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### ► To cite this version:

Ninon Dubourg. Chapter 5.1.5 "Clerics -how much irregularity is allowed?" Being a Leprous Cleric: a social rejection? (XIII th and XIV th centuries). Didymos. Premodern Dis/ability History. A Companion, pp.244-247, 2017. hal-04433851

**HAL Id: hal-04433851**

**<https://hal.science/hal-04433851v1>**

Submitted on 5 Feb 2024

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## Chapter 5.1.5 "Clerics – how much irregularity is allowed?"

### Being a Leprous Cleric: a social rejection? (XIII<sup>th</sup> and XIV<sup>th</sup> centuries)

Ninon Dubourg

First enunciated in *Leviticus* 21 (1, 16-24) the idea that clerics had to be physically as perfect as Christ, is expressed in canon law (2, 55.1–13 or 34.10 ; 36.1 ; 49.1) and in papal letters. Through canon law, papal letters translated Church's rules into a kind of law in action. Indeed, in case of doubt, for example an alleged case of leprosy, applying the law meant doing a physical examination. It was like a medical test required by the Pope, led by both lawyers and doctors. As in the lay process in case of suspicion of leprosy (3, 35), the examination was triggered by a denunciation based on the notion of *fama* (4, 297).

The interdiction for clerics to hold a benefice was supposed to prevent a concrete incapacity caused by two main reasons. The first outcome was the impossibility to govern, spiritually or temporally. Indeed the physical inability to perform his task was questioned. The *Canons of the Apostles*, one of the first canonical texts, said that a blind or mute man could not be a bishop, which protected his ecclesiastical affairs from the situation (5, 8.5.78). Because leprosy could lead to mutilation, the cleric could be unable to carry out his mission. The second consequence was social incapacity. Leprous clerics were confined to irregularity – they were etymologically out of the *regula* imposed on them. Thus, they were a source of scandal provoked by the public effects of being outside the norm (6, 328). Unlike the first reason, clerics were defiled by leprosy in this situation. Due to this double incapacity, a leprosy priest had to be removed from the administration of his office because of the scandal and abomination he could elicit resulting from his public representation (7, 3.82). Still, the Pope could decide to remove the *defectus* cleric from the secular sphere. In that case, papal grace came in the guise of dispensation letter.

The only way for the Pope to interfere to prevent a scandal was to provoke the ostracism of the cleric which could be done within specific limits. This ostracism could be professional: the *Decretals of Gregory IX* said that if the rector of a church is leprosy he had to be removed from the administration of his office. However, the Church had to keep him healthy and feed him, to the extent that his church could actually provide this kind of health insurance (8, 3.6.4). But the work had to be done, so his hierarchy had to appoint a suitable assistant to help him. The coadjutor had to ensure the public performance of a *cura animarum* instead of the leper and had to share the income with him (9, 3.6.3). Leprous clerics were thereby turned into a burden of uselessness for their church. They kept their honorific titles but their responsibilities lost all meaning and they were, in fact, jobless. As a result, their career plans were annihilated by such a layaway. Furthermore, the ostracism could be spatial as well: clerics could be forced to live in a home apart from their town or their community. According to the Pope, this precaution protected them from scandal. But, obviously, that reinforced their social ostracism. For example, in the Dominican constitutions, a leprosy monk had to be separated spatially from the other brothers (10, Constitutions of 1256 and 1375: *De infirmis: septimum capitulum*). Should a monastery for a legitimate reason be unable to accommodate a leprosy cleric he would be transferred to another monastery.

Needless to say, such ostracism could be brutal for a cleric. However, some petitions sent to the Pope reveal that some lepers actually chose to leave their home. We can assume that in some cases at least, the leper chose to go into a Leper colony. Some clerics may thus have preferred exclusion from society over exclusion from the Church. Perhaps the *leprosarium* allowed social relations that a partial integration in the Orders could not offer.

(1) Wycliffe John and Purvey John. Bible, 1395, edited by Terence P. NOBLE, 2001. (2) Gratiani. Decretum magistri Gratiani, edited by Lipsiensis secunda post Aemilii Ludovici RICHTERI curas ad

librorum manu scriptorum et editionis Romanae fidem recognovit et adnotatione critica instruxit Aemilius FRIEDBERG, Leipzig 1879. (3) DEMAÏTRE, Luke E.: Leprosy in premodern medicine : a malady of the whole body, Baltimore, Johns Hopkins university press 2007. (4) PICOT Johan: "La Purge": une expertise juridico-médicale de la lèpre en Auvergne au Moyen Âge. In: Revue historique vol. 662 n° 2 (2012), pp. 292-321. (5) Ante-Nicene Fathers. Apostolic Teaching and Constitutions, Volume 7, edited by A. CLEVELAND COXE, Christian Literature Publishing Co. 1886. (6) FOSSIER Arnaud: Propter vitandum scandalum. Histoire d'une catégorie juridique (XIIe-XVe siècles). In: Mélanges de l'Ecole Française de Rome Moyen Âge vol. 121 n° 2 (2009), pp. 317-348. (7) In his *Summa Theologica*, Thomas Aquinas said on the Eucharist that a cleric with physical deficiency couldn't celebrate the mass because of his subsequent incompatibility to save the soul and to give the sacraments. More specifically, if he is leprous he couldn't celebrate in public because of the loathsomeness he could provoke. Thomas Aquinas. The Summa Theologica of St. Thomas Aquinas, edited by Fathers of the English Dominican Province, Burns, Oates & Washburne 1920. (8) Pope Gregory IX. Corpus Iuris Canonici, Pars Secunda: Decretalium Collectiones Decretales Gregorii p. IX, edited by Emil Ludwig RICHTER and Emil FRIEDBERG, Leipzig 1881. (9) *Ibid.* (10) Constitutiones et Acta Capitulum Generalium Ordinis Fratrum Praedicatorum 1232-2001, edited by Istituto Storico Domenicano Roma, Directmedia Publishing 2002.