Innocent III died less than a year after the close of the Fourth Lateran Council, too soon to see its consequences in the life of the church. The influence of the council on subsequent developments is complicated because each of seventy canons had its own history of implementation or neglect.\(^1\) There are many indications that the sixty-fourth canon, directed against simoniacal entry into religion, was taken seriously and was enforced in varying degrees during the second and third quarters of the thirteenth century, although the final result was less than the reformers wanted.

In both ecclesiastical and lay affairs, the thirteenth century was an age of law and lawyers. In that society the permanent survival of the new attitudes toward entry payments was virtually assured when the developments that had taken place since Gratian were incorporated into the official legal codes of the church. By the later twelfth century the papacy had become in theory and in fact the major source of legislation in the church, primarily through its judicial decisions, which were accepted as precedents for the future. As the papal decisions grew in number and in importance, Gratian's *Decretum* became outdated and had to be supplemented and completed by collections of papal decretal letters, which were studied and glossed by the canonists alongside the *Decretum* itself.\(^2\) The practice of making collections of papal decretals sped up the dissemination of new decisions. For example, Innocent's decretales on simoniacal entry had been incorporated during his own lifetime
into several such collections, thus making the decisions readily available to law students and judges. However, the existence of many unofficial decretal collections was inefficient and disorderly. Pope Gregory IX wished to unify and organize the canon law, and in 1234 he issued an authoritative collection, the *Decretales.* The major decisions of his predecessors on simoniacal entry issued during the previous seventy years were included, and the effect was like the layers of an archeological site. Book five, title three of the *Decretales* was devoted to simony. Chapter eight consisted of Alexander III's canon of Tours (1163), chapter 19 was Alexander's decretal letter "Veniens," chapter 25 was Clement III's decretal letter "De regularibus canonicis," chapter 30 was Innocent III's decretal letter "Dilectus filius," and chapter 40 was the sixty-fourth canon of the Fourth Lateran Council. Thus, in a formal and solemn way, the prohibitions against simoniacal entry were encased in the major canonical authority of the era and were studied and glossed by teachers of canon law for centuries.

Formal prohibitions, however, are by no means equivalent to effective implementation. One of the main themes of papal action in this area had been the tension between the demands of the law and the demands of fair, orderly administration; or to put the dilemma another way, there had been a tension between legal theory and practical constraints. In spite of his convictions Innocent III had been compelled to take into account mitigating factors, in particular, the numbers of religious involved and the *simplicitas* or ignorance of the offenders. His two successors in the papacy, Honorius III and Gregory IX, upheld the legal principles at stake while also bending to meet realities. The maximum punishment prescribed for simoniacal entry was deposition of the guilty official and penal exile to a stricter house for the guilty entrant. It is striking how rarely those penalties were invoked in the generation after Innocent's death. If an abbot was guilty of multiple crimes, among which was the reception of new members simoniacally, he might be deposed. But in those cases in which only simoniacal receptions were at issue, the abbot was rarely accused or reprimanded. The reason for this leniency lay in the dearth of competent administrators
among religious communities. The letters of Innocent III, Honorius III, and Gregory IX reveal that capable, honest, firm officials were not common enough among the religious houses of the early thirteenth century. One could not afford to depose otherwise acceptable prelates for any but the most serious crimes. The canonist Hostiensis remarked that, in cases of simoniacal entry, "perhaps it was not useful to monasteries to remove their experienced administrators." In one instance in which a prelate was singled out for accusation, the motive was primarily political. In 1237 King Henry III of England wished to prevent papal confirmation of the election of Simon of Elham, prior of Norwich, to the see of Norwich. As was common in England, the cathedral chapter of Norwich was a Benedictine monastery. The king's representatives to the pope accused Simon of a number of crimes including: "Likewise, both the elect and the electors committed the crime of simony by receiving certain persons as monks of their church with money intervening." The royal objections were successful, and in 1239 Pope Gregory IX quashed the election. In a case among the Cistercians in 1225, Abbot John Godard of Fontmorigny was accused of simony by a conspirator among his monks. The abbot was deposed for the breach, but ultimately he was vindicated and reinstated by the general chapter of the order. Such depositions were uncommon, and in the rare situations in which prelates were punished in other ways, their fate was normally to perform a suitable penance while retaining their offices.

The focus of attention in papal letters was on the guilty entrants rather than on the guilty prelates. But even in the case of entrants, the extreme penalty of penal exile to a stricter house was seldom invoked. In 1236 the bishop of Amiens was ordered by Gregory IX to send simoniac nuns of Villencort to stricter houses, and in 1239 the same pope instructed the bishop of Lincoln to send guilty religious to stricter houses; but in both cases the proviso "if that is possible" was added as an escape clause. The imposition of penal exile was made difficult by the resistance of many houses to their being used as places of imprisonment, a practice that they saw as expensive and burdensome. Often, lesser penalties were im-
posed. For instance, some simoniacs were expelled from the house of entry and placed in priories of the same order, as at Quedlinburg\textsuperscript{16} and Bec\textsuperscript{17} in 1220, and at Klosterneuburg\textsuperscript{18} in 1222. Canon 64 of the Fourth Lateran Council had provided that, if penal exile was not feasible, an internal punishment involving loss of seniority and the imposition of a penance was permitted. That solution was convenient both as a way to punish the guilty and to maintain order, and it was allowed at Scara in 1220,\textsuperscript{19} in the diocese of London\textsuperscript{20} and at the Hospital of Saint Anthony at Vienne in 1233,\textsuperscript{21} at Villencort in 1236,\textsuperscript{22} and in the diocese of Lincoln in 1239.\textsuperscript{23} At other times transfer to another order was permitted. A Benedictine of Saint Nazerius of Blandrat, whose entry had been purchased for him while he was a child, was allowed by Honorius III in 1220 to enter the Austin canonry of Saint Colomban of Blandrat.\textsuperscript{24} Another Benedictine, whose simony had also been committed in his youth, had sought the advice of his diocesan bishop, who recommended that he go to another monastery. The monk entered the Hospital of Jerusalem, and in 1220 Honorius III ratified that decision, with no mention of exile or punishment.\textsuperscript{25} In both cases the simony had been committed while the monks were young, perhaps even minors; and the crime had occurred before the Fourth Lateran Council and so might be excused by simplicitas; consequently, transfer to another order probably seemed a reasonable solution.

