

# DESERTIONS AND TRANSFERS FROM MILITARY ORDERS (TWELFTH TO EARLY-FOURTEENTH CENTURIES)

By A. J. FOREY

## DEFINITIONS AND REGULATIONS

The taking of vows in a military order, as in other religious foundations, created a lifelong obligation.<sup>1</sup> The phrase *stabilitas loci*, which is encountered in some documents relating to these orders,<sup>2</sup> did not imply an undertaking to stay permanently in the same convent, but signified that those who had made their profession should remain in the same order for life. This requirement found expression especially in papal decrees, although orders' regulations give information about the punishment of apostates. As in other religious establishments, a transfer to another order provided the sole permitted exception, but this was allowed only under certain conditions.

In the bull *Omne datum optimum*, addressed to the Templars in 1139, Innocent II decreed that "once they have taken their vows and been received in your sacred community, and after they have made their profes-

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<sup>1</sup> The following abbreviations are used throughout:

*BC* = *Bullarium ordinis militiae de Calatrava*, ed. I. J. de Ortega y Cotes, J. F. Alvarez de Baquedano, and P. de Ortega Zúñiga y Aranda (Madrid, 1761).

*BS* = *Bullarium equestris ordinis S. Iacobi de Spatha*, ed. A. F. Aguado de Córdoba, A. A. Alemán y Rosales, and J. López Agurleta (Madrid, 1719).

*CH* = J. Delaville Le Roulx, *Cartulaire général de l'ordre des Hospitaliers de Saint-Jean de Jérusalem*, 4 vols. (Paris, 1894–1906).

*Concilia* = David Wilkins, *Concilia magnae Britanniae et Hiberniae*, 4 vols. (London, 1737).

*CR* = *The Catalan Rule of the Templars: A Critical Edition and English Translation from Barcelona, Archivo de la Corona de Aragón, Cartas Reales, MS 3344*, ed. and trans. Judi Upton-Ward (Woodbridge, 2003).

"Nouveau manuscrit" = J. Delaville Le Roulx, "Un nouveau manuscrit de la règle du Temple," *Annuaire-bulletin de la Société de l'histoire de France* 26 (1889): 185–214.

*Procès* = J. Michelet, *Procès des Templiers*, 2 vols. (Paris, 1841–51).

*PUTJ* = Rudolf Hiestand, *Papsturkunden für Templer und Johanniter*, 2 vols. (Göttingen, 1972–84).

*RHC Hist. Occ.* = *Recueil des historiens des croisades: Historiens occidentaux*, 5 vols. (Paris, 1844–95).

*RT* = *La règle du Temple*, ed. Henri de Curzon (Paris, 1886).

*SDO* = Max Perlbach, *Die Statuten des Deutschen Ordens nach den ältesten Handschriften* (Halle, 1890).

*Tabulae* = Ernestus Strehlke, *Tabulae ordinis theutonici* (Berlin, 1869).

*Untergang* = Konrad Schottmüller, *Der Untergang des Templer-Ordens*, 2 vols. (Berlin, 1887).

<sup>2</sup> *PUTJ* 1:204–10, doc. 3; *Tabulae* 275–79, doc. 306.

sion in your knighthood and assumed the habit of your order, your brothers are to have no right to return to the world.”<sup>3</sup> Very similar wording was included in papal bulls for the Hospital in 1154, for Santiago in 1175, and for the Teutonic order in 1220.<sup>4</sup> These decrees were supported with references to scripture, especially Luke 9:62 and 1 Corinthians 7:20, but popes were of course proclaiming a principle long established in the monastic world.<sup>5</sup> Yet, as military orders were in the twelfth century a new kind of religious foundation, devoted to fighting and composed largely of laymen, it may have seemed appropriate to stress the permanence of obligations. Certainly Peter the Venerable, in seeking to persuade Eugenius III to acquiesce in Humbert of Beaujeu’s abandonment of the Temple in the mid-twelfth century, attempted to distinguish between a military order and other religious establishments: “if he had deserted from a canonical, monastic, or eremitic institution, or any long-founded order, he [the pope] should rightly compel him by ecclesiastical censure to return to the place he had unlawfully left.” Humbert of Beaujeu, however, “has merely transferred from one militia to another, now wielding the sword, which he had taken up against the Saracens, against false Christians, who are worse than Saracens.”<sup>6</sup> That military orders did not differ in this respect from other foundations was, however, quickly established,<sup>7</sup> and in some papal decrees for military orders founded

<sup>3</sup> “Fratres vestros semel devotos atque in sacro collegio vestro receptos, post factam in vestra militia professionem et habitum religionis assumptum, revertendi ad seculum nullam habere . . . facultatem” (*PUTJ* 1:204–10, doc. 3).

<sup>4</sup> *CH* 1:173–75, doc. 226; José Luis Martín, *Orígenes de la orden militar de Santiago (1170–1195)* (Barcelona, 1974), 248–54, doc. 73; *Tabulae* 275–79, doc. 306.

