

AUTHORITY AND POWER IN THE MEDIEVAL CHURCH, C. 1000–C. 1500



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Authority and Power in the Medieval Church, c. 1000–c. 1500

Edited by

THOMAS W. SMITH



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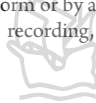
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*For Barbara Bombi and Emilia Jamrozik,
two inspirational scholars of the medieval Church*





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Royal Women, the Franciscan Order, and Ecclesiastical Authority in Late Medieval Bohemia and the Polish Duchies

So that you may walk more tranquilly along the way of the Lord's commands, follow the advice of our venerable father, our Brother Elias, minister general. Prefer his advice to the advice of others and consider it more precious to you than any gift. Indeed, if someone tells you something else or suggests anything to you that may hinder your perfection and that seems contrary to your divine vocation, even though you must respect him, still, do not follow his advice; instead, poor virgin, embrace the poor Christ.¹

In what must be the most oft-quoted passage from the epistolary correspondence between Clare of Assisi (d. 1253) and Agnes of Bohemia (d. 1282), Clare instructs Agnes that she must not listen to the advice given to her by 'someone' who may lead her away from the path that she had chosen to follow as a nun of the Order of San Damiano.² Instead, she must heed the wisdom of the Minister General of the Order of Friars Minor, Elias of Cortona (d. 1253). This piece of advice offers historians of women's authority a fascinating glimpse of how Clare — a woman who, whether she was entirely aware of it or not, was being shaped by the papacy into a figure of enormous spiritual importance even within her own lifetime — exercised her own authority to advise Agnes on which male ecclesiast she ought to defer to. Though inevitably subject to the spiritual direction of clerics, Clare had built up a standing that she felt gave her some ability to choose the pastor most likely to guide Agnes along the correct path and to steer the new convert accordingly.

Clare of Assisi was a nun and most probably a mentee of Francis of Assisi (d. 1226), the friar around whom the identity of the order was shaped. It is difficult to know

1 Mueller, *Clare's Letters to Agnes*, 59.

2 Clare's letters of spiritual advice to Agnes have elicited a large bibliography. See, for example, Mueller, *Clare's Letters to Agnes*; Mueller, *Companion to Clare of Assisi*, esp. 119–208; Mooney, 'Imitatio Christi or Imitatio Mariae?'; Monagle, 'Poor Maternity'.

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precisely when Clare became a nun or when the community of poor nuns in Assisi was formed, or, indeed, what criteria we would use to pinpoint the birth of such a community; the earliest mention of a group of nuns at San Damiano, the community of which Clare was a part, appears in a papal privilege of 1219.³ Clare, then, had lived as a nun for at least fifteen years when Agnes converted to a fully professed life in 1234. Agnes's side of the correspondence is not extant. The passage above is from the second of four letters that Clare wrote to Agnes from 1234 to 1253, and it was likely written at some point between 1234 and 1238. Elias of Cortona, the minister general, had fallen out of favour with the male followers of Francis, but in Francis's *vita* he is one of Francis's early followers.⁴ The legendary witness that Elias bore to the life of the person from whom Clare drew inspiration may have informed Clare's recommendation of Elias to Agnes.⁵ The 'someone' against whom Clare warns the Bohemian princess was most likely Pope Gregory IX, with whom Clare had been negotiating aspects of her community's religious constitutions, or *forma vitae*.⁶

It is not clear without context why Clare tells Agnes to ignore Gregory or what aspect of Agnes's religious calling Clare believes might be endangered by the pope's counsel, and these issues have already been treated at length by scholars such as Maria Pia Alberzoni, Catherine Mooney, and Joan Mueller.⁷ More interesting for the present study is the way in which Clare stages various authorities and explains these to Agnes in the letter. In her correspondence, Clare negotiates a difficult set of power differentials between herself and Agnes. The same tale that named Elias as one of Francis's early followers, Thomas of Celano's *vita* of St Francis, written in 1228–29, also named Clare as an early convert.⁸ Clare was also approximately forty years old at the time and experienced in the religious vocation, whereas Agnes was a neophyte nun of twenty-three. Clare was, however, writing to the princess of a dynasty that played an important role in central European politics, which was becoming more of a concern to a papacy embroiled in conflict with the Hohenstaufen emperor, Frederick II. Clare manages this through her reimagining of Agnes's power in spiritual terms. She crafts her salutation as follows:

To the daughter of the King of kings, handmaid of the Lord of lords, most worthy spouse of Jesus Christ and therefore, very distinguished queen, the Lady Agnes, Clare, useless and unworthy handmaid of the Poor Ladies, sends her greetings and the prayer that Agnes may always live in the utmost poverty.⁹



3 The privilege was issued by Pope Honorius III to the community of Santa Maria of the Holy Sepulchre in Monticelli: *Bullarium Franciscanum*, ed. by Sbaralea, 3–4. The most recent account of the origin of the community can be found in Mooney, *Clare of Assisi*, esp. 30–53.