The legal situation of simoniac religious was complicated by another factor. Canon 10 of the Third Lateran Council (1179) had imposed on simoniac entrants the penalty of irregularitas, that is, they were forbidden to receive and to exercise holy orders beyond those that they already possessed at entry.\textsuperscript{26} If such simoniae received or exercised further holy orders, they were excommunicated and were required to seek absolution from the pope himself. The penalty of irregularitas was not unique to simoniacal entry; it had been applied by the canon law to several other crimes, including homicide, striking a cleric, and bigamy. Defiance of the prohibition to exercise holy orders was a serious breach. Apparently, some simoniac religious did receive and exercise further holy orders
and fell under excommunication for their offense. The papacy formally rescinded neither the punishment nor the need to journey to the papal curia for the lifting of the ban; however, in practice a more lenient policy was pursued. Bishops and abbots argued with success that the long, expensive journey to the curia for absolution was a danger to the spiritual welfare of the religious, because it constituted an excuse for wandering among secular men. It was not uncommon for the pope to delegate the power of absolution from excommunication to the local bishop or even to the abbot of the guilty religious.²⁷

From the beginning of Innocent III’s pontificate, the sheer numbers of religious involved had been a stimulus to bend the legal framework. In some religious houses simoniacal reception had apparently been an isolated event and so could be dealt with rigorously; but in others it had been used systematically, and virtually everyone was guilty. To invoke penal exile or depositions and de-motions on a mass scale would have severely disrupted, perhaps annihilated, the house. Theorists like Robert de Courson might opt for destruction of a monastery in the interests of purity,²⁸ but church administrators were seldom if ever willing to go so far. Hence it was often expedient to permit a local bishop to use his own judgment as to how much of the law should be applied in a particular case, especially when full application of the law was too drastic to contemplate seriously.²⁹

Finally, Honorius III made some ad hoc decisions that were intended to improve a situation rather than to punish simony. At the nunnery of Malbod, in 1217, Honorius required that the majority of the community give its assent to receptions, as a way to check the frequent simony that occurred when the abbess alone admitted new members.³⁰ At the nunnery of Fontevrault there were so many nuns in the priories of the house that the available resources were insufficient to support them. Poverty drove the nuns to simony and other disorders. Honorius III instructed the bishop of Soissons to fix the number of nuns in each priory with reference to the resources, so as to prevent future problems.³¹

When viewed from the papal side, the issue of simoniacal entry
reflects an attempt over a period of thirty years following the Fourth Lateran Council to change the entry practices of religious houses, but an attempt thwarted to a degree by the reality of the numbers involved and by the fact that respectable religious were only too often the culprits, against whom it was difficult to invoke the full severity of the law. The papacy upheld in theory the legal prohibition on forced entry payments or pacts, while in practice it pursued a milder course consisting in some punishments, some dispensations, and some *ad hoc* decisions.

Innocent's campaign against simoniacal entry, however, had never consisted solely of punishments. He had attempted from the beginning to publicize the seriousness of the crime and to sensitize responsible officials against it. In this effort at raising consciousness about the issue, success was clearer. Simoniacal entry had not been perceived as a crime before 1130, and before 1170 it was the concern of canonists and few others. The period from the pontificate of Innocent III (1198–1216) to that of Gregory IX (1227–41) saw the issue rise in importance among the bishops, within religious orders, and in the lives of at least some individuals.

There were more than five hundred bishoprics in the Latin Church in the thirteenth century, and each bishop had the right and the responsibility to visit and to discipline the nonexempt religious houses within his diocese. Innocent and his successors had placed great hopes in the efficacy of episcopal visitation to bring about reform of religious houses, especially independent houses. At the Fourth Lateran Council, Innocent III had commanded bishops to visit more regularly and to use their annual diocesan synods, which many abbots and abbesses were obliged to attend, as a forum to publicize reforms of all kinds, including opposition to simoniacal entry. Many of the cases that came to the notice of the pope were referred by bishops who had uncovered them initially in the course of visitations in their dioceses.

There was a long tradition of bishops issuing conciliar canons and statutes for their dioceses, but the thirteenth century witnessed a major expansion of such activity. An examination of the diocesan and provincial synodal decrees and the diocesan statutes of the
first half of the thirteenth century reveals that the problem of simoniacal entry was not, in fact, heavily emphasized by the bishops. Simoniacal entry was treated at London in 1200, at Oxford in 1222, at Compiègne in 1238, at Lucca in 1253, at Cologne in 1260, and in the diocesan statutes of Chichester (1245–52) and Nîmes (1252). No doubt this list could be lengthened, but it would still remain a distinct minority of the synods and statutes issued in the first half of the thirteenth century. In part such a lack of stress on the crime of simoniacal entry may be explained by the circumstances in which such canons and statutes were issued. They were directed primarily at the instruction and reform of the secular parish clergy who served the diocese and upon whose comportment so much depended. The synods and statutes gave much attention to outlining the proper life style for a priest, explaining the basic doctrines of the faith, and discussing the proper performance of the sacraments and other ecclesiastical rituals. The failings and problems of monks, nuns, and other religious were legitimate concerns of synods and statutes, but they constituted a peripheral area of attention.