<sup>5</sup> For rulings up to the time when military orders began to emerge, see Albert J. Riesner, *Apostates and Fugitives from Religious Institutes*, Catholic University of America Canon Law Studies 168 (Washington, 1942), chap. 2–3; Laurent Mayali, “Du vagabondage à l’apostasie: Le moine fugitif dans la société médiévale,” in *Religieuse Devianz: Untersuchungen zu sozialen, rechtlichen und theologischen Reaktionen auf religiöse Abweichung im westlichen und östlichen Mittelalter*, ed. Dieter Simon (Frankfurt, 1990), 122–29.

<sup>6</sup> “Si de canonicali, si de monastico, si de heremitico, si de quolibet antiquitus instituto ordine recessisset, iure illum ad illicite dimissa, censura ecclesiastica redire compelleret”; “non nisi de militia ad militiam transierit, . . . gladium quem contra Sarracenos assumpsit, contra falsos Christianos Sarracenis deteriores transtulerit” (*The Letters of Peter the Venerable*, ed. Giles Constable, 2 vols. [Cambridge MA, 1967], 1:410–13, doc. 173). On Peter the Venerable’s stance on violence in his region, see Gregory A. Smith, “*Sine rege, sine principe*: Peter the Venerable on Violence in Twelfth-Century Burgundy,” *Speculum* 77 (2002): 1–33.

<sup>7</sup> Peter of Auvergne did, however, much later pose the different question: “Whether a member of a religious order, having sought but not obtained permission from his superior, can lawfully leave for the defense of the state?” (“Utrum religiosus, petita licentia a superiori quamvis non obtenta, licite possit exire ad defensionem rei publice?”; P. Glorieux, *La littérature quodlibétique de 1260 à 1320*, 2 vols. [Kain, 1925–35], 1:260).

in the later twelfth and thirteenth centuries, the prohibition on returning to the world was taken for granted and not explicitly stated.<sup>8</sup>

Specific prohibitions on returning to the world are also lacking in early rules of military orders,<sup>9</sup> but the permanence of obligations was sometimes implied, if not spelt out: the first article of the Templar rule, for example, urged men to join the order “for ever” (*perhenniter*), and the same wording was used in the clause discouraging the admission of children.<sup>10</sup> Raymond of Le Puy’s rule for the Hospitalers does, however, state briefly how deserters were to be punished.<sup>11</sup> Although descriptions of admission ceremonies stress that vows were for life,<sup>12</sup> later regulations tend to provide details of the punishment to be meted out to apostates who surrendered or were apprehended, rather than reiterating well-established prohibitions.<sup>13</sup>

Although apostasy was uniformly condemned, the issue was not always straightforward. An individual must, in the first place, normally have made a valid profession: the vows of those who had concealed impediments when questioned prior to admission were regarded as null, and the guilty, if discovered, could be returned to lords, spouses, or creditors; and evidence survives of the implementation of this ruling.<sup>14</sup> But the Catalan version of the Templar Customs also reports the case of Pons of Gusans, who sought readmission after absconding: he asserted that he had previously made no vow or profession, and should therefore not be subject to penance. His link with the order dated from the time when he had fallen sick while traveling by sea

<sup>8</sup> See, for example, *Colección diplomática medieval de la orden de Alcántara (1157?–1494)*, ed. Bonifacio Palacios Martín, 2 vols. (Madrid, 2000–2003), 1:6–8, doc. 13; *PUTJ* 1:309–12, doc. 122 (Mountjoy); *BS* 91–93 (Faith and Peace). These letters state that a brother should not depart (*discedere*) without permission, but this is a reference to transfers to other orders, not to a reversion to the world.

<sup>9</sup> *RT* 11–74; *CH* 1:62–68, doc. 70; Jean Leclercq, “La vie et la prière des chevaliers de Santiago d’après leur règle primitive,” *Liturgica* 2 (1958): 347–57, at 351–55.

<sup>10</sup> *RT* 11–12, 25–26, arts. 1, 62 of the Latin rule. The Templar rule makes provision for temporary associates, but these did not take the normal monastic vows (*ibid.*, 32–33, 64–66, arts. 29, 5, 32, 61 of the Latin rule); on these associates, in the Temple and other orders, see Giuseppe Ligato, “Fra ordini cavallereschi e crociata: ‘milites ad terminum’ e ‘confraternitates’ armate,” in “*Militia Christi*” e crociata nei secoli XI–XIII: *Atti della undecima Settimana internazionale di studio, Mendola, 28 agosto–1 settembre 1989* (Milan, 1992), 645–97.

<sup>11</sup> *CH* 1:62–68, doc. 70 art. 10.

<sup>12</sup> *CR* 34, art. 66; *RT* 344, arts. 675–76; *CH* 2:536–61, doc. 2213 art. 121; *SDO* 128. The Catalan version of Templar regulations was compiled after 1268. One version of the promises made by a recruit included in the Templar Customs contains the pledge: “that from this day I cannot free my neck from the yoke of the rule” (“ut ab hac die non mihi liceat collum excutere de jugo regule”; *RT* 167, art. 275; *CR* 26–28, art. 56).

<sup>13</sup> See below, p. 198.