4 Though see the revisionist reading of the sources for Elias in Sedda, 'La "malavventura" di frate Elia'.

5 Cusato, 'Clare and Elias'.

6 Mueller, *Privilege of Poverty*, 67–71.

7 Alberzoni, 'Clare and the Papacy'; Mooney, *Clare of Assisi*, 100–106; Mueller, *Privilege of Poverty*, esp. 70–71.

8 Francis of Assisi, *Early Documents*, ed. by Armstrong, Hellmann, and Short, 197.

9 Mueller, *Clare's Letters to Agnes*, 54–55.

Agnes is a ‘very distinguished queen’, but she gains this title via her membership of the holy family rather than any earthly one and, most importantly, through her submission to Christ. Within a movement in which the performance of humility brought spiritual reward, Clare’s choice to style herself as the ‘useless and unworthy handmaid of the Poor Ladies’ lends authority to the guidance she issues to Agnes.

The mentoring relationship that had formed between the two women as a product of their correspondence became the conduit through which Clare taught the princess which patriarchal authority was correct. The reason that Agnes should choose wisely, of course, was because this is how the poor virgin would best submit to the poor Christ. The first passage is one in which we see Clare exhibit extreme courage in protecting what she understood to be the norms of her beloved *religio*, which is why it has attracted so much attention from scholars of the Franciscan Order. It also offers us an insight into how female religious who understood themselves or were understood to be spiritual authorities modelled and taught attitudes about male ecclesiastical authorities and norms to their female mentees.

That Clare herself exercises a form of ecclesiastical authority here is not where the interest of this essay lies; it is no longer interesting to ask whether women had ecclesiastical authority in the Middle Ages.¹⁰ A greater number of studies than it is possible to enumerate here have demonstrated that, although women may have been excluded from clerical office, they exercised authority through patronage, their own writings, spoken and epistolary dialogue with other male and female religious, and serving as abbesses.¹¹ In recent years, examining women’s interaction with male authority and the influence that female lay and professed religious had upon male religious thinkers has proven fruitful in determining the contours of a specifically ‘female’ authority. Studies edited by Fiona Griffiths and Julie Hotchin, for example, demonstrate a continuity between 1100 and 1500 of cooperation between men and women in the context of their religious lives, and women’s influence upon male religious life and thought in Germany.¹² Similarly, Tanya Stabler Miller has illuminated the spiritual authority exercised by the Paris Beguinage in shaping the theologian Robert of Sorbonne’s dialogues on pastoral care.¹³

These studies have helpfully complicated a picture of women religious in the Middle Ages as either dominant and authoritative defiers of oppressive male ecclesiasts or oppressed by patriarchal authority. In this chapter, I build on this initiative by exploring the contours of authority held by the royal and noble women who were associated with female Franciscan communities in Bohemia and the Polish duchies and examining how they interacted with male ecclesiastical authorities. Since a very early stage in the development of modern histories of the origins of the Franciscan Order, the narrative of Clare’s struggle against the papacy for a truly ‘Franciscan’

10 On noble and royal women specifically, Yvonne Seale argues that ‘aristocratic and royal women did not have to buck the system, to be notorious or “extraordinary”, in order to wield power during the High Middle Ages’: Seale, ‘Well-Behaved Women?’, 101.

11 De Gier and Fraeters, *Mulieres Religiosae*.

12 Griffiths and Hotchin, *Partners in Spirit*.

13 Stabler Miller, *Beguines of Medieval Paris*.

life for women — whatever that may have looked like — has been understood to be the perfect expression of Franciscan life. The Protestant theologian Paul Sabatier wrote the following of Clare's relationship with the papacy in his 1893 biography of Francis of Assisi:

Is it not one of the loveliest pictures in religious history, that of this woman who for more than half a century sustains moment by moment a struggle with all the popes who succeed one another in the pontifical throne, remaining always equally respectful and immovable, not consenting to die until she has gained her victory?¹⁴

More recently, scholars such as Joan Mueller have woven Agnes into this metanarrative of struggle as a co-conspirator in Clare's attempts to defy the papacy.¹⁵ While Agnes has received attention in anglophone Franciscan scholarship, other royal Franciscan women in medieval east-central Europe have received less, perhaps because they do not participate in this dramatic narrative of struggle. When we neglect the evidence for these women, we miss how a wider community of women envisaged their Franciscan vocation, as well as how obedience to male authority, in particular, confessorial authority, featured heavily in this expression. Clare's own letter points to this. Performing subservience to Christ took in part the form of submission to a male confessor and to a thirteenth-century papacy which had reconceptualized itself as a vicariate of Christ.¹⁶ Despite the publication of groundbreaking investigations into the growing importance of the confessor from the thirteenth century in the wake of the canonization of confession at the Fourth Lateran Council (1215), the scholarship on Franciscan women has not situated the evidence for the nuns or lay women who were associated with the order within the broader, changing climate of the confessor–penitent dynamic.¹⁷ When we do so, we begin to understand better the form that their interaction with Franciscan spirituality took, as well as showing how, like Clare, women often performed submission to male ecclesiastical authority as they exercised their own, often through relating these ideas to others.