It was during a canonical visitation that a bishop might be expected to deal with concrete cases of simoniacal entry. Bishops were empowered to visit many of the religious houses within their dioceses, and, in special circumstances, a bishop might be invested with papal authority to visit exempt houses as well. Canonical visitations were a secret affair between the visitor and the religious visited, and it was then that the scandals of a religious house would be treated, rather than during the public diocesan synod. Episcopal registers before the middle of the thirteenth century are rare, especially outside England. Consequently it is difficult to determine how frequently bishops sought out and discovered such simony. However, the surviving evidence corroborates the view gained from diocesan synodal canons and statutes that simoniacal entry into religion was not a major concern of bishops and probably was not a glaring fault in many of the houses visited. In 1233 Walter Gray, archbishop of York, visited Selby Abbey, and one of his injunctions to the monks was that the normal number of religious ought to be
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filled—apparently it was below normal—but he was careful to add that the new monks be received gratis. The conscientious Franciscan archbishop of Rouen, Odo Rigaud, recorded only four cases of simoniacal entry in his voluminous register, kept from 1248 to 1269.

A canonical visitor often had a set of questions or articles to use during visitation as a guide to the investigation. The articles of the investigation are valuable because they indicate the points that were of interest to the visitor. In an English set of questions, composed about 1259 and intended expressly for religious houses, the visitor was directed to ask "whether anyone is admitted simoniacally?" and also whether the canons of the Council of Oxford (1222), which dealt with religious, and the injunctions issued during earlier visitations were read aloud to the community several times annually. Such a reading of earlier enactments would serve to keep alive prohibitions of simony, particularly those that had been issued by the Council of Oxford. Many dioceses were large and had numerous religious houses. As a consequence actual visitation might be made by delegates of the bishop or by other officials. A manual for archdeacons, attributed to the Dominican canonist Raymond of Peñafort, gave much attention to the visitorial duties of archdeacons. The manual insisted that the archdeacon on visitation should be alert for simoniacal entry to all kinds of religious houses, including hospitals, leper houses, nunneries, canonries, and monasteries. It suggested that the archdeacon question both the head and the members of the house about the entry practices employed there. The manual noted that such simony occurred now and then among monks and regular canons, "but commonly and almost all the time among Benedictine nuns," a charge that seems borne out by much of the thirteenth-century evidence. The manual's direct statement that simoniacal entry was only an occasional problem among monks and regular canons may explain why bishops gave only moderate attention to it in the 1230s, when the manual was apparently composed.

Thirteenth-century bishops were busy men, burdened with a wide range of secular and religious duties. Some attempted to imple-
ment the reform program outlined at the Fourth Lateran Council, which included opposition to simoniacl entry into religion. However, from the evidence it seems fair to surmise that most bishops focused attention on those elements of the reform program that touched the secular clergy. During visitation of religious houses, bishops probably asked about entry practices, but only as one element of the larger inquiry. For the episcopate, simoniacl entry was a peripheral issue, an occasional problem among many others.

More important for the spread of concern about simoniacl entry were the decisions taken by religious houses and orders. In the mid and late twelfth century, some religious orders had legislated against forced payments and pacts at entry. It was no coincidence that the Order of Cluny and the Order of Citeaux, along with a number of lesser groups, adopted the "modern," canonist view of entry practices during the pontificate of Innocent III. However, in the wake of the Fourth Lateran Council, the efforts by religious houses and orders to prohibit simoniacl entry for the first time or to apply already existing legislation grew even more common. For instance, the Cistercians had been slow to adopt an open condemnation of simoniacl entry gifts; and indeed, there is no evidence that the order issued a comprehensive measure against monastic simony. But the Cistercians could hardly ignore the common law of the church, and beginning in the 1220s, the Cistercian general chapter took positions that reflected the fact that publicity against simoniacl entry had won the abbots over, whatever might have been the hesitations on the issue held by their twelfth-century predecessors. In 1220 the abbots of the order were specifically forbidden by the general chapter to dispense their monks from the *irregularitas* that they incurred because of simony, homicide, bigamy, and forgery of papal letters. Any such cases were to be referred to the general chapter for disposition. In 1222 the abbot of Bloomkamp in Frisia confessed in the general chapter "that he received many monks and *conversi* to conversion under a condition, which is a form of simony." The abbot was deposed on the spot. Subsequent events provide a significant commentary on the obstacle that *simplicitas* posed for
preventing simoniacal receptions. The monks of Bloomkamp and
the neighboring Cistercian abbots apparently did not take a confes-
sion of such simony too seriously, because they reelected the de-
posed abbot, who was removed a second time at the general
chapter of 1223.\textsuperscript{54} In 1225 the chapter was informed of a con-
spiracy at Fontmorigny to oust the abbot, John Godard. A monk
"confessed" that he had been a simonian in order to implicate the
abbot as well in simony. The abbot of Clairvaux, who was the
father-abbot and visitor of Fontmorigny, deposed Godard on the
basis of the charge. Subsequently, the general chapter quashed
the deposition and punished both the abbot of Clairvaux and the
monk who had accused Godard.\textsuperscript{55} For the remainder of the thir-
teenth century, quite in contrast to practice in the twelfth, the
decisions of the Cistercian general chapters reflected an awareness
of the crime of simoniacal entry and attempted to deal with it.
An examination of the surviving records reveals that the practice
seems to have been infrequent among the males houses of the
order, but common among the nuns.\textsuperscript{56}