<sup>14</sup> *Procès* 1:605; 2:44; “Nouveau manuscrit,” 207, art. 45; *CR* 78, art. 177.

to the Holy Land and had asked for the habit, which had been given to him, just as it was put on many others who were thought to be dying. He later recovered, however, and rose to the office of *turcoplier*. When he sought readmission, it was decided that he should be regarded as a brother, despite the absence of vows,

for it is right that if a man wishes to be in an order, and has proved himself in it and has been in it for more than a year and a day and has not left, no one should give him leave to depart, and the brother cannot abandon the order, for he has shown that he considers the order good, and the brothers have judged him to be good.<sup>15</sup>

He had undertaken the equivalent of a probationary period and had stayed. He was therefore subjected to penance when he returned. In adopting this stance, the Templars were not innovating: admission in this form was known as a “tacit profession,” which was considered binding.<sup>16</sup> No doubt cases of this kind were unusual, but a formal profession was not absolutely necessary for membership.

Apostasy implied the rejection of the religious life, and this was often symbolized by the abandonment of the habit. But the latter action was not a necessary criterion. Papal bulls refer to brothers who had left their convents but were in some instances still wearing their habits when living in the world.<sup>17</sup> The regulations of military orders indicate that there were also degrees of apostasy, which did not all involve a permanent or long-term rejection of the religious life. The Templar Customs consider the case of a brother who threw his habit on the ground in anger and refused to pick it up when asked.<sup>18</sup> The wording of the ruling does not suggest that he was seeking to leave the order: the habit was apparently rejected merely in an outburst of frustration or annoyance. There are also references to leaving a castle or fortified house other than by the gate.<sup>19</sup> This was presumably done for an illicit purpose but did not necessarily imply an intention to abscond

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<sup>15</sup> “Car dret es que, si un hom voleit estre en religio, en cela en que a esprove el a estet plus d’un an e d’un jorn qe el no s’en partise, hom no li dona conge ni celuy frere ne s’en pot partire de la religio, car ell a prove zela religio per bona, eus freres lui per bo” (“Nouveau manuscrit,” 212, art. 51; *CR* 86–88, art. 183).

<sup>16</sup> J. G. Konrad, *The Transfer of Religious to Another Community: An Historical Synopsis and a Commentary*, Catholic University of America Canon Law Studies 278 (Washington, 1949), 21–22.

<sup>17</sup> *BS* 83; *CH* 2:212, doc. 1538; *Tabulae* 317, doc. 360.

<sup>18</sup> *RT* 162–63, 247–48, 321–22, arts. 263–64, 463, 622; *CR* 46, art. 116; cf. Enrique Gallego Blanco, *The Rule of the Spanish Military Order of St. James, 1170–1493* (Leiden, 1971), 136, art. 62.

<sup>19</sup> *RT* 154, 230–31, 290 arts. 228, 423, 555; *CR* 38, 54, arts. 77, 130; *CH* 2:536–61, doc. 2213 art. 52; 3:450–55, doc. 3844 art. 12; cf. *Procès* 1:213, 360.

permanently. Regulations in addition refer to brief absences from a convent, with Templar decrees distinguishing between those who absconded for merely one night and those who stayed away for two nights or more.<sup>20</sup> The reasons for short absences could be varied — they might include an illicit relationship or tension within a house — but again they did not always signify a wish to apostatize in the long term. It is, of course, not always easy to discern the intentions of those who left a house, but the emphasis in the present paper will be on those who were absent for more than just a day or two, and whose original intention was apparently to leave an order, even if they later repented of their action.

While a return to the world was not allowed, transfers to another order were not forbidden but were subject to restrictions. These related to the obtaining of permission and to the type of order to which a transfer could be made. The principle that permission had to be obtained for a transfer had long been established; that the adoption of a more austere life should be a justification for transfer was similarly not new. Much earlier it had been suggested that those aspiring to perfection should first observe St. Benedict's "little rule for beginners" before moving on to stricter forms of observance, and many documents of the later eleventh and early twelfth centuries relating to transfers from one religious order to another allude to the adoption of a stricter life.<sup>21</sup>

As religious orders of various types proliferated in the twelfth and thirteenth centuries, however, there was by no means universal agreement about the rating of foundations. Differing views were expressed by orders themselves about relative superiority,<sup>22</sup> and there were also differences of opinion about the criteria to be adopted in judging the merits of particular orders. Although canonists tended to stress an order's harshness of life as a criterion,<sup>23</sup> this was not the only possible basis for judgment. In the twelfth

<sup>20</sup> *RT* 162, 231–32, 247, 292, 321, 322, 323–24, arts. 262, 424–26, 462, 559, 621, 625, 627–28; "Nouveau manuscrit," 203, art. 32; *CR* 46, 60–62, arts. 114–15, 147–48; *SDO* 82, 84, Gesetze 37(4), 38(7); *CH* 2:536–61, doc. 2213 arts. 23, 40, 57.

<sup>21</sup> "Minimam inchoationis regulam" (*La règle de Saint Benoît*, art. 73 [ed. Adalbert de Vogüé and Jean Neufville, 7 vols. (Paris, 1971–77), 2:672–74]); *Decretum Gratiani*, C. 19 q. 3 c. 3, in *Corpus iuris canonici*, ed. Aemilius Friedberg, 2 vols. (Leipzig, 1879–81), 1:840–41; PL 151:408–10; 163:1334–35; 179:373–76, 578–80.