This essay concentrates on thirteenth- and fourteenth-century sources in which the noble and royal women of Bohemia and the Polish duchies appear to legitimize the development of ecclesiastical structures of surveillance, such as confession and enclosure, when exercising their own authority in numerous forms. Starting with the fourteenth-century *vita* of Anna of Silesia, the sister of Agnes of Bohemia, and then moving on to a series of thirteenth- and fourteenth-century papal documents which demonstrate these women's interaction with the curia, I demonstrate the benefits of looking past the struggle narrative as the truest expression of female Franciscan devotion. In doing so, I also examine how these women's particular status as members of the Bohemian and Polish royal families, the Přemyslids and the Piasts, shaped the

14 Sabatier, *Life of St Francis*, 159.

15 Mueller, *Privilege of Poverty*.

16 Numerous studies exist on the reconceptualization of the papacy as a vicariate of Christ under Innocent III. For a basic overview of the history of the idea, see Sayers, *Innocent III*, 15–16.

17 See, for example, Elliott, *Proving Woman*.

type of authority that they possessed, as well as their performance of submission. These women embraced various forms of religious life during a time in which the papacy and religious orders were set on curbing princely excess. In a climate of increased surveillance and recording, the behaviour of these women came under particular scrutiny. Even if we might debate the extent to which this restriction of princely excess was enforced, the papacy and its agents seem at least in theory to have had a real coercive power. Ultimately, I argue that the exercise of pulling out these threads of identity and authority helps us to see how thirteenth- and fourteenth-century male ecclesiasts shaped female authority in a way that made them conform with new spiritual programmes associated with the Fourth Lateran Council. This study reveals that women often exercised their own authority when they opted for complicity in submitting to that of male ecclesiasts.

The *vita* of Anna of Silesia conveys well how these multilayered authorities formed models of correct royal female penitential behaviour for purposes of spiritual edification. Anna of Silesia was a Bohemian princess who became Duchess of Silesia upon her marriage to Duke Henry II of Silesia in 1216. Henry was the son of Hedwig of Silesia, who was canonized in 1267 by Pope Clement IV. Both Hedwig and her husband Henry I were generous donors to the Church, especially to the Cistercian Order. They famously funded the construction of a Cistercian women's monastery in Trzebnica, Silesia, in 1202. After her husband's death, Hedwig took on a penitent life. Little is known about what form this took precisely during her lifetime, but after her death she was known for harsh acts of bodily mortification, such as walking barefoot in the snow until her feet bled.¹⁸ Hedwig was close to the Cistercian Trzebnica community, of which her daughter Gertrude became abbess.

The *vita* of Anna of Silesia stages a mentoring relationship between Hedwig and Anna, in which the experienced penitent teaches her daughter-in-law how to perform penance in the context of the royal setting. Produced at the earliest in 1328 and certainly within the first half of the fourteenth century, the *vita* was likely a collaborative effort between a Franciscan friar named Herbord and the women of the community of Franciscan nuns at Wrocław who, according to the *vita*, had a close relationship with Anna and therefore bore witness to her life.¹⁹ Anna was a major patron of the monastery and is named as founder in a short history of the community which appears as an appendix to the *vita*, suggesting that she had been fashioned as the institution's founder by at least this point in time.²⁰ The text appears in a codex



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- 18 For the edition of Hedwig's *vita*, written in the early fourteenth century, see *Vita sanctae Hedvigis*, ed. by Szemkowicz. For biographies of Hedwig, see Gottschalk, *St Hedwig* and Walter, *Studien zum Leben*. To my knowledge, there are no recent extended studies of the duchess. For Hedwig in the context of the spiritual activity of royal women in central Europe, see Klaniczay, *Holy Rulers*, 195–294.
- 19 *Vita Annae ducissae Silisiae*, ed. by Szemkowicz. For Herbord's relationship with Hedwig and Anna, see Klaniczay, *Holy Rulers*, 287–88.
- 20 'Anna ducissa, filia regis Bohemie, coniunx ducis Henrici et ducissa Wratislaviensis, fundatrix monasterii sancte Clare, obiit anno Domini 1265': 'Notae Monialium Sanctae Clare Wratislaviensium', 534.

compiled by the nuns.²¹ This codex also includes other texts that were important to the nuns' devotion, such as the *vitae* of SS Francis, Clare, and Antony of Padua, and the liturgy for the feast of Corpus Christi, which suggests that this was a frequently used volume.