But it was not only within the great orders that the anti-simoni-
acal legislation and propaganda had an effect. Canon 12 of the
Fourth Lateran Council had ordered the numerous independent
religious houses, including both Benedictines and Austin Canons,
to organize themselves into provinces for triennial chapters and
mutual visitations on the Cistercian model.\textsuperscript{57} Some records of
the decisions of these chapters survive, and they too reflect the
effect that Innocent and his successors had in sensitizing religious
officials to the problem. Simoniacal receptions were forbidden by
the English Benedictines of the southern province in 1218-19
and 1249, and by those of the northern province in 1221;\textsuperscript{58} by
a Benedictine chapter meeting at Angers in July 1220;\textsuperscript{59} by a
Benedictine chapter meeting at Speyer in about 1227;\textsuperscript{60} by a Bene-
dictine chapter in Normandy about 1234;\textsuperscript{61} and by English Austin
Canons at Bedford in 1220.\textsuperscript{62}

Pope Gregory IX was particularly interested in the reform and
revitalization of the Benedictines, and his efforts directed to that
end often included moves against simoniacal entry. He ordered
visitations of Black Monk houses on a Christendom-wide scale, which were to enforce reforms based on the decisions of the Fourth Lateran Council and on his own statutes. His legate, Otho, gathered all the Black Monk abbots of England to a meeting at London in 1238. Otho issued statutes for the monks, one of which commanded:

That nothing at all be demanded from anyone who wishes to enter a monastery. But let those be admitted who ought to be admitted, purely on account of God and without any pact. Nevertheless, if anything was offered freely, without a pact, a demand or a pre-set sum, it can be received without fault.

Otho also ordered each abbot to have a personal copy made of those provisions of Gregory IX’s *Decretales* that related to monks, and he specified that the copy include the anti-simoniacl texts of canon 10 of Tours, canon 10 of the Third Lateran Council, and canon 64 of the Fourth Lateran Council. He further directed that ordinary monks be informed of the reforms by daily reading from the *Rule* of Benedict and from his own reform statutes. In 1232 Pope Gregory directed Matthew, abbot of the Cistercian house of Foigny, and two other persons to visit the Black Monk houses of the provinces of Reims and Rouen. Matthew’s statutes for Saint Vaast at Arras survive, and in chapter three he forbade the reception of boys under the age of fifteen, in part because of the illicit pacts that their parents were willing to make in order to gain a place for them in the monastery.

Thus in the three decades following the Fourth Lateran Council, the independent Black Monks and Austin Canons were pressured by means of chapter meetings, papal legates and visitors, and papal statutes to pay closer attention to entry practices; and on the basis of the evidence, one can conclude that they did build prohibitions of simoniacl reception into their legislation.

Many others of the myriad forms of religious house did likewise. Hospitals were ordinarily organized as small religious congregations of men and women who served the poor, the ill, and travelers. Beginning in the 1190s, the regulations for hospitals regu-
larly forbade simony in the reception of new staff members, and often required that a recruit swear that he had neither paid nor promised anything for his entry. In 1233 Gregory IX had reacted to reports of simoniačal reception at the Hospital of Saint Anthony at Vienne by empowering the precentor, Stephen, to deal with the offenders according to the statutes of the general council. In the twelfth century the military orders had been among those that had not adverted to simoniačal entry in their regulations. However, between 1229 and 1265 the Templars and the Teutonic Order legislated against it, generally in response to scandal or criticism. Even the Franciscan Rule commanded the officials of that order to avoid mixing in the financial affairs of entrants and to encourage the entrants to give their property to the poor. In the mid and late twelfth century, religious orders and houses that had legislated against simoniačal entry were the exception. In contrast, by the 1240s such legislation was common, normal, and probably expected as necessary to a well-run religious community. If statutes and formal enactments are a reflection of change (and I believe that they are), then the efforts at propaganda against simoniačal reception into religion had succeeded to a remarkable degree within the ranks of the religious themselves.

For simoniačal entry into religion to be checked effectively, there had to be a personal commitment on the part of officials, ordinary religious, and even entrants. Such a commitment never became universal, but there are indications that the efforts of the reformers did, in fact, win over the consciences of many individuals. One form of evidence to support such a conclusion is the testimony regarding an individual's personal crisis, which led him to seek relief. As the evidence survives, it is usually couched in the dry, unemotional legal language of a papal letter or a report on a visitation. But it is clear that behind such texts there often lie painful personal decisions. For instance, one would like to know the background to a brief entry in Odo Rigaud's register, recording his visitation of Saint Victor en Caux on 27 January 1268: "John, called of Paris, took off and cast aside his habit and returned it to the abbot in full chapter, saying that his entry had been by
Likewise, several of the letters in the papal registers were occasioned by the concern and hesitations of an individual rather than by an official investigation.

The details of at least two such personal crises survive, and they are instructive about the success of the publicity against simoniacal entry. Edmund Rich, who was archbishop of Canterbury from 1233 to 1240, was canonized after his death, and the preliminary investigations for canonization involved the gathering of testimony and the writing of several Lives of the archbishop. The chronology of Edmund's early career is not entirely certain, but it is clear that he studied and taught at Oxford and Paris between 1190 and 1204. His teachers are not known, but his studies coincided with a period of academic concern about simoniacal entry, particularly at Paris.

Edmund's mother died while he was a regent master at Oxford, i.e., probably about 1198-1204. She had two young daughters still at home, and on her deathbed she sought to provide for them in a way chosen by many parents before her. She gave Edmund a sum of money and told him to find them places in a nunnery. However, the half-century of debate and legislation about simoniacal entry into religion had not been in vain. Edmund's biographers noted that he had moral scruples about paying for his sisters' entry, and he searched for considerable time without success for a nunnery that would receive them without any prior negotiations about an entry fee. Finally, at the nunnery of Catesby, a Gilbertine or Cistercian convent, the prioress offered to admit the girls with no pact or agreement preceding. Subsequently, Edmund and his brother Reginald made gifts to Catesby. Such offerings after the fact were quite legal because no force, pact, or promise had preceded the reception of the girls. The canonists had not opposed gifts as such, but only those tainted by force or agreements, which rendered them simoniacal. Indeed, Edmund's procedure fulfilled the canonists' paradigm of an entry and a gift free from simony. Edmund Rich's concern to avoid simony was an early example of the impact that anti-simoniacal propaganda could have on an entrant or, in this case, on an en-
trant's kin. Edmund's actions are comprehensible because he was a part of the university environment from which concern over simony had emanated. He was the intellectual confreere of Innocent III, Robert de Courson, Raoul Ardent,\textsuperscript{79} Emo of Huizinge, and others who promoted reform of entry practices. His action, unusual at so early a date, is explicable within the context of his education.