<sup>22</sup> On the rival claims of monks and regular canons, for example, see D. Roby, "Philip of Harvengt's Contribution to the Question of Passage from One Religious Order to Another," *Analecta Praemonstratensia* 49 (1973): 69–100; Kurt Fina, "'Ovem suam requirere': Eine Studie zur Geschichte des Ordenswechsels im 12. Jahrhundert," *Augustiniana* 7 (1957): 33–56; C. Dereine, "L'élaboration du statut canonique des chanoines réguliers spécialement sous Urbain II," *Revue d'histoire ecclésiastique* 46 (1951): 534–65, at 558–61. Arguments between Franciscans and Dominicans are discussed by Matthew Paris, *Chronica majora*, ed. Henry Richards Luard, 7 vols., Rolls Series 57 (London, 1872–83), 4:279.

<sup>23</sup> Konrad, *Transfer of Religious*, 42.

century the Premonstratensian Philip of Havengt maintained that canons regular had a greater dignity than monks because of their origins and functions: assessments were not to be based merely on austerity of life.<sup>24</sup> Aquinas later argued that

strictness of observance is not the characteristic which is especially praised in an order. . . . Therefore an order is not better because it has stricter observances, but rather because its observances are ordained with greater discretion to suit the ends and purposes of the order.<sup>25</sup>

Although many documents relating to transfers did in fact employ the words “stricter” (*arctior*), “harsher” (*durior*), and “laxer” (*laxior*), other terminology commonly in use — such as “greater” (*maior*) and “lesser” (*minor*) — did allow the adoption of other criteria. In their testimonies, Templars on trial in the early fourteenth century commonly alluded to transfers to a “better” (*melior*) or “worse” (*peior*) foundation, as well as to a “greater” or “lesser” one.<sup>26</sup> A distinction might also be drawn between a foundation’s original way of life and its condition at a particular moment: it was argued that it should be judged by its state at the time in question.<sup>27</sup> It is perhaps not surprising that contemporaries who surveyed the varying forms of religious order did not usually attempt to ascribe to each of them a precise place in a table of merit.<sup>28</sup>

In the hierarchy of orders, however, those devoted to fighting were in practice normally given a low rating. St. Bernard, while seeking to justify the Templars’ way of life, commented that military activity “is legitimate for all, provided that they are divinely ordained for it and have not professed anything better.”<sup>29</sup> Their lowly ranking is also apparent from documents relating to transfers. In 1245 Innocent IV ruled that those leaving the

<sup>24</sup> Roby, “Philip of Harvengt,” 94–97.

<sup>25</sup> “Arctitudo observantiarum non est id quod precipue in religione commendatur. . . . Ideo non est potior religio ex hoc quod habet arctiores observantias; sed ex hoc quod ex maiori discretionem sunt eius observantie ordinate ad finem religionis” (*Summa Theologiae* 2.2.189.8 [Alba, 1962], 1859); cf. Konrad, *Transfer of Religious*, 41–42.

<sup>26</sup> *Procès passim*; *Untergang* 2:219–375; Anne Gilmour-Bryson, *The Trial of the Templars in Cyprus: A Complete English Edition* (Leiden, 1998), 155–404.

<sup>27</sup> Hostiensis, *In tertium Decretalium librum commentaria* (Venice, 1581), fol. 110r–110v (3.31.10 [ubi nunc]); Konrad, *Transfer of Religious* (n. 16 above), 43–44.

<sup>28</sup> See, for example, *Libellus de diversis ordinibus et professionibus qui sunt in Ecclesia*, ed. and trans. G. Constable and B. Smith (Oxford, 1972); *The Historia occidentalis of Jacques de Vitry*, ed. John Frederick Hinnebusch (Fribourg, 1972); and Humbert of Romans, *De eruditione predicatorum*, 2.4–5.4, in Margarinus de la Bigne, *Maxima bibliotheca veterum patrum et antiquorum scriptorum ecclesiasticorum*, 28 vols. (Lyons, 1677–1707), 25:459–83.

<sup>29</sup> “Omnibus fas est, ad hoc dumtaxat divinitus ordinatis, nec aliud sane quidquam melius professis” (*Liber ad milites Templi de laude novae militiae*, chap. 3, in *S. Bernardi opera*, ed. J. Leclercq, C. H. Talbot, and H. M. Rochais, 8 vols. [Rome, 1957–77], 3:218).

Franciscan and Dominican orders should not be allowed to transfer to Augustinian foundations or to military orders.<sup>30</sup> Innocent III had earlier stated that Grandmont was stricter than Santiago, and Arrouaise more austere than the Hospital,<sup>31</sup> and Gregory IX argued more generally that the observances of Augustinian canons were more rigorous than those of the Hospital.<sup>32</sup> Innocent III also wrote that the Benedictine Rule was more rigorous than that of the Hospital, and Honorius III similarly stated that a Benedictine monastery was “higher” (*altior*) than the Temple,<sup>33</sup> while the compiler of the Templar Customs acknowledged that Benedictine and Augustinian observances were stricter than those of his own order.<sup>34</sup>

Clearly in some respects military orders did compare unfavorably with other religious institutions. The fasts that brothers of military orders were expected to observe were less extensive than those practiced in monasteries, and special permission had to be obtained for any further abstinence. It was also the custom for meat-eating to be allowed on three — or even more — days a week. Although some brethren engaged in agricultural tasks, manual labor was not a general obligation. Military orders were further allowed to possess all kinds of property and did not seek to withdraw from contact with the world: John Peckham, archbishop of Canterbury, in 1284 asserted that, even in comparison with foundations of regular canons, the Hospital “is more involved with secular affairs.”<sup>35</sup> Nor, of course, were the military orders contemplative institutions. They were, moreover, composed primarily

