Rising Above the Injustice: An Abbess Secures Her Identity in Fifteenth-Century Avignon

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On August 13, 1476, just two days before the Assumption of the Blessed Virgin Mary when landlords collected rents after harvest, Jean Maupin, a barber-surgeon from Avignon, appeared at the house of Antoni Rolland to formalize an agreement reached earlier with his wife, Catherine de Lize. Before Rolland, “an exceptional man and most distinguished professor of law,” and Desiderato de Porta, one of the city’s many notaries, Jean Maupin signed a document authorizing Catherine to remain among the repentant sisters of Sainte Marie Magdeleine as their abbess.1 “After much thought, deliberation, and consideration” and recognizing that “in the first place because he has been gone for such a long time, as had been thought, and in light of the deliberation and consideration that he is now old, not having the wherewithal to feed and support either her or himself,” Jean agreed that permitting Catherine to live out “the remainder of her days . . . quietly and peaceably” in the house of the repenties was the better course of action. “(L)ady Catherine,” he acknowledged “is in a most honorable situation [monastic life]. . . .”2 Abbess Catherine and her fellow repenties had achieved something that certainly made the Feast of the Assumption an occasion for rejoicing, but just how meaningful requires some historical detective work.3 Like many early modern women who sought to work around the rules that bound their bodies to religious teachings and legal regulations, Catherine moved judiciously within existing institutions to achieve her desired goal—to free herself from her husband’s rights to her body and social persona.
The story began sometime between 1459 and 1467, when Catherine de Lize, an impoverished woman seeking redemption, requested admission to the “Maison de Soeurs Repenties de Sainte Marie Magdeleine des Miracles” in Avignon. The house, which began as a simple congregation of “sinful women” in the late-thirteenth century, had blossomed by the time of Catherine’s request into a publicly supported and ecclesiastically sanctioned religious community dedicated to repentant prostitutes. The repenties’ rule required Catherine to present herself at the community’s gate accompanied by a pious and charitable sponsor willing to recommend her as a suitable candidate for admission. Once inside the house, she would have spent the next eight to ten days in isolation reflecting upon the duties and obligations expected of a religious. As a minimum, the repenties’ rule required her to set aside several hours a day to chant the divine office before turning her attention to doing “licit and honest manual labors to provide for the necessities and needs of the commonality. . . .”

The administrators of the community also used this liminal time period to collect Catherine’s personal history, determine the motivations behind her state of contrition, and assess her readiness to become a repentie. During their conversations, Catherine probably revealed the unfortunate circumstances of her marriage to Jean Maupin. They married in 1444 and lived together for a little over seventeen years. During that time, Catherine’s rogue of a husband not only squandered away all his possessions, but also misappropriated and dissipated her dowry, as well. Jean Maupin’s lifestyle of gambling and drinking eventually cost Catherine all of her movable goods, including jewels and robes. Completely ruined and without other resources, Jean Maupin abandoned his wife in 1459. What became of Catherine after her husband’s disappearance is not known, but given her self-identification with repentant prostitutes, Catherine, like other destitute women without a supportive kin network, probably resorted to prostitution as a means of urban survival.

What is certain, however, is that Catherine represented herself as a widow to the sisters of the community, and the repenties’ abbess at the time, Agnesse Fabresse, accepted her as such. Canon law provided for the dissolution of marriage in circumstances where one spouse might reasonably presume that death accounted for the other spouse’s protracted absence.
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If a husband’s absence stretched into years and a general inquiry into his whereabouts generated no leads, then the deserted wife could, under presumption of death, either remarry, remain a widow, or enter the religious life. As Catherine herself explained in the statement prepared by her attorney, Antoni Rolland, she had “waited steadfastly for a period of twelve years and more” before becoming a *repentie* and during that time, she “had inquired” into her husband’s whereabouts to no avail; consequently, she believed herself to be a widow. The repentant community cloistered unattached women with a history of prostitution, and Agnese Fabresse would not have put Catherine’s name before the chapter if she had reason to believe that Jean Maupin was alive. The chapter gave their consent to Catherine’s acceptance via a majority vote, and both the abbess and prioress approved her admission to the community. Catherine, in turn, promised “to God, to the glorious Virgin Mary, to Saint Mary Magdalen, to all the saints of paradise, ... to obediently keep my body chaste with firm resolve and wish to live all my life in the company of sisters....”

By all indicators, Catherine’s decision to become a *repentie* was a rewarding one. She witnessed several *cense* contracts during the late 1460s and by late 1475 or early 1476, Catherine’s sisters had nominated her to serve as their new abbess following the death of the old abbess, Marie Danisette. The bishop of Avignon confirmed her life-long appointment and Catherine de Lize, with the assistance of prioress Guilhermeta Borsiquada, began managing the community’s affairs. A few months later, however, a surprising turn of events threatened Catherine’s tenure as abbess: Jean Maupin had reappeared in Avignon, and he wanted her back. With her husband’s sudden return, Catherine’s identity as abbess and *chaste repentie* appeared in jeopardy.