The second crisis over simoniacl entry was quite different. It broke out among the inner governing circle of the Templars in the east between 1229 and 1244. The Templars had a history of problems with their entry practices. In 1213 Albert of Vercelli, patriarch of Jerusalem and papal legate, had reported to Innocent III that simony was commonly committed in receiving new members into the order of the Temple.\textsuperscript{80} Innocent dealt leniently on that occasion with the Templars because of their simplicitas, that is, their ignorance, which mitigated the seriousness of the crime. But for the future Innocent ordered that a stricter policy be followed. However, his admonition did not end the forbidden practices permanently, because during the mastership of Herman of Perigord (1229–44) the problem of simoniacl entry broke out again.\textsuperscript{81} Several Templars, described in the source as "proudomes, de bone vie, de bone religion," were troubled in conscience and consulted experts, probably canon lawyers, who confirmed that their entry had indeed been simoniacl. They were mature men who held high rank within the order. They informed Master Herman of their situation, in a scene of tears and regret. The master consulted with his advisers, whom he swore to secrecy because of the scandal that such a revelation would cause. According to the canon law and to Innocent's letter of 1213, the guilty men should have been expelled from the order and sent to religious houses of stricter rule for penance. The master judged that such a course of action would result in damage internally and scandal among outsiders. He therefore wrote to an unnamed pope, either Gregory IX or Innocent IV, requesting that the pontiff entrust disposition of the situation to a friend of the order, the archbishop of Caesarea. With the pope's agreement, the matter was placed before the archbishop. In an elaborate charade the
archbishop ordered the guilty Templars to give up their religious habits and, in effect, to leave the order. Several innocent Templars were present and were constituted as a commandery, or Templar community, for the occasion. They received the habits from the guilty and then withdrew to a private room where they held a chapter meeting. Each expelled Templar entered the room as if he had never belonged to the order and requested the habit as a new recruit. The commander then received each of them into the order, "at the request of the archbishop and of the brethren." These events were the working out in practice of canon 64's permission to expel a simoniac and then to receive him back with a loss of seniority and privileges. It is important to note that in the canon of the Fourth Lateran Council this procedure was justified only when numbers were such that dispersal to other houses was not feasible, whereas in this case leniency was granted on the much broader rationale that high-ranking, respectable men were guilty. One of the Templars involved was said to have been chosen master of the Temple in later years. The account of the events was careful to note that this relatively mild treatment was accorded the guilty only because they were "grant piesz freres de la maison, et estoient saiges et prodomes, et de bone vie et religious." If they had been objectionable on other grounds, such a favor might not have been granted them.

The actions of the Templars provide a comment on the changes in awareness wrought during the generation after the Fourth Lateran Council. In 1213 their officials and entrants had not been aware of the objectionable nature of their entry practices. Within three decades an inner group of senior Templars was troubled enough by the issue to initiate a secret process that involved high prelates from the Holy Land to Rome and back. The recurring phenomenon of respectable religious guilty of a tainted admission was present, but in this case they felt their guilt and arranged for a procedure that satisfied the law while sparing the order and the guilty any permanent or serious harm.

The final example of the success of the publicity against simoniacal entry was not a crisis, but persistent care and scrupulousness
on the part of an abbot. Emo of Huizinge (ca. 1175-1237) had been a student of canon and civil law at Paris, Orleans, and Oxford in the late twelfth century. Menko, the continuator of Emo’s chronicle, reported that, at Oxford, Emo and his brother had been eager collectors of law books, “decreta, decretals, the Liber pauperum and other books of canon and of civil law.” Emo entered a Premonstratensian house, Floridus Hortus or Bloemhof in Frisia, and in about 1214 he succeeded his cousin, also named Emo, as head of the house. In his capacity as abbot he attended the Fourth Lateran Council in 1215. About 1218-19 he began to write a chronicle of his house, which included some personal reminiscences and reflections on his own motives and actions. Emo’s enthusiasm for canon law had obviously not waned since his student days, and his chronicle turned to the law for examples and topics. In a passage of the chronicle remarkable for its citations from the commentators on the Decretum, Emo recapitulated the decretists’ discussion of simoniacal entry into religion. The abbot’s comments on his own reception practices reveal a sharp anxiety that all new members be received for religious reasons and not for the property that they might bring. Emo was a practical abbot who had no quarrel with entry gifts, provided that they were given and received without simoniacal intentions. His stress on the intentions of the participants in an entry proceeding went beyond legal questions to a concern with a moral issue. He believed that the very same entry with a gift could be simoniacal or legitimate according to the intention of the entrant or the official. Emo’s awareness and his insistence that an abbot must exercise vigilance in receptions point to the impact that a knowledge of the law could have on the running of a religious house.