<sup>30</sup> *CH* 2:636, docs. 2381, 2384; *Bullarium franciscanum*, ed. Johannes Hyacinthus Sbaralea, 4 vols. (Rome, 1759–68), 1:371–72; *Bullarium ordinis fratrum predicatorum*, ed. T. Ripoll, 8 vols. (Rome, 1729–40), 1:153. This ruling was repeated by Alexander IV in 1261: Ildelfonso Rodríguez de Lama, *La documentación pontificia de Alejandro IV (1254–1261)* (Rome, 1976), 435–36, 472–73, docs. 462, 505; see also *Les registres d'Honorius IV*, ed. Maurice Prou (Paris, 1888), cols. 159–68, doc. 203.

<sup>31</sup> *BS* 54; Demetrio Mansilla, *La documentación pontificia hasta Inocencio III (965–1216)* (Rome, 1955), 404–5, doc. 390; *CH* 1:672–73, doc. 1082; *Die Register Innocenz' III.*, 2, ed. Othmar Hageneder, Werner Maleczek, and Alfred A. Strnad (Rome, 1979), 100–101, doc. 54; Ludo Milis, *L'ordre des chanoines réguliers d'Arrouaise*, 2 vols. (Bruges, 1969), 1:481.

<sup>32</sup> *CH* 2:416–17, doc. 1977; cf. *Registrum Epistolarum Fratris Johannis Peckham archiepiscopi Cantuariensis*, ed. Charles Trice Martin, 3 vols., Rolls Series 77 (London, 1882–85), 3:860, doc. 617.

<sup>33</sup> *Die Register Innocenz' III*, 1, ed. Othmar Hageneder and Anton Haidacher (Graz, 1964), 574, doc. 379; C. A. Horoy, *Medii aevi bibliotheca patristica seu ejusdem temporis patrologia*, 4 vols. (Paris, 1879–80), 3:176–77, doc. 169; *Regesta Honorii Papae III*, ed. P. Pressutti, 2 vols. (Rome, 1888–95), 1:325, no. 1971.

<sup>34</sup> *RT* 233, art. 429. This clause is misinterpreted in Malcolm Barber, *The New Knighthood: A History of the Order of the Temple* (Cambridge, 1994), 220.

<sup>35</sup> “Secularibus cum negotiis est amplius involutus” (*Registrum Peckham*, 3:860, doc. 617).



of laymen, who occupied most offices of importance in them: the clerical element in fighting orders usually comprised only a small minority.

Among the military orders themselves, those affiliated to the Cistercians were regarded as the strictest. When forbidding the Hospitalers in Spain to admit members of Calatrava, Honorius III made clear in 1220 that he regarded the latter order as leading the severer life.<sup>36</sup> The fasts practiced in Calatrava were more rigorous than in the leading military orders, and in 1233 the general chapter of Cîteaux sought to limit meat-eating in Calatrava by ruling that brothers resident outside Spain — and therefore not involved in warfare — should observe normal Cistercian regulations about the consumption of meat.<sup>37</sup> The least austere was Santiago, which was alone in allowing married men to be full members. James of Vitry wrote of the brothers of that order that “placing one foot in the depths and raising the other on high, they have chosen — following the example of Lot — to be saved in Segor rather than venturing in the mountains.”<sup>38</sup>

These evaluations of military orders were, of course, not universally accepted. These orders, like all types of religious order, had their advocates, although it is not surprising that polemical tracts on this theme were not penned by members of military orders themselves, as they were by some belonging to other religious institutions.<sup>39</sup> Anselm of Havelberg asserted that, when the pope had approved the Templars, he had stated that their form of life was no less meritorious than that of monks and regular canons;<sup>40</sup> and, in an early letter to the Templars, Hugh *Peccator*, when comparing their order with other religious institutions, wrote that “you should remember that in any order he is the higher who is better.”<sup>41</sup> Later, the chronicler

<sup>36</sup> CH 2:278, doc. 1699; Demetrio Mansilla, *La documentación pontificia de Honorio III (1216–1227)* (Rome, 1965), 250, doc. 338.

<sup>37</sup> Alan Forey, *The Military Orders from the Twelfth to the Early Fourteenth Centuries* (Basingstoke, 1992), 193–94.

<sup>38</sup> “Pedem unum in imo figentes, alium in excelso elevantes, ad exemplum Loth preelegerunt salvari in Segor, quam periclitari in montibus” (*Historia occidentalis*, chap. 26, ed. Hinnebusch [n. 28 above], 142). The allusion is to Gen. 13:10–11.

<sup>39</sup> See, for example, the references given above, n. 21.

<sup>40</sup> *Dialogues* 1.10, ed. Gaston Salet, SC 118 (Paris, 1966), 100. He attributed the statement to Urban II rather than Innocent II. Urban had on several occasions maintained that the life of regular canons was as meritorious as that of monks (PL 151:337–39, 360–61, 535–36); cf. G. Severino, “La discussione degli ‘Ordines’ di Anselmo di Havelberg,” *Bullettino dell’Istituto storico italiano per il medio evo e Archivio Muratoriano* 78 (1967): 75–122, at 91–92.

<sup>41</sup> “Scitote quia in omni ordine ille est alior qui est melior” (Jean Leclercq, “Un document sur les débuts des Templiers,” *Revue d’histoire ecclésiastique* 52 [1957]: 81–91, at 88; Clément Sclafert, “Lettre inédite de Hugues de Saint-Victor aux chevaliers du Temple,” *Revue d’ascétique et de mystique* 34 [1958]: 275–99, at 294). An English version of the letter is published in Malcolm Barber and Keith Bate, *The Templars* (Manchester, 2002), 54–59.



Peter of Dusburg wrote about a brother of the Teutonic Order at Rehdén who felt that he could not save his soul in his own order and wished to transfer to the Benedictines, Augustinians, Dominicans, or Franciscans: the chronicler reported that the Virgin Mary appeared to him in a vision, saying: "It is not fitting that you should regard your order as being so lax that there is nothing in it that allows you to fulfill your desire to suffer"; and, pointing to the wounds and injuries received by brethren in defense of the faith, she added: "Does it not seem to you that these brothers of yours have suffered in the name of Jesus Christ?"<sup>42</sup> While these sources implied that military orders were no less meritorious than other religious foundations, the compiler of the rule of the order of Santiago went further. When discussing any fasting in addition to that prescribed, he quoted John 15:13 and claimed that "it is much more difficult to expose one's person to great and indescribable dangers than to afflict one's body with multiple torments in a place of repose and tranquility," and that "it is much better to defend than to fast."<sup>43</sup> It was not, however, only in sources emanating from the military orders that opinions of this kind were expressed. The hero of the *Moniage Guillaume* attributed greater merit to brethren of military orders than to monks. While the former allowed themselves to be martyred in fighting against the infidel,

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In recent discussions of the identity of Hugh, Francesco Palleschi ("I milites Templi in Guigo I, San Bernardo e Ugo di San Vittore," in *Die Kartäuser und das Heilige Römische Reich*, 4 vols. [Salzburg, 1998–99], 1:156–88, at 184), opts for Hugh of Saint Victor, but Dominic Selwood ("Quidam autem dubitaverunt: The Saint, the Sinner, the Temple and a Possible Chronology," in *Autour de la première croisade*, ed. Michel Balard [Paris, 1996], 221–30, at 222–24) and Simonetta Cerrini ("I templari: una vita da *fratres*, ma una regola anti-ascetica; una vita da cavalieri, ma una regola anti-eroica," in *I templari, la guerra e la santità*, ed. Simonetta Cerrini [Rimini, 2000], 19–48, at 25, and eadem, "Le fondateur de l'ordre du Temple à ses frères: Hugues de Payns et le *Sermo Christi militibus*," in *Dei gesta per Francos: Etudes sur les croisades dédiées à Jean Richard*, ed. Michel Balard, Benjamin Z. Kedar, and Jonathan Riley-Smith [Aldershot, 2001], 99–110) support the identification with the Templar master Hugh of Payns. But the letter does not read like the work of a layman.

<sup>42</sup> "Non expedit, quia tibi videtur, quod ordo tuus sit adeo laxus, quod nihil sit in eo, in quo secundum desiderium tuum possis pati"; "Num videtur tibi, quod isti fratres tui sint aliquid passi pro nomine Iesu Christi?" (*Chronik des Preussenlandes*, 3.12, ed. and trans. Max Toeppen, Klaus Scholz, and Dieter Wojtecki [Darmstadt, 1984], 114).

<sup>43</sup> "Multo plus est difficilius personam magnis et inenarrabilibus exponere periculis quam in domo occii et tranquillitatis corpus multa maceratione affligere"; "multo melius est defendere quam ieiunare" (Gallego Blanco, *Rule of St. James* [n. 18 above], 94–96, arts. 9–10). See also the thirteenth-century vernacular version: Derek W. Lomax, *Le orden de Santiago (1170–1275)* (Madrid, 1965), 223, doc. 1 art. 10.

Monks have no care but to live in an abbey,  
 And to eat and to drink mature wine,  
 And to sleep when they have said Compline.<sup>44</sup>

Yet such views did not gain widespread acceptance in the Church: most religious orders were considered stricter and more meritorious than military orders.

At the time when military orders were beginning to emerge, in the first half of the twelfth century, however, more emphasis was placed on the necessity of obtaining permission before moving from one order to another than on transferring only to a stricter order. Although in the bull *Omne datum optimum* Innocent II in 1139 alluded to a more austere regime by stating at one point that “you [the Templars] ought not to transfer to another place for the sake of a more religious life,” that privilege also ruled that brethren could not go “to another place or monastery by reason of a greater or lesser way of life against the wishes of, and without consulting, their brethren and the master,” and a similar form of wording was used by Anastasius IV in a general privilege to the Hospital in 1154.<sup>45</sup> Alexander III also decreed in 1175 that members of Santiago should not transfer to another order without permission.<sup>46</sup> The wording of these papal letters for military orders is similar to that employed in many bulls addressed to houses of other religious orders in the same period.<sup>47</sup> At this stage there was no uniform insistence that transfers should be to a stricter order. Although in several letters St. Bernard expressed the view that to transfer to a laxer order constituted apostasy, later in the twelfth century Philip of Harvengt maintained that in some circumstances the adoption of a lesser way of life

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<sup>44</sup> Moine n'ont curs fors d'estre en abeie,  
 Et de mengier et boire vin sor lie,  
 Et de dormir quant il ont dit complie

(*Les deux rédactions en vers du Montiage Guillaume*, ed. W. Cloetta, 2 vols. [Paris, 1906–11], 1:66, 72–73).