The very first line of the *vita* emphasizes that Anna was subservient to Hedwig 'in all things', and the text later tells us that Anna had learned her penitential habits from Hedwig.²² The two women sit together at Mass hidden behind a curtain and remove everything of 'silk and purple' before listening to the Mass, participating together in a semi-monastic type of renunciation.²³ In all episodes of Anna's *vita* in which she is inculcated with the norms of this penance, Hedwig is close by and usually actively involved. This lay adoption of monastic penance is manifest also in the relationship that Anna shares with the Franciscan friars at Wrocław, who act as her confessors. The text notes that Hedwig and Anna both confessed to the male religious at court, and while presumably the reader is not meant to take from this passage that their confession was a shared experience, in the context of Hedwig's portrayal as Anna's mentor we might understand that Hedwig had taught Anna this behaviour. The text tells us that after the Franciscan friars came to the region of Silesia, Anna took on a mendicant confessor. The confessor instructed Anna that they should both receive discipline after sleeping together, and they did so: Anna from her handmaid and Henry from the friars.²⁴ In an appendix to the *vita*, Henry II is named the son of Hedwig rather than the son of Henry I, emphasizing the family's holy authority via the maternal line. She does not appear frequently even in this short text, but her spectre is present at the points in which the intertwined concerns of penitential authority and dynastic legitimacy are discussed.

Hedwig is presented by Herbord and the nuns as an authority in the particular form of penance that Anna had taken on as a royal penitent, if the confessor is not far behind — an observation to which I shall return. Gábor Klaniczay's survey *Holy Rulers and Blessed Princesses* beautifully mapped out the central European royal courts during the thirteenth and fourteenth centuries in particular as semi-monastic spaces in which the noble and royal women of these courts were teachers and spiritual

21 Wrocław, Wrocław University Library, MS BUW IV F 193.

22 '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 ducissae Silisiae*, ed. by Szemkowicz, 657.

23 'Quando vero missa celebratur, sancta Hedwigis velo circumdabatur et nullus permittebatur interesse, nisi sola sancta Anna, que etiam omnia ornamenta sua deponere 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 ducissae Silisiae*, ed. by Szemkowicz, 657.

24 'Statim vixit cum marito suo secundum consilium eorum, et disciplinas accipiebat a quadam pedissequa sua et maritus eius a fratribus': *Vita Annae ducissae Silisiae*, ed. by Szemkowicz, 658. See also Klaniczay, *Holy Rulers*, 287–88.

directors.²⁵ These 'heavenly courts' stood in conceptual contrast to the earthly courts of their husbands and brothers. Sean Field argues in his work on Isabelle of France that where a court such as that of Louis IX was a heavenly court developed in dialogue with women such as his sister Isabelle, the central European heavenly courts were the purview of female authority.²⁶ Some of these women, such as Agnes of Bohemia and the princess Salomea of Kraków (d. 1268), professed as nuns, and others took on a degree of religious penance without taking formal vows, such as Anna and Hedwig.²⁷ Others still, such as the Hungarian princesses Kinga (d. 1292) and Jolenta (d. 1298) — who became duchesses upon their marriages to, respectively, the High Duke of Poland Bolesław V, and Duke of Greater Poland Bolesław I — took some kind of vow after the death of their husbands but do not seem to have professed as nuns.²⁸ The men of the courts also took on penitential activity. They were involved in the crusading movement and fought wars against the Mongols, who by then were seen very much as a religious threat. But their direct involvement with the religious activity of the royal courts during the thirteenth and fourteenth centuries was less pronounced than that of the women, and beyond taking up the cross on crusade, no men were depicted with Christlike attributes in a way that was comparable to a figure such as Louis IX.

Klaniczay observed that the development of the central European courts as penitential spaces that were directed by women was in part the result of the spiritual programme associated with the Fourth Lateran Council.²⁹ As many before have articulated, the early thirteenth-century papacy envisaged a community of believers, both lay and religious, subject ultimately to the papacy and formed against the transgressive impulses that threatened to destabilize Christendom at its core. Responsibilities were placed on all to fight heresy and the infidel, in part through self-reform and the regulation of one's own behaviour. The excesses of clerics, professed religious, and rulers, in particular, were identified as threats and condemned by the papacy. The penalty for non-conformance was burning in eternal hellfire, a punishment which, through the work of Dominican inquisitors in particular, was brought out of the abstract unknowable of the afterlife and performed on earth.³⁰

The women found their role in this programme within the courts and cloisters, most performing contempt of wealth through donation to the construction of churches and engaging in forms of bodily mortification, some by professing as nuns.