Emo’s articulate examination of his own motives in receiving new members at Bloemhof sets him apart from the more inarticulate mass of prelates. However, the monastic charters themselves, composed as they were by or at the direction of the religious, also indicate the spread of consciousness about what constituted a correct reception of a new member. In the thirteenth century the formulae
in the charters became more circumspect in language, stressing the free-will character of the entry gift. The contents of the charters changed too. The frank and detailed charters of the eleventh and twelfth centuries, which spelled out clearly and without hesitation the conditions for entry, gave way to more prudent texts that were generally careful to avoid obvious illegality. Perhaps the illegality had been eliminated or had merely been hidden behind legally acceptable formulations. Even if the latter was true, the very attempt to conceal a practice that was formerly open is a tribute to the success of the reformers in sensitizing officials to it.

It would be incorrect to surmise that the campaign against simoniacal entry practices was so effective that the abuse disappeared in the thirteenth century. In spite of the indications that the reform propaganda had success, the means for dissemination of information and for inspection at the disposal of the church authorities were always inadequate for the task at hand. Furthermore, the notion of simplicitas, i.e., of mitigating ignorance, deserves closer scrutiny. Since the 1140s canonists and those influenced by them had agreed that forced payments and negotiations about entry were simoniacal. As a consequence of the impact of the canonists, by the late twelfth century a university-trained elite of theologians, bishops, lawyers, and popes was aware of, and opposed to, the grosser aspects of customary entry practices. But one must not underestimate the gap that existed even in the thirteenth century between the church of the intellectuals and that of ordinary laymen and religious. In spite of what the elite believed, many of the religious and laymen who actually arranged entry did not perceive what they did as simoniacal. When Humbert of Romans, writing about 1260, attempted to account for the many disorders visible in the religious houses of his day, he attributed them to ignorance:

From a lack of learning, many evils have occurred in religious life and in monasteries. It is sufficient to touch on ten of those evils. . . . The seventh [disorder] is the corruption of simony, both in the reception of brethren and in the creation of officials. In many monasteries
the sin of simony is not reckoned [as serious], because it is not understood that by comparison to it, other crimes ought to be reckoned as nothing. 

In spite of what a well-trained moralist like Humbert might wish to be the case, many respectable religious continued in the thirteenth century to arrange for entry in the ancient but discredited way, as the reports of Hubert Walter and Albert of Vercelli testified.

The visitation register of Archbishop Odo Rigaud of Rouen corroborated the charges that many religious simply did not know or understand the canon law as it affected them. Archbishop Odo complained that the Benedictine houses that he visited in the 1240s and 1250s too often possessed neither a copy of the Benedictine Rule nor a copy of the reform statutes of Pope Gregory IX. His experience with one nunnery can serve as a paradigm of the deep-rooted problem of simplicitas. When Odo visited the poor and indebted priory of Saint Aubin at Rouen, he recorded the following entry in his register:

There were sixteen nuns. The prioress was absent. In a former visitation we had forbidden them to receive or to veil anyone without our special mandate. They spurned our prohibition, and they received and veiled as a nun a certain girl of gentle birth, the daughter of the knight, Lord Robert who is called "Bad Neighbor."

The nuns' mistake was in defying the archbishop's specific ban on receiving new members. In an effort to determine why they had done so, he quizzed them as to their motives. The response that he received reflected a classic case of simplicitas. Naively the nuns told the archbishop that they had received the girl because they were poor and her father offered 100 shillings a year income in return for her reception. Similar agreements could be found in countless eleventh- and twelfth-century charters, but a new sensitivity and new legal norms were current among church administrators in the mid-thirteenth century. The nuns of Saint Aubin were poor economically and poorly informed, and their behavior shocked the visitor. He ordered the girl to be sent home, and he prescribed
a penance for the prioress and the community. However, he did not invoke the legal penalties of deposition or penal exile, probably because the nunnery already had serious woes that would be exacerbated by such severity. The priory of Saint Aubin had appeared in earlier entries of Odo’s register as a clear example of a poor convent which suffered from the effects of poverty in a variety of ways. Odo had visited the nunnery nine times in sixteen years. Eight years before the incident noted above, he had recorded laconically that nuns were received by simony. Over the course of the years, he also noted critically that they were in debt and lacked adequate stores of provisions; that the nuns took in young boys and girls as paying boarders; that they were guilty of keeping personal property and of receiving unauthorized gifts from friends; that they went outside the cloister to seek money; and that this generally lax discipline, rooted in poverty, had on occasion led to more sinister disorders like incontinence. Thus simoniacal reception of members was for this house, and for others like it, a symptom of its economic difficulties and of its simplicitas. It is no accident that this was a house of women. Thirteenth-century opinion was virtually unanimous in seeing nunneries as the most flagrant perpetrators of simoniacal receptions, possibly because houses of women were, as a group, poorly financed and less able to survive with small entry gifts or no gifts at all than were male houses.

But ignorance of the law was not restricted to poor nunneries. Even monasteries of average or above-average prosperity were touched by it. In her study of reform in thirteenth-century England, Jane Lang found that a high percentage of monastic elections in England between 1215 and 1272 were voided by higher authorities because the religious failed, out of ignorance rather than out of malice in most cases, to comply with the complicated legal forms prescribed by canon 24 of the Fourth Lateran Council. In the thirteenth century the canon law had become the province of experts, a highly developed, technical science that was too complex for the ordinary religious or monastic official. The religious were told by bishops, papal legates, and others that entry gifts had to meet certain criteria before they were legitimate, but the religious
often lacked the training that would have enabled them to see the cogency of the arguments. Their *simplicitas* remained an effective impediment to full compliance with the law.

The reformers were stymied also by the fact that, in spite of their efforts, there were no mechanisms adequate to supervise on a regular basis the thousands of religious houses in Latin Christendom. The bishop or other visitor might scold a monastery severely for its entry practices and mete out punishments; but his canonical inspection lasted only a day or two, and he might not be able to return for years. If the house was poor or pressed enough, it could resort to the old ways again. For instance, the abbot and community of Bec sought papal advice concerning simony in about 1210 and again in 1220. One of the fundamental reasons for the relative failure of serious reform of religious houses in the thirteenth century, including reform of entry practices, was the ability of houses that wished to do so to outwait the reformers, to delay by legal maneuvers and to procrastinate until the reformers were forced to turn their attention elsewhere.