<sup>45</sup> “Nichilominus nullius vite religiosioris obtentu ad locum alium vos convenit transvolare”; “ad alium locum seu etiam monasterium maioris sive minoris religionis obtentu invitis seu inconsultis fratribus aut eo, qui magister extiterit” (*PUTJ* 1:204–10, doc. 3); *CH* 1:173–75, doc. 226. In other bulls Innocent II had forbidden Templars and Hospitalers to go to “other places” without permission (*PUTJ* 1:210–11, 212–13, docs. 4, 6). Eugenius III used the phrase “by reason of a greater or lesser order” (“sub obtentu maioris sive minoris religionis”) when writing of the Templars in 1151 (*ibid.*, 1:221–22, doc. 15).

<sup>46</sup> Martin, *Origenes de Santiago* (n. 4 above), 248–54, doc. 73. When referring to transfers in a privilege to Calatrava in 1164, Alexander III merely stated that they required permission: he did not limit them to the adoption of a stricter way of life (*BC* 5–6).

<sup>47</sup> M.-Anselme Dimier, “Saint Bernard et le droit en matière de *Transitus*,” *Revue Mabillon* 43 (1953): 48–82, at 65–74.

was permissible;<sup>48</sup> and while in one letter Stephen of Tournai argued that a monk should not revert to a less rigorous foundation, in another he asked for a brother to be received back when a transfer had been unsuccessful, as did St. Bernard on one occasion.<sup>49</sup>

In the later 1170s, however, the wording of papal letters to military orders was in many cases modified and began to allow transfers to more austere foundations to be made without permission. In 1176 Alexander III ruled, rather ambiguously, with reference to San Julián de Pereiro (the forerunner of Alcántara), that

after he has made his profession in the order, none of your brothers is to have the right to leave it without the permission of his prior; no one is to dare to retain a brother who has left without the backing of common letters, unless he wishes to transfer to a stricter life.<sup>50</sup>

Here an older form of wording was being clumsily adapted. The situation was made somewhat clearer in a further letter to the same order issued seven years later by Lucius III:

after he has made his profession in your order, none of your brothers is to have the right, unless he is seeking a stricter order, to leave it without the permission of his master; no one is to dare to retain a brother who has left without the support of common letters.<sup>51</sup>

In 1187 Gregory VIII similarly decreed that a brother should not leave Calatrava without permission, unless he intended to transfer to the Cistercian order.<sup>52</sup> The change in wording at this time is also to be found in papal

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<sup>48</sup> *Ibid.*, 58–59; Giorgio Picasso, “San Bernardo e il ‘transitus’ dei monaci,” in *Studi su S. Bernardo di Chiaravalle nell’ottavo centenario della canonizzazione* (Rome, 1975), 181–200, at 187, 193; Roby, “Philip of Harvengt” (n. 22 above), 98–99.

<sup>49</sup> *Lettres d’Etienne de Tournai*, ed. Jules Desilve (Paris, 1893), 3–16, 73–74, ep. 1, 58; *S. Bernardi Opera* (n. 29 above), 7:218, ep. 84; Jean Leclercq, “Documents sur les ‘fugitifs,’” *Analecta monastica* 7 (1965): 87–145, at 97, 105–6. Idung (*Dialogus duorum monachorum* 3.30, in *Le moine Idung et ses deux ouvrages: “Argumentum super quatuor questionibus” et “Dialogus duorum monachorum”* ed. R. B. C. Huygens [Spoleto, 1980], 167) expresses the view that to return to a laxer foundation is apostasy.

<sup>50</sup> “Nulli post factam in eodem loco professionem, sine licentia prioris sui, fas sit de eodem loco discedere; discedentem vero absque communium litterarum cautione, nullus audeat retinere, nisi ad arctiorem vitam voluerit transmigrare” (*Colección diplomática de Alcántara* [n. 8 above], 1:6–8, doc. 13).

<sup>51</sup> “Nulli fratrum vestrorum fas sit, post factam in eo loco professionem, nisi arctioris religionis obtentu, absque licentia magistri sui, de eadem discedere; discedentem vero, absque communium litterarum cautione, nullus audeat retinere” (*ibid.*, 1:10–13, doc. 16). A different interpretation is placed on these documents by Luis Corral Val (*Los monjes soldados de la orden de Alcántara en la edad media* [Madrid, 1999], 291).