25 Klaniczay, *Holy Rulers*.

26 Field, *Isabelle of France*, 5–6.

27 On Salomea of Kraków, see Klaniczay, *Holy Rulers*, esp. 206–07, 221–23; and Gustaw, 'Salomea'. There is speculation about whether Anna might be considered a Franciscan 'tertiary' in Walter, 'Franziskanische Armutsbewegung in Schlesien', but the evidence is patchy. The idea of a 'tertiary' Franciscan Order did not exist until the very late thirteenth century at the earliest; see More, 'Institutionalizing Penitential Life'.

28 On Kinga, see Gustaw, 'Kinga – Kunegunde'; Klaniczay, *Holy Rulers*, 206–07; Kowalska, 'Błogosławiona Kinga'; and Kumor, 'Fundacja starszadeckiego klasztoru'. On Jolenta, see Blok, *Święci nie przemijają*; Gustaw, 'Jolenta – Helena'; Klaniczay, *Holy Rulers*, 206–07.

29 Klaniczay, *Holy Rulers*, 195–96.

30 Ames, 'Does Inquisition Belong to Religious History?', 23–24.



Authors of hagiography, quite often the women's confessors, built these women's authority on their performance of such acts as royal women, the highest of society becoming the lowest in a late medieval feminine reworking of the Gospel narratives. Royal women learned penance in part through reading the hagiographies of these figures, some of whom were recommended as role models by members of the ecclesiastical hierarchy. Gregory IX, for instance, in 1235, recommended the Árpád princess Elizabeth of Hungary (d. 1231) as a role model to the noblewoman Beatrix of Castile. 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 also names Agnes of Bohemia as another figure of spiritual authority who had embraced religious life after having been 'intoxicated' by Elizabeth's holiness.³¹

Of course, what we have seen above and much of the material with which scholars such as Klaniczay deal are iconic portrayals of the figures mentioned; images from hagiographies written long after their subjects had died, and which lay somewhere between how the members of such courts wanted to be portrayed and how the clerics who shaped the hagiography envisaged an ideal court. Saints were meant to be extraordinary and not necessarily figures to be emulated. But hagiographies were texts that were meant to inspire, and both the settings and the nature of the relationships depicted in these texts by necessity had to be familiar to the members of their intended audience, whom they were meant to edify.

Anna's close relationship with Hedwig in the text was meant to add to Anna's spiritual prestige and that of the monastery, but it was also meant to teach others how to behave. This is particularly significant when we consider the role of the confessor within the text. Hedwig is a spiritual authority within the text as she teaches Anna everything she needs to know about penance, including submission to one's confessor. The looming presence of the confessor within the text is a result of the canonization of mandatory confession by Innocent III at the Fourth Lateran Council. Dyan Elliott has argued that the canonization of confession created the hagiographic trope of submissive woman as proof of orthodoxy.³² The agents of Lateran IV, including hagiographers, modelled those ordained as priests as proxies for God, and therefore subordination of laity to the clergy as proof of subordination to God. Women, Elliott argues, were 'quintessential laypersons, who, barred from ordination and locked away in an enduring position of deferential subordination were particularly suited for modelling the proper attitude [of the laity] to the clergy'.³³ Women, therefore, excluded completely from the ecclesiastical hierarchy, were the ideal model of submission. The portrayal of the submissive women in hagiography became an anti-heretical hallmark in hagiography.

Elliott sees this trope play out most powerfully and startlingly in the material relating to the canonization of Elizabeth of Hungary. Canonized in 1234, Elizabeth

31 *Annales Minorum*, ed. by Wadding, 447–50.

32 Elliott, *Proving Woman*.

33 Elliott, *Proving Woman*, 48.

was a Hungarian princess and Thuringian landgravine. After the death of her husband Louis on crusade, Elizabeth took on a life of harsh penance under the spiritual direction of her confessor Conrad of Marburg, also an inquisitor. By Conrad's own admission and in the testimonies of Elizabeth's handmaids, the punishments that he meted out to Elizabeth were incredibly severe. One of Elizabeth's companions, Isentrud, provided the following testimony in support of Elizabeth's canonization:

When, while her husband was still alive, she was already under obedience to Master Conrad, he once summoned her to one of his sermons, but she was not able to come on account of the arrival of the marquise of Meißen. Offended, Conrad sent word through a messenger informing her that, due to her disobedience, he would no longer be overseeing her spiritual care. She hastened to him the very next day and humbly begged him to forgive the offense. He did not want to, but when she and her handmaids threw themselves down at his feet, he relented. As punishment, he ordered them to strip down to their shirts and soundly whipped them.³⁴

Instances such as Elizabeth's acquiescence to Conrad's direction and these harsh punishments were taken by papal inquisitors and authors of hagiography as the ultimate proof of orthodoxy. They also had a profound impact upon the penitential climate of the central European royal court.³⁵ As the startling blend of high status and absolute submission in the stories associated with Elizabeth seeped into the consciousness of central European royalty following Elizabeth's canonization in 1234, the royal courts became sites for the performance of pious behaviour by royal women, and the cloisters of these regions in turn.

Elliott cautions that these are simply representations of women's realities and that 'we can seldom discern the extent of the women's participation in what is generally understood to be their own creative performances since the clerical hand constructs or at least shapes the vehicle through which women's creativity is conveyed'.³⁶ This is true, but given that it was written collaboratively with the nuns of the Wrocław community, who gave their testimonies to Herbord, we have to assume that the women of Anna's community played some role in this, even if it is difficult to pinpoint precisely where.³⁷ Remembering that the text was written during a period in which investigations into sanctity became inquisitorial in nature helps the historian to draw out the significance of their testimonies as the basis for the text. Christine Caldwell Ames has demonstrated that the role of the inquisitor grew out of that of the confessor. Dominican confessors' handbooks suggest that friars had to be prepared to hear confessions of heretical activity.³⁸ Confessional processes, as structures that

34 *Life and Afterlife of St Elizabeth of Hungary*, ed. by Wolf, 199.

35 On the influence of Elizabeth in central Europe more broadly, see in particular Felskau, 'Imitatio und institutionalisierte Armenfürsorge' and Machilek, 'Die Přemysliden, Piasten und Arpaden'.

36 Elliott, *Proving Woman*, 7–8.

37 On the importance of reading texts written ostensibly by confessors as collaborative productions between confessors and women religious, see Watt, *Medieval Women's Writing*, 13–16.

38 Ames, 'Does Inquisition Belong to Religious History?', 19–20.

were meant to produce truth, were thus central to the way in which canonization procedures developed along inquisitorial lines. By virtue of having gone through this procedure, the situations described were true as far as the text's audience — the earliest of which, let us not forget, would have comprised the nuns who gave their testimony — was concerned.

This in turn lends weight to the physical presence of the friar in the text. If Hedwig is Anna's spiritual mentor and instils Anna with a penitential courtly etiquette which comprised deference to one's confessor, the friars shape this. I have already discussed how Anna went to the friars for guidance on the penance that she and her husband ought to perform in order to atone for sleeping together. Alone, this instance perhaps does not quite communicate the nature of the friars' power and authority. Confession of sin and the acceptance of the penance prescribed by one's confessor were ostensibly voluntary acts, and contrition was the most important part of the spiritual transaction between confessor and penitent. But the mandatory nature of confession meant that while contrition was necessary for the spiritual health of the penitent, it also shored up the power of the confessor. Anna's *vita* states that she 'placed herself and her children under the Friars Minor, whom she supported until her death.'³⁹ Anna's ultimate submission to the friars, combined with the friars' power as confessors, is illustrated by an episode of the *vita* in which the friars protest Anna's desire to build a monastery for Franciscan nuns. According to the *vita* Anna was a major patron of the friars, whose monastery was part of the complex of her court. The friars did not take Anna's decision to build a monastery for nuns as part of this complex well at all, although the reasons for this opposition are not articulated, and tried to block Anna's efforts, reducing Anna to tears and begging. They concede after Anna's performance of humility that she may go ahead and build the cloister.⁴⁰ Anna's authority, even as a royal donor who sustained the friars, thus only extends as far as the friars allowed. The friars were no Conrad of Marburg, but the extent of the power that they wielded over Anna demonstrates that confessors had the ultimate authority.

The portraits of spiritual authority in Anna's *vita* are formed out of a mesh of interwoven ecclesiastical and social authorities, all of which are tempered by gendered discourse. The *vita* demonstrates that a central facet of royal women's authority as architects of the heavenly courts, as well as the point at which their authority ends, is derived from submission to the authority of their confessor. Confessorial power stemmed from the staging of confessors as proxies of Christ and people on earth who realized the terrors that would await humankind in the afterlife. Submitting to one's confessor *was* submitting to Christ. Intended in part for the nuns' edification, the pedagogical relationship that is depicted between Hedwig and Anna in the text offers an idealized model for how penitential behaviour, including that of obedience to the confessor, ought to be taught. The spaces inhabited by royal women and the relationships that they shared with each other are the sites for the transfer of knowl-

39 'et ita ordini fratrum se et pueros suos subdiderat, quod etiam usque ad mortem conservavit': *Vita Annae ducissae Silisiae*, ed. by Szemkowicz, 658.

40 *Vita Annae ducissae Silisiae*, ed. by Szemkowicz, 658.

edge from authoritative figures such as Hedwig to the next generation of penitents. While these episodes were, of course, refracted through the lenses of memory and the clerical hand, the power dynamics and the authority that they stage are rooted in the relationships between women and their confessors. Perhaps because of this, texts like these take on a special kind of authority of their own. The startling blend of royal status and humiliation by one's confessor in the *vitae* of royal women, as well as the direct recommendation of these women to one another as role models by the papacy, built up a textual genealogy of royal penance that would have made it difficult for these women to have deviated from the tradition of submission to the distinctly patriarchal structures of ecclesiastical surveillance.

This is not to say that these women were free of agency. Even if they were part of a religious movement in which relinquishing worldly power was central to salvation, consent was necessary for penitential benefit. The dramatic images of renunciation in these texts are striking precisely because women who had authority chose to participate in these movements and to teach penance to others.⁴¹ It is perhaps unsatisfying that these claims are based on highly performative texts that were intended as models. How do we know that these women followed the plan that the papacy had intended for them, and that the mentoring relationships between women were not simply fiction?

It is more difficult but not impossible to pick out how women transferred these ideas to one another. The available sources demonstrate both how women were complicit in structures that promoted surveillance and the regulation of women's religious lives, and how important the idea of the papacy as an authority in this type of regulation had become by the thirteenth and early fourteenth centuries. For instance, on 27 April 1259, Pope Alexander IV issued a document to the community of Franciscan nuns in Wrocław. We learn from the papal letter that Agnes of Bohemia had told the pope that Anna of Silesia had financed the monastery's construction at her own expense, and that she had also bestowed 'many ecclesiastical ornaments' on the monastery.⁴² Presumably also at Agnes's bequest, 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 [Anna].'⁴³ We do not have surviving correspondence between the sisters themselves, but the papal document demonstrates that Agnes and Anna maintained contact across a vast distance and cloister walls, and shared concerns and ideas about the image and salvation of their dynasty. They may also have discussed the correct form of religious



41 Klaniczay, *Holy Rulers*, 202.

42 'Insinuavit nobis carissima in Christo filia nostra Agnes soror monasterii sancti Francisci Pragensis ordinis sancti Damiani, quod dilecta in Christo filia nobis mulier [...] ducissa Polonie germana sua cupiens ad gloriam celestis patris piis meritis provenire monasterium vestrum suis propriis sumptibus fecit construe et eidem quam plura ecclesiastica ornamenta pietate contulit liberali': *Schlesisches Urkundenbuch*, ed. by Irgang, 189.

43 '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': *Schlesisches Urkundenbuch*, ed. by Irgang, 189–90.

life to follow. In 1262, the Wrocław community received permission from the pope to follow the *forma vitae* of St Clare.⁴⁴ As the papacy permitted so few communities to follow that rule, it seems plausible that either Anna or the Wrocław community had heard about this from Agnes.⁴⁵ An addendum to Anna's *vita*, a short chronicle of the Wrocław community, mentions also that nuns from Prague made up the 'founding' corporation of Franciscan women religious at Wrocław.

Whether this is true or not, interesting for our understanding of authority is the way in which Wrocław revered Prague as a model institution with which they wanted to connect themselves genealogically, how Agnes seems to have been a nurturing figure in Anna's spiritual direction, and how both Agnes and Prague functioned as conduits through which ideas spread. It shows how ideas spread through Agnes's exercise of authority on her sister's behalf, but also how Agnes and Prague were created as authoritative points of reference through communication and chronicle. Agnes was, of course, also exercising her authority in order to preserve the memory of her sister and, by extension, her dynasty's holy bloodline.

Agnes was thus cast in a role in which she was central to the communication of the by now inseparable ideas of dynastic spirituality and a form of renunciation of property that was heavily imbued with the symbolism and gestures of the nascent Franciscan Order. What we notice here in particular is that Agnes's authority is mediated through the institution of the papal curia. This may be an obvious point for many readers of this volume, but it shows the extent to which Agnes — often portrayed by historians as Clare's partner in the struggle *against* the papacy for an 'authentically Franciscan' *forma vitae* for women religious — had to work within the papacy's bureaucratic framework in order to enact her authority and preserve her family's memory. Even this tiny glimpse into Agnes's authority in relation to the papacy and her sister's spiritual enterprise demonstrates that it is inadequate to characterize Agnes either as a co-conspirator in Clare's rebellion against the papacy, as a royal person who got away with what she wanted, or as someone who relinquished all power to the papal will. Her authority derived from the papacy as much as her position, and the Franciscan women as direct subjects of the papacy's authority were reliant on the curia for their basis of life and support. In participating in this, too, she affirmed a system of surveillance and recording that was orchestrated by the thirteenth-century papacy through the extension of its confessional and bureaucratic reach.