There was one final, deeper reason why simoniacal entry into religious life did not disappear entirely, and that reason was the entry gift itself. The critics of traditional entry practices had never seriously entertained the notion that gifts at entry should be eliminated entirely. Religious houses, by and large, needed the gifts, and to forbid them would have jeopardized the existence of monasticism on a large scale. In the final analysis the critics were reformers rather than revolutionaries, and they sought to purify the gift at entry by making it voluntary and free from negotiation. But the important point is that the gift survived the period from 1130 to 1250, probably cleansed of its grossest abuses but still expected and normal. If a house was poor enough, if a prelate was lax enough, or if a family was eager enough, the old pattern of negotiation, of demand and of payment, was still latent and could re-emerge around the focus of the gift at entry.

**Conclusion**

To survey the results of seventy-five years of attention by canon lawyers and church leaders to the issue of simoniacal entry, it is
appropriate to draw comparisons with the Investiture Contest of the eleventh and twelfth centuries. As in that much larger and more significant series of disputes, theoretical positions were clarified and intellectual lines of demarcation were drawn. Practices and attitudes that were endemic and respectable at the beginning of each controversy were disreputable at the end. As in the Investiture Contest, punishments for abuses were formulated and were enforced in varying degrees. In 1130 it would not have been clear what to do with a simoniacally received monk, if such a simoniac had been recognized, whereas in 1230 several clear options, graded according to seriousness of guilt and to practical restraints, were available to the prelate who had to deal with a simoniacal religious. As happened in the Investiture Contest, the changes effected on a practical level were considerable, but fell short of that which purely theoretical considerations would have required. In the thirteenth century it probably remained difficult for a man or woman who gave nothing or who seemed to be unable to make a gift to gain entry to a religious house. On the other hand, the most overt forms of extortion and outright payment declined in frequency and were placed firmly outside the bounds of legality. Caesarius of Heisterbach recorded a story in his *Dialogus miraculorum* that reflected clearly the situation in the first quarter of the thirteenth century. Philip of Otterburg was an adolescent student at Paris, born of an important family, and was an absentee canon of the noble cathedral chapter at Cologne. He resolved to abandon his promising career and his social position by becoming a Cistercian monk. However, in a gesture of humility, he attempted to conceal his respectable social origins by exchanging clothes with a poor student. Dressed in shabby garb, and probably looking to contemporaries like a goliard, he approached a Cistercian house called Bonavallis, where he requested admission as a novice. His disguise succeeded only too well. Caesarius noted, "When the brethren of Bonavallis saw him dressed in a shabby, worn-out cloak, they took him for a poor wandering student and they refused to receive him." Philip was understandably shocked and responded, "If you do not receive me, you will probably regret it and when you want to receive me, you will not be able to do so." The monks ultimately
changed their minds, and Philip rose to be an abbot of the order. Whatever the historical basis for this tale, Caesarius' telling of it reflects his own age. The monks of Bonavallis did not openly mention a gift, and the boy did not promise one, for that was clearly simony. Yet a candidate who appeared impoverished was initially rejected for the unexpressed reason that he did not seem likely to offer a "voluntary" gift. It was probably legal, but just barely. Such subtle and debatable forms of simony were discussed by the casuists and became better known to wide circles in the church and influenced them in varying degree.

In summation, a practice that had been normal and respectable before 1130 had become a crime by 1230. It is clear that simoniacal reception persisted, but it was less common in the thirteenth century and was associated with simplicitas and poverty. What had originated as an interconnected group of customary practices useful to religious houses and their lay neighbors on social-economic grounds had ended as a crime that greed, carelessness, or necessity might lead a religious house to commit, but that could no longer be justified or defended.

1. For a general study of the application in England of the canons of the Fourth Lateran Council, see M. Gibbs and J. Lang, Bishops and Reform, 1215-1272, with Special Reference to the Lateran Council of 1215 (London, 1934). There is a wealth of detail about the gradual penetration of the Fourth Lateran decrees into the statutes of the English Church in Councils and Synods with Other Documents Relating to the English Church, ed. F. M. Powicke and C. R. Cheney (Oxford, 1964), vol. 2, parts 1 and 2. There have been studies of the history of specific canons; for example, E. Diebold, "L'Application en France du canon 51 du IVe concile de Latran d'après les anciens statuts synodaux," L'année canonique 2 (1953): 187-95; and J. Baldwin, "The Intellectual Preparation for the Canon of 1215 against Ordeals," Speculum 36 (1961): 613-36, which traces debates among university masters preceding the council's condemnation of clerical participation in ordeals.


3. Innocent's letter to Hubert Walter, "Dilectus filius," was incorporated into (1) the Compilatio III, bk. 5, title 2, canon 2, Quinque compilations antiquae necnon collectio canonum lipsiensis, ed. E. Friedberg (Leipzig, 1882), p. 130; (2) the Collection of Alanus.

5. Ibid., cols. 750-65.
6. Pott 3142.
7. Pressutti 2522, 2772, 2901, 6949; Auvray 1658, 3417, 4716.
10. Auvray 4714.
13. Auvray 3417.
17. Pressutti 2901.
19. Pressutti 2772; Pott 6400.
20. Auvray 1174.
22. Auvray 3417.
23. Auvray 4716.
24. Pressutti 2654.
25. Pressutti 2912.
27. Pressutti 2772, 2901, 3154, 3743, 5844, 6100, 6238; Auvray 818, 971, 1174, 1658, 2410, 4180, 4716.