By law, Jean Maupin had the right to reclaim his wife since a true dissolution of their marriage bond had not occurred. He was, after all, still living. As Jean informed Catherine’s attorney, their marriage, albeit miserable, was valid for he had “conjoined [in matrimony] with the noble and honest woman lady Catherine de Lize,” by exchanging vows publicly “in front of the holy church of the mother” and “as is customary among orthodox [Christian] witnesses.” Most canonists acknowledged a mar-
ried couple’s right to separate in order to enter religious communities, provided the separation occurred prior to consummation of the marriage; far fewer permitted separation after consummation. In a series of decretals addressing the issue of *conversio conjugatorum*, Alexander III concluded that the separation of a married couple in order for either spouse to enter a religious order required the unequivocal assent of both parties. If Catherine wanted a separation in order to remain a *repentie*, she needed Jean’s permission. Ideally, spouses who separated in order to embrace the religious life would both take monastic vows. If one of the two did not, then he or she should voluntarily take a vow of continence but could not be compelled to do so. The problem with permitting one spouse to enter the religious life while the other spouse remained in the world was threat of adultery. Consensual bodily separation suspended the right to demand and the obligation to render the conjugal debt. It did not, however, dissolve the marital bond, and the spouse who refused to take a vow of continence committed adultery if he or she did not remain celibate. Furthermore, the spouse who had not vowed continence could withdraw the permission to enter orders he or she had granted. The spouse rescinding permission sinned in the process, but conjugal rights to coitus were nevertheless to be restored. Because Catherine’s vow of chastity physically jeopardized Jean’s spiritual well being, many canonists would have argued for her return to Jean’s bed, for “the conversion of the one ought not be the occasion for sin by the other.”

Together, a knowledgeable attorney, a worthless husband, and an able abbess bent the letter of the law—or several—to garner an expedient solution to the dilemma at hand. If Jean Maupin effectively disappeared, then Catherine could continue living as she had done prior to her husband’s unfortunate reappearance. Jean’s decision to rescind his spousal rights was good news for Catherine, but not so for Jean, particularly if he failed to remain celibate. Why then did he sign the statement Antoni Rolland placed before him? Money, or in Jean’s case, lack thereof, proved to be a prime mover. As luck would have it, Jean was not the first negligent husband encountered by the *repenties*. In 1464, when Louis Genet arrived at their house on the Rue Velouterie asking for Etienette, his abandoned wife, Abbess Fabresse acquiesced to his request but only after billing
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Genet thirty-nine florins in spousal support to be paid in two installments, sixteen florins on the day of Étienne’s departure and the remaining twenty-three florins at a later date. If Jean Maupin could not afford to maintain a wife in his present impoverished condition, certainly he could not compensate the community for the expenses they had incurred caring for Catherine during his lengthy absence. The social and material costs of abandonment ran high, most certainly for Catherine, and, in the end, for Jean as well. Without resources and unable to make restitution, the aging Jean Maupin found his bid to reclaim his wife rather short-lived and unsuccessful. Not so for Catherine. Here, at the 1476 Feast of the Assumption, she had secured her vocation. It was in another institution of controlled female sexuality, but this time, one of her choosing.

Notes

1. Pierre Pansier, L’Oeuvre des Repenties a Avignon du XIIIe au XVIIIe Siècle (Paris: Honoré Champion, 1910), Pièces Justificatives LXXV: . . . egregii viri domini Anthonii Rollandi, utriusque juris eximii professoris. . . . Religious leaders in the early twelfth century responded to ecclesiastical and secular initiatives accepting the inevitable nature of prostitution with the foundation of religious communities dedicated specifically to the prostitute’s redemption. Sympathetic to the plight of the impoverished prostitute, men such as Fulk de Neullly, Pierre de Rossiac, and William d’Auvergne, dedicated themselves either to finding the penitent prostitute a husband or to installing her in a religious refuge where she could expect asylum from the demands of a harsh and predatory world; see Leah Lydia Otis, Prostitution in Medieval Society: The History of an Urban Institution in Languedoc, Women in Culture and Society Series (Chicago: University of Chicago Press, 1985), 72–73.

2. Ibid: “quod dictus Johannes Maupini, premissis actentis et consideratis, et primo quia longissimis temporibus, ut premissum est, stetit, actensto et considerato quod ipse jam est in senectute constitutus, non habens unde eandem nec ipsummet alimentari ac sustentari possit, . . . quod ipsa domina Catherine in ipsa religione restam suorum dierum . . . ac in eadem domo quiete et pacifice commorari. . . . ac eciam quia ejusdem domine Catherine conversacio est honestissima.”