Possible also is that the women under study felt more visible and more susceptible to surveillance, or sanctions for rule-breaking, because of their prominent status. We are offered two brief glimpses into the women's movement between cloisters — also likely a mechanism for the spread of ideas of submissiveness — in papal documents issued by Alexander IV to the Wrocław community in 1260 and by John XXII to Jadwiga of Poland in 1321. Alexander's document granted the Wrocław nuns permission to

44 For a recent detailed study of Clare's *forma vitae*, see Mooney, *Clare of Assisi*, 161–96. On Clare's *forma vitae* in context of the other rules given to communities of Franciscan women, see Smith, 'Shaping Authority'. On Wrocław's privilege, see Sutowicz, 'Przyczynek'.

45 Roest, *Order and Disorder*, 53.

receive Gertrude of Trzebnica — the Abbess of Trzebnica and daughter of Hedwig of Silesia — as a visitor into their enclosure.⁴⁶ Jadwiga obtained a dispensation from John XXII to go against the norms of enclosure prescribed by the nuns' rule and the decretal *Periculoso* (issued by Pope Boniface VIII in 1298) which demanded the strict claustration of all women religious in order to visit the communities of Franciscan nuns at Gniezno and Stary Sącz.⁴⁷

Given that the rules for women's enclosure had become more stringent over the course of the thirteenth century, we might read these dispensations as the result of powerful women pulling rank over the papacy. Being in positions of power may have helped these women's cases or have given them the means with which to contact the papacy with relative ease, but what these two examples show is that they felt compelled to obtain permission from the pope in order to transgress enclosure, and that they were aware of the norms to which they were meant to adhere. The ritual that they went through in order to obtain papal permissions enforced the idea that they were subject to papal authority, which may in turn have shaped their relationships with other women. Certainly, the reason for gaining permission to authorize these visits was to gain spiritual inspiration from well-known authorities as well as to cement relationships within and between powerful families. That this performance of authority was mediated through the papacy provides an insight into the nature of royal women's authority in this context and how the papacy's authority was affirmed and reproduced as these women exercised theirs.

These are just a few examples from a fragmentary base of evidence for the royal women of Bohemia and the Polish duchies who collaborated with the Franciscan Order. An uneven spread of evidence, and the nature of this evidence as a set of collaborative constructions that evade attribution to a sole author, frustrates a definite conclusion about the nature of these women's authority and of how this was shaped through interaction with the papacy. Situating this material within the context of a Church which had developed its mechanisms of surveillance and recording in response to perceived transgressions which were thought to pose a serious threat to Christendom, however, allows us to make some observations on these issues. It is clear that we must move beyond the characterization of defiance of papal authority as a quality inherent to Franciscan status. Such defiance became increasingly difficult across the course of the thirteenth century and into the fourteenth not only because of the need for papal validation in a turbulent spiritual climate, but also in part because the changing nature of male ecclesiastical authority and the way that this was enacted and reproduced through the body of the confessor meant that submitting to this authority became a type of submission to Christ: an act of penitence at the very core of Franciscan ideals of humility. Debates over this particular assertion of papal authority within religious life would have some consequences for the identities of some organizations within the Order of Friars Minor who were not so ready to accept the idea that the pope was the vicar of Christ. But an initial examination of

46 *Schlesisches Urkundenbuch*, ed. by Irgang, 222.

47 *Kodeks dyplomatyczny Wielkopolski*, ed. by Zakrzewski, 360–61.

the evidence associated with these women indicates that these debates do not seem to have touched these communities at this point in time.⁴⁸ Moreover, numerous Franciscan men who achieved canonical status in the order's history collaborated closely with the papal curia.⁴⁹

This is not to suggest that the women's complicity in the curbing of their own authority is not striking. These women exercised a great deal of authority in their generous patronage of Franciscan institutions in central Europe; in the most literal sense, they were architects of the heavenly courts. Forming the very structure of these courts were the networks that women created or reinforced between each other, through which submission to patriarchal authorities might be taught. The women dealt with in this essay were, of course, royal by birth, and so were exposed to the pressure of increased surveillance on account of their societal prominence. In affirming these mechanisms of surveillance, though, they also helped to legitimize the aggressive surveillance and recording of others who were identified as threats by programmes such as that propounded at Lateran IV — measures against non-Christians, for instance. Ultimately, this line of inquiry adds to those that problematize the characterization of women religious either as deriving authority through disobedience or as completely oppressed subjects. I hope that, in turn, this study also poses a challenge to the narrative of a singular authoritative Franciscan identity for women, and indeed the notion that such a thing may have existed.

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48 On the formation of groups of so-called 'Spiritual' Franciscans who sought to question this idea, see Burr, *Spiritual Franciscans*.

49 See Power, 'Franciscan Advice'.

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