29. Pressutti 3154, 6100, 6166; Auvray 1658.

30. Pressutti 592.

31. Pressutti 3737.


33. Fourth Lateran Council, canons 7, 8, 33, 64, Mansi, vol. 22, cols. 991 ff.

34. Pressutti 2772, 3154, 3737, 3743, 6100, 6166, 6238; Auvray 818, 971, 1174, 2410, 4780.

35. For information on the major expansion of episcopal statute-making in the thirteenth century, see A. Artonne et al., Repertoire des statuts synodaux des diocèses de l'ancienne France du xiiie à la fin du xviie siècle. Documents, études et répertoires publiés par l'Institut de recherche et d'histoire des textes, no. 8 (Paris, 1963).

36. I examined councils and diocesan statutes printed or signaled in Powicke and Cheney, Councils, 2/1 and 2; Artonne, Répertoire; and Mansi, vols. 22–23.


38. Powicke and Cheney, Councils, 2/1, canon 42, p. 119. The Council of Oxford was especially important because of its role in mediating many of the reforms of the Fourth Lateran Council to the English Church (Gibbs and Lang, Bishops, pp. 105–6, 113–14).


41. Canon 7, Mansi, vol. 23, col. 1025d.

42. Canon 65, Powicke and Cheney, Councils, 2/1, p. 464.


46. The Register, or Rolls, of Walter Gray, Lord Archbishop of York, ed. J. Raine, Surtees Society, no. 56 (Durham, 1872), pp. 327–28: "Item quod debitus numerus monachorum gratis adimpleatur."

47. Rigaud, Registrum, pp. 115 and 361, records simoniacl entry at the nunnery of Saint Aubin; ibid., pp. 469 and 617, at the monastery of Saint Victor en Caux.


50. Summa pastoralis, ibid., p. 631: "Hoc enim aliquando contigit fieri apud monachos et canonicos, sed quasi communiter et fere semper apud moniales nigras."


53. Ibid., vol. 2, chap. 40, p. 21: "Abbas de Florida Campo qui in Capitulo generali publice confessus est quod multos monachos et conversos sub conditione ad conversionem recipit, quod est species simoniae, deponitur in instanti."

54. Ibid., chap. 36, pp. 29-30.

55. Ibid., chap. 55, p. 46.


65. Ibid., pp. 503-16.


67. *Statuts d'Hôtels-Dieu et de léproseries*, ed. L. Legrand, Collection de textes pour servir à l'étude et à l'enseignement de l'histoire (Paris, 1901): (1) statutes of the leper
house of Noyon (late twelfth century), chap. 1, pp. 194-95; (2) statutes of the Hôtels-Dieu of Montdidier (1207), Amiens (1233), Noyon (1218), St. Riquier (1233), Abbeville (1243), Beauvais (1246), Rethel (1247), Montreuil-sur-Mer (1250), chap. 3, p. 36: (3) statutes of the Hôtel-Dieu of Paris (c. 1220), chap. 3, p. 44. See also Summa pastoralis, attributed to Raymond of Penafort, p. 635, on the visitation of a domus eleemosynaria.

68. Auvray 1658.


70. Opuscula sancti patris Francisci Assisiensis, Bibliotheca franciscana ascetica mediæaevi I, 3d ed. (Quaracchi, 1949), Regula I, chap. 2, pp. 25-26; Regula II, chap. 2, pp. 64-65.

71. Rigaud, Registrum, p. 617: "Johannes dictus de Parisius habitum suum deposuerat et abiecerat, et reddiderat abbati in pleno capitulo, dicens se ingressum fuisse per simonia pravitatem."

72. Pressutti 2654, 2912, 5679.


76. Pott 3713; St. Aubin, vol. 1, no. 71, 1060-81; St. Pére, vol. 2, no. 35, 1101-29; Gelone, no. 329, before 1140; Guibert of Nogent, De vita sua, ed. C. Bourgin, Collection de textes pour servir à l'étude et à l'enseignement de l'histoire, no. 40 (Paris, 1907), pp. 47-54.


78. Lawrence, St. Edmund, pp. 315-17, contains the charters recording the gifts from Edmund and Reginald to Catesby. Lawrence is hard put to explain why the vita insisted that Edmund refused to commit simony to gain entry for his sisters, yet the charters prove that he did make a gift. In the context of the canonistic doctrine of free gifts, the two facts are quite compatible (ibid., p. 107).

79. Raoul Ardent was a student and master at Paris in the late twelfth century and a disciple of Peter the Chanter. He wrote a Speculum universale, a manuscript of which is extant in BN lat. 3240. On the issue of simoniacal entry to religion, Raoul's Speculum, book 12, chap. 73, is an extract from Peter the Chanter's Verbum Abbreviatum, chap. 38, which is printed in Migne, vol. 205, cols. 130-31. See also J. Grundel, Das "Speculum Universale" des Rudolphus Ardens, Mitteilungen des Grabmann-Instituts des Universitäts München, vol. 5 (Munich, 1961); and M.-T. D'Alverny, "L'Obit de Raoul Ardent," Archives d'histoire doctrinale et litteraire du moyen âge 15/17 (1940-42): 403-5.

80. Pott 4783.


82. Conciliorum oecumenicorum decreta, ed. J. Alberigo et al. (Freiburg im Breisgau, 1961), canon 64, p. 240: "Quod si propter nimiam multitudinem alibi forte nequiverint commodi collocari, ne forte damnabiliter in seculo evagentur, recipiantur in eodem monasterio dispensative de novo mutatis prioribus locis et inferioribus assignatis."

83. Curzon, La Règle, p. 287.
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87. Ibid., pp. 492-94.

88. Ibid., pp. 487, 492, 494.


92. Ibid., p. 115.


96. Pott 4160; Pressutti 2901.