3. Jean Maupin recognized several reasons why he should grant Catherine the legal right to stay in the repentant community, including “in order that she should be able to rejoice;” see ibid: “uti et gaudere posit.”

4. Ibid. Dating clauses contained in the document authorizing Catherine to remain a repentie allude to a 1471 date as the year of Catherine’s acceptance into the repentant community. However, a notary identified her as a witness on behalf of the
repenties in a *cense* agreement, dated 1467, recording the fee (*cens*) collected by feudal right on a tenure. Therefore, I have listed the time during which she entered the community as occurring sometime between the year her husband abandoned her (1459) and the year she witnessed the *cense* agreement (1467).

5. The repentant sisters in Avignon first enter the historical record on December 16, 1293, when the apothecary Jean de Saint Gilles left ten sous to the repenties: “Decem solidos repentidis”; see Pansier, *L’Oeuvre des Repenties*, 20. In the early years of the repentant community’s existence, testators sometimes referred to its inhabitants as “the sinful women of Avignon,” as evidenced by Rostagnus de Volobrica’s legacy of two sous to the repenties in his will dated February 17, 1315; “Mulieribus peccatricibus de Avinione duos solidos”; see ibid. In the fourteenth century, influential patrons like the papal chamberlain Gasbert du Val, the bishop of Avignon, Anglic Grimoard, and Pope Gregory XI, promoted widespread social recognition of the repenties; see Whitney A. M. Leeson, “Following the Magdalen: The Transformative Power of Myth for the Repenties in Medieval Avignon and their Patrons” (PhD diss., University of Virginia, 1998), 244–60.


7. Additionally, Catherine needed to be “instructed and admonished” by the repenties’ confessor as well as their abbess and prioress, “to do penance and learn about good morals and conditions”; see Pansier, *L’Oeuvre des Repenties*, Appendix II, Chapter 1: “on se informera deuement d’elle en la faisant instruire et admonester par le confesseur desdictes seurs et par lesdictes gouvernante et prioresse à faire pénitence et à apprendre bonnes meurs et condictions.” As a repentie, Catherine’s conversation should be “humble, honest, laudable and of good example, peaceable, full of charity and modesty, not voluptuous, proud, wandering or idle.” And, she, like her future sisters, would be heartily encouraged “to do true penitence in divine prayers, in vigils, prayers, and abstinence;” see Pansier, *L’Oeuvre des Repenties*, Appendix II, chap. 4: “La conversation et vie desdictes seurs soit humble et honneste, louable et de bon exemple, pacifique, plein de charité et modestie, non voluptueuse, non superbe, vagante ne ocieuse . . . se exercitent à faire vraye pénitence en louenges divins, en vigilles, oraisons, abstinences.”

8. The facts as presented by Catherine’s attorney in 1476 are as follows: She was married 32 years prior (i.e., 1444); she was married for 17 years before her husband abandoned her (i.e., 1459); she was abandoned 12 years before becoming a repentie (i.e., 1471); see Pansier, *L’Oeuvre des Repenties*, Pièces Justificatives LXXV.


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14. Leeson, “Following the Magdalen,” Appendix C.


19. Several thirteenth-century canonists disagreed with the prevailing opinion regarding the right to recall a spouse under the aforesaid circumstances. Huguccio, for example, argued that if permission had been granted publicly in front of the church (*in facie ecclesie*) and prior to his or her spouse’s ordination, it was irrevocable. Durand de Saint Pourcain agreed, arguing that a monastic vow of chastity superseded the marriage vow since in terms of the greater good, the former clearly displaces the latter; see Dauvillier, *Le mariage dans le droit classique*, 360. Other canonists attempted to place a time limit on one party’s right to rescind the permission to enter a religious order they had granted to the other party. Some argued for a one year and one day cut off; others proposed a three-year grace period; see Dyan Elliott, *Spiritual Marriage: Sexual Abstinence in Medieval Wedlock*, (Princeton: Princeton University Press, 1993), 160.

20. Dauvillier, *Le mariage dans le droit classique*, 317, 359–60. In 1329, the Bishop of Exeter ordered an anchoress named Beatrice to return to her husband, Ralph Stronge. Beatrice had obtained her husband’s permission to become an anchoress beforehand. She could not, however, convince Ralph to take a vow of continence. Unfortunately for Beatrice, her religious career was cut short by her husband’s blatant misbehavior. The bishop had heard rumors of Ralph’s fornication and determined he could not in good conscience sanction Beatrice’s permanent enclosure while her husband persisted in his offense; see Elliott, *Spiritual Marriage*, 160–61.


22. Joanne M. Ferraro, *Marriage Wars in Late Renaissance Venice* (Oxford: