Sącz, and Gniezno. An examination of the Franciscans' formulation of normative methods of penance based on frameworks drawn from the social milieu of those that they wanted to correct has enabled us to see how their apostolate appealed to members of ruling dynasties, rather than viewing their prescriptions of penance as exclusive of high-status penitents. In doing so, this study has made a case for placing the evidence associated with the dynastic communities of Bohemia and the Polish duchies, as well as for Franciscan nuns more broadly, at the centre of histories of the Franciscan order. Conceptualising Franciscan nuns and the dynasties with which they were involved as subjects and agents of salvific acts, within a wider context of the burden felt by Franciscans to save all human souls, has shown that we cannot treat these groups at a remove from the Franciscan project.

I reached this conclusion by revising the paradigms and metanarratives that have conditioned the field to imagine women, Central Europeans, and dynastic institutions at a remove from the Franciscan 'norm'. The value that the field has placed in notions of origin, and the authenticity with which it has imbued origin, has posed the biggest obstacle to the inclusion of these groups. Although Milan Kundera suggested that it was the 'strange languages' of Central Europe that shrouded their cultures in mystery, the studies produced by Anglophone and Germanophone scholars on Agnes of Bohemia suggest that language barriers are readily transgressed if a subject can be linked directly to Assisi as a point of origin perceived to be 'authentically Franciscan'. It is this method of selecting material to include in histories of the order that I have challenged in the present study. The idea that there existed two clusters of religious houses in central and northern Italy in the 1220s, one that was Franciscan because of its connection to Francis and one that was not, not only falls flat when the pertinent sources are read in the order and contexts in which they were produced. It also homogenises the voices, intentions, and agencies of the nuns who desired to embrace a religious life based on some form of renunciation. The former group is motivated simply by a

desire to ‘get back’ to the original ideal of Francis. The other is not, and is thus unworthy of study other than as a group that represent the inauthentic Hugolinian creation into which Clare of Assisi fears her monastery will be subsumed. The stories of all the women involved, Clare’s included, are obscured by the narrative that forms around Clare and the papacy, in which Clare fought to enact Francis’s ideal against a papacy who wanted to take the right to do so away from her.

As this study has made clear, this grand narrative does not in itself exclude Central-European dynastic nuns from being considered Franciscans and thus important to our understanding of the order’s development. It does, however, set a negative precedent for the analysis of a subject’s Franciscan status. This is a precedent in which the sincerity of an individual’s intent to participate in a wider spiritual project is dulled by a scholarly drive to identify the nuns who desired explicitly to engage with ‘Francis’s ideal’ — however scholars might choose to define this — or who had links to Assisi, and to then separate them out from those who did not. As such, aside from Agnes, the Central-European women have been less visible because they are distant both in location and form of life from Assisi.

The particular tragedy of this approach is that in its very effort to restore women’s voices to the past, it diminishes this achievement. This study has devoted a significant amount of space to the criticism of narratives used by scholars of Franciscan women not in order to discredit these studies wholesale, especially as the present study owes much to this scholarship for making the narratives associated with Franciscan women known to a field that by and large still ignores or makes marginal women’s experience. Rather, it has done so in order to show how the orientation of these histories around Francis as a point of origin reproduces the same narratives that have facilitated the exclusion of women’s evidence in purportedly comprehensive works on the history of the Franciscan order. Narratives such as Grundmann’s incorporation paradigm, for instance, are not challenged but legitimised in histories of women’s houses that posit the hagiographic Francis at their origins, rather than the women’s own choice to be Franciscans and the pressures that might have influenced this choice.

In order to counter this approach, my study has not created an alternative history for the development of the nuns’ branch of the order. Indeed, it holds that it is not possible to understand fully the institutional development of any branches of the Franciscan order — whether the nuns, Friars Minor, or lay brothers and sisters — if we separate these out from

one another. The idea that a historical Francis was the origin and archetype for all Franciscan experience has misled histories of both male and female Franciscan identities, and would collapse under a gender-inclusive history that took into consideration the many currents of thought that inspired men and women to form this type of religious order in the early decades of the thirteenth century. My thesis has instead taken a crucial first step towards a revised institutional history of the order by demonstrating the benefits of examining the early documents as sincere expressions of a desire to participate in religious life, rather than separating them out into sources that are representative of communities that can be linked back to Francis and those that cannot. Reading these sources in the order and context in which they were produced destabilises this narrative, as the hagiographic relationship between Clare and Francis is removed from the origin of our histories and restored to the contexts of these saints' *vitae*. Assisi emerges gradually as an important spiritual locus around which the order of nuns was shaped rather than a definitive starting point, and the various pressures that shaped the way in which religious identities are conveyed in other sources are brought to the fore. By acknowledging that papal privileges were usually drawn up or asked for by the recipient rather than prescribed in the first instance by the papacy to the recipient, we are able to recognise women's agency in choosing their forms of life. In my thesis, taking this approach created a precedent for the inclusion of the Bohemian and Polish nuns and lay religious women based on their choice to become Franciscans, and their engagement with ideas of renunciation.

In the histories of individual monasteries, this thesis identified another way in which scholars' attempts to reconstruct points of origin have blocked out voices that help us to understand the eschatological pressures that brought these monasteries into being. Ascribing one founder, or founders, and a definitive date of foundation to a monastery's history, while arising from a need to articulate the early stages of this history, can squeeze out the voices of people who were not this founder in a number of ways. These narratives, driven by a need to emphasise linear progression, often develop an entity of a single founder that did not exist. In the case of Wrocław, stating that Anna of Silesia, whether alongside Henry I or not, was solely responsible for the construction of the monastery ignores the evidence that the monastery was brought to fruition in part by anonymous donors and pilgrims. It also fails to acknowledge that it was the nuns at Wrocław who requested a permanent stone building in 1256. Moreover, taking the nuns' adoption of Anna, and/or Henry, as founder out of the context of texts such as Anna's *vita* or the *Notae*, in order to use Anna's foundation of the

monastery as the starting point of the Wrocław monastery's history makes this act seem like an inevitable starting point rather than one created over time. It silences the nuns' choice to adopt Anna as their founder.

The present study also identified that critical approaches taken by some scholars to others' reconstruction of foundation dates have reinforced rather than broken free of this problem. By stating that some sources — foundation charters and hagiographies, for instance — frequently deviate from an established model of foundation, scholars have implied that there was a universally understood notion of foundation. By treating the community's or their donor's construction of foundation as a deviation from the norm and not representative of an 'actual foundation' moment, scholarship denies the importance that these moments were felt to have had in the context of the community. My approach advocated firstly that foundation, construction, and origin should not be conflated. It then demonstrated that by viewing these moments as the products in part of a variety of desires to renounce the earthly in exchange for the heavenly, we are able to see creation of the monastery's identity as the product of a number of pressures. The Wrocław nuns' choice to adopt Anna as founder and to draw special attention to the fact that she was buried in their monastery, for instance, reflects their desire to be associated with a prestigious founder. Anna's great piety — formed under the impetus to enhance the prestige of the *beata stirps* — and high status would have added to the interlinked social and spiritual esteem of their community, and would have ensured both the continued efficacy of their spiritual acts and that they continued to receive donations. Treated in scholarship as a seemingly simple and circumscribed act, foundation can reveal a number of spiritual anxieties when viewed by us as a construct or process rather than a straightforward starting point.

Putting aside a historical Francis and a definitive foundation moment as points of origin for my case-study institutions created a far richer context in which to consider the formation of Franciscan ideas about renunciation. Francis was, of course, constructed by the order as a an archetypal reflection of the order's spiritual goals, but these aims as articulated through Francis were not as alien to female members of dynastic societies as scholarship has made it seem. Like other religious movements in the thirteenth century, the Franciscans knew well that it was impossible for a man who set his heart upon his riches to get into heaven. It was their task to ensure that those within Latin Christendom, man or woman, focussed their longings on heaven and not on their worldly status or goods. For the Franciscans, constructing a figure that underwent a dramatic renunciation of everything he found so

repugnant in his own world was not meant to alienate the rich and worldly of society, but to impel them to recognise what was wrong with their own world and to turn away from it.

Although they interpreted this model in their own way, the adoption of a penitential model that facilitated the direct engagement with the lay world while rejecting its spiritual contaminants placed the Franciscan model within a much longer monastic tradition. A punitive system that invoked the lay family in the Cistercian tradition were also found in the framework for benevolent correction within the Franciscan one. It was the flexibility created in the affirmation of this model and the instructions that a convert hate their family, as well as its existence alongside directives that encouraged close spiritual relationships with the laity, in which the dynastic communities of Bohemia and the Polish duchies found their place within the Franciscan apostolate.

The idea that a rich sinner could perform penance by giving property to a community was rooted in the dynamic of gift exchange that can be identified also in the way in which the Cistercian order engaged with the laity, and in Robert of Arbrissel's advice to the Countess Ermengarde of Brittany. Although the embrace of poverty and preaching were the most obvious ways in which the friars rejected the lay world while interacting with the laity, we should not ignore the prevalence of gift exchange as a spiritual economy in thirteenth-century society. Silber's model of the multivocal gift draws out the various social and religious impulses implied in the gift, as well as how the gift affirmed both the place of lay and religious within Latin Christian society and their co-existence with each other. The Franciscans built on this dynamic in texts such as the *Sacrum commercium*, which cemented the order's identity amongst the chastisement of the desire of society's rich to gain more wealth.

The gift exchange dynamic did not, of course, assert itself in the same way in male and female Franciscan forms of life. But although the normative texts of the Franciscan friars forbade the stability of location that provided the basis for traditional monastic gift donations, the way in which almsgiving was articulated by Francis affirms rather than negates the place of those with property to spare in society. In accepting alms from these people, the friars gained sustenance from them and aided also in the salvation of their souls. The friars' rejection of the world in which high-status members of society operated did not mean rejecting their responsibility to the souls of this sector of the Christian community. By inspiring those with property to disassociate themselves from the harmful desire for more

riches that prevented them from getting into heaven, the Franciscans carved out a place for them within the society that they had vowed to save.

In order to understand how dynastic and Franciscan penitential impetuses blended together and influenced the construction of the royal communities' identities, it is thus more fruitful to consider how these communities responded to and positioned themselves within their societies. The Franciscans' simultaneous rejection and engagement with high-status societies also allowed for, and built on, the integration of the spiritual models of these societies. In the case of the Přemyslids, and Piasts, the pressure upon them to maintain the *beata stirps* through acts of pious renunciation mingled with the Franciscan impetus to fix one's gaze upon heaven instead of worldly things. In addition to the members of those families who professed as religious, those who did not were also compelled to renounce their earthly wealth in exchange for heavenly riches. To ensure that this transaction was worthwhile for them, the family members who donated gifts to the communities knew to take care that their gift did not violate the form of religious life followed by this community. This is why the Přemyslid dynasty, Bolesław V, and Anna of Silesia ensured that their gifts would not violate the arrangements that their recipients had in place regarding religious poverty. In the case of the Přemyslids and Bolesław V, they even played an instrumental role in securing the community's poverty. It was not simply the case that the Přemyslids and Piasts used the dynastic communities as vehicles for salvation without consideration of the specific mode of penitence performed by the nuns. They clearly had some knowledge of the nuns' form of life. Recognition of this adds an important new dimension to scholarship that has considered how mendicant poverty was facilitated in practice, but which has focussed thus far solely on evidence related to the Friars Minor.

Through the process of gift-giving, the dynasty's identity was imprinted on the communities. As evidence such as Queen Jadwiga of Poland's appeal to visit to Stry Sącz and Gniezno demonstrates, the monasteries remained part of the Přemyslid and Piast spiritual purview after the death of the first wave of donors. The inextricable connection that gift-giving had created between dynasty and community also encouraged the Přemyslids and Piasts to tend to these communities after its earlier patrons had left the world. They did so in part through the promotion of the cults of saints associated with these communities. All of the case studies apart from Gniezno became closely linked to the cult of a particular saint. The 'second wave' of donors also ensured that the communities were provided for. King Władysław and Jadwiga of Poland, for instance, ensured that the community of St Andrzej at

Cracow (formerly of St Clare at Skala) had the sustenance that they needed to fulfil their spiritual duties. Acts such as these were necessary not only to prevent the community from falling into involuntary poverty and, consequently, scandal that would reflect poorly on the dynasty. They also ensured that the community would be able to perform intercessory prayers for the souls of both the deceased and living Piasts.

Those who donated property to the monastery could not, however, simply assume that an incentive to maintain the *beata stirps* would be enough to provoke their descendants into looking after the community that was responsible for their souls. The combination of Franciscan efforts to startle the rich into renouncing their property, and the need for members of dynastic societies to preserve the memory of the act in order to show that they had done so, pushed members of the Polish and Bohemian ruling dynasties, lay and religious, to take especial care that they could not be forgotten by their communities. Agnes of Bohemia asked Alexander IV to prevent the ecclesiastical ornaments donated by her sister Anna to the Wrocław community from being alienated from the monastery, in order to preserve Anna's memory. Salomea of Cracow too wrote a will to prohibit the community at Skala from removing, in any way, the liturgical goods that she had donated to the nuns from within the monastery walls. Though it may seem odd for a nun, a Franciscan nun especially, to have been involved in litigation over property, the alternative — that her soul would be forgotten and consequently face an extended period in purgatory — was far more terrifying. This fear, albeit not new to the period in which the Franciscan order developed, was only intensified by the Franciscans' fierce insistence that it was impossible for those who loved the world to enter heaven.

As this impetus spurred the Přemyslids' and Piasts' donation of gifts to the communities, which moulded the monasteries into repositories of dynastic memory, the nuns were doing penance that would both aid this effort and dissolve the blemishes that sin had left on their own souls. Renunciation for nuns, and to some extent for lay religious such as Kinga, Jolenta, and Anna, implied an act more total than renouncing small amounts of property in the form of gift donation. And it was no less total than that which was undertaken by a male Franciscan. The royal women examined in this study identified themselves, and were identified, by their pre-conversion status once they had vowed to renounce the world forever, but this did not make them less Franciscan. Agnes was a *soror regis Boemorum* and a *discipula sancti Francisci*; Jolenta was *relicta serenissimi principis Boleslay* and *sub ordine Sancti Francisci*. Stressing their high status only made more prominent the extent of their

sacrifice. In Clare of Assisi's letters to Agnes of Bohemia, Agnes is both the object of Clare's fear that someone of Agnes's status would be denied entry to eternal life, and the person who has performed the greatest sacrifice in relinquishing the worldly benefits of this status and spurning the riches that she would have gained upon marrying Frederick II. The type of person who was earmarked in texts such as the normative Franciscan documents as being especially at risk, she had recognised the obstacles to her salvation and corrected them in the most absolute way that she could.

Often these absolute acts were portrayed using visceral language, and focussed on the visual and tangible vestiges of the dynastic worlds from which these religious women had fled, to display the extent of their sacrifice. Anna's removal of her rich clothing and ornamentation so as not to contaminate the sacred space in which she and Hedwig heard mass, and Kinga's adoption of a hair shirt so rough that it made her skin bleed, after the example of St Cecilia, are evocative hagiographic examples of this. These acts reinforced what was identifiably 'wrong', in an eschatological sense, with Anna and Kinga's social milieu and how these penitents chose to right this wrong. The rejection of luxurious clothing, as Francis's hagiographers also realised, was a useful trope when narrating the experiences of individuals who had left the world. It was a powerful metaphor as the women, in a very literal way, shed the markers of their status, and went through an extreme change in the level of comfort provided by their clothing that was palpable to the reader or listener.

Agnes and the Prague community's request to the papacy for the amelioration of discomfort caused by their clothing in the cold weather may then be read as something that also lessened their penitential effort. This was not, however, true. They were aware that they had to carry out their spiritual duties not only for themselves but for those whose souls the nuns had assumed responsibility over, and it was impossible to fulfil these duties if they were distracted by the cold. This exchange reveals that another spiritual priority of the community was obedience to their form of life. If they were not worried about potentially transgressing their chosen vocation, the nuns at Prague would not have written to the papacy to ask for permission to renegotiate the aspects of the form of life that hindered their adherence to their religious vocation. In the instances where members of the case-study communities did ask permission to break their forms of life, it was usually either in order to ensure that they could continue to fulfil their spiritual duties or in order to ensure that they had proper pastoral care. The Skala community asked to relax their vow of poverty in order to cope with the devastation that they had faced as a result of the Mongol incursions. The Wrocław nuns asked

for permission for friars to enter their enclosure in times of crisis; for instance, to administer last rites to a dying nun. This type of evidence does not attest that the nuns became less dedicated to their rule in times of crisis, but rather that they were obedient to their rule and aware of its tenets. They were also careful to ensure that their own souls were properly cared for, so that they might better care for others' in turn through intercessory prayer.

The identity formation of the female Franciscan communities at Prague, Zawichost, Wrocław, Stary Sącz, and Gniezno did not comprise a process of reconciliation of the Franciscan ideal with the norms of a dynastic institution. Examining the construction of their identities within the context of the socio-religious pressures of Franciscan and dynastic penitential models has shown that these communities built their identities on the basis of a genuine engagement with the spiritual ambitions of their order. This study has thus created a precedent for including and persevering with the study of Franciscans that seem to be, to us, at a far remove from the order's archetypal penitent. Although renunciation of the world within the Franciscan tradition appeared to be an act that might alienate a dynastic community, it is precisely by studying this act that we get to the root of how the Franciscan order reached the souls for whose safety it most feared.

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