<sup>52</sup> *BC* 22–25. Alexander III had earlier forbidden all departures without permission (*ibid.*, 5–6). Gregory VIII’s ruling was repeated by Innocent III in 1199 (*ibid.*, 31–35).

letters directed to other religious foundations.<sup>53</sup> These papal rulings did not, however, explicitly state that transfers could be made only to stricter orders: movement to other foundations with permission was not forbidden. Yet no totally consistent policy was being followed by the papacy: Alexander III's confirmations of the order of Mountjoy in 1180 state that none should depart without permission,<sup>54</sup> and papal privileges issued to the Hospital and Temple in the middle decades of the twelfth century were confirmed with wording unchanged in the later part of the century.<sup>55</sup>

The reasons for the change in papal decrees, even if it was not complete, are not clear. The new position reflects to some extent that adopted earlier by St. Bernard,<sup>56</sup> and Gratian had included a text that freely permitted a transfer to a more austere foundation, while Cluny had earlier received a privilege that it could accept members of other religious houses without the permission of their superiors.<sup>57</sup> Yet, in making a change in the 1170s, the papacy was possibly influenced more directly by a reluctance on the part of heads of religious houses to permit transfers, even to stricter foundations.

That this was so is suggested by the wording of letters in which, in the early thirteenth century, Innocent III sought to clarify the situation of religious foundations that had privileges of the kind possessed by the Templars and Hospitalers. He argued that the requirement for permission had been imposed in order to avoid transfers occasioned by rashness or fickleness, but not to stop those who genuinely wished to change to a better life. The latter should request permission, but to refuse them would be an abuse of power, and they were to transfer even if the superior of their order declined to give a license: archbishops and bishops would have the authority to grant permission. If there was doubt about a petitioner's motives, his superior was

<sup>53</sup> Dimier, "Saint Bernard," 80–82.

<sup>54</sup> *PUTJ* 1:309–12, 315–19, docs. 122, 125.

<sup>55</sup> For the texts of reissues of *Omne datum optimum*, for example, see PL 201:1195–1200; Alexandre Ferreira, *Memorias e noticias da celebre ordem militar dos Templarios*, 2 vols. (Lisbon, 1735), 2:811–21, 827–38, 838–49; *PUTJ* 2:97–98; for later versions of Eugenius III's bull *Militum Templi professio*, see *ibid.*, 1:375, 387, 388, docs. 191, 209, 211. Similar confirmations were issued in the later twelfth century to some religious houses of other types: see, for example, *Papsturkunden in Frankreich*, N. F. 7, ed. Dietrich Lohrmann (Göttingen, 1976), 496–98, 535–37, docs. 208, 240.

<sup>56</sup> On St. Bernard, see Dimier, "Saint Bernard," 48–82; Picasso, "San Bernardo," 181–200.

<sup>57</sup> *Decretum Gratiani*, C. 20 q. 4 c. 1, in *Corpus iuris canonici* (n. 21 above), 1:851; Konrad, *Transfer of Religious* (n. 16 above), 14–15, 19; Giles Constable, "The Reception Privilege of Cluny in the Eleventh and Twelfth Centuries," in *Le gouvernement d'Huques de Semur à Cluny: Actes du Colloque scientifique international, Cluny, Septembre 1988* (Cluny, 1990), 59–74.

to make a judgment.<sup>58</sup> This ruling was incorporated into Gregory IX's *Decretals* and was quoted by Honorius III in 1219 when the Temple was seeking to hinder the transfer of a brother to Saint Victor in Marseille, and by Gregory IX in 1231 when the Hospital refused to grant permission to a brother Gonzalo to transfer to an Augustinian house at Osma in Spain.<sup>59</sup> At the same time, privileges of the kind granted in the late twelfth century continued to be issued. Innocent III confirmed the ruling that members of Calatrava should not transfer without permission, except to Cistercian houses, and Gregory IX in 1230 decreed that members of the new order of the Faith and Peace in southern France should similarly not transfer to another order without permission, except to a more rigorous way of life.<sup>60</sup> When Urban IV compiled regulations for the order of the Blessed Virgin Mary in Italy in 1261, he ruled that "no one is allowed to leave an order or foundation of this kind, unless he wishes to transfer to a stricter order or foundation; permission should, however, be sought from the general master":<sup>61</sup> a license had to be sought, but not necessarily obtained.

This situation is reflected in a comment made by an interrogator in Rousillon during the Templar trial in the early fourteenth century: "They can of their own accord transfer to another approved order, provided that it is stricter, without the permission of the head of their first order";<sup>62</sup> and a similar view was expressed by a Templar questioned in Paris who said that recruits swore not to leave without permission except for a more austere order.<sup>63</sup>

<sup>58</sup> CH 2:96–97, doc. 1318; Mansilla, *Inocencio III* (n. 31 above), 405–7, doc. 392. In a letter to Santiago in 1208 about those wishing to transfer to a stricter order, Innocent referred to "the license, which according to the regulations of the order ought not to be denied to petitioners" ("licentia, que secundum institutionem ordinis non debet petentibus denegari"; BS 54); no specific ruling of this kind survives.

<sup>59</sup> X.3.31.18, in *Corpus iuris canonici*, 2:575–76; Konrad, *Transfer of Religious*, 22–24; Horoy, *Medii aevi bibliotheca patristica* (n. 33 above), 3:176–77, doc. 169; *Regesta Honorii III* (n. 33 above), 1:325, no. 1971; CH 2:416–17, doc. 1977.

<sup>60</sup> BC 31–35, 42–46; BS 91. This form of words was also employed in a papal privilege issued in 1262 by Urban IV for the house of Hospitaler sisters founded at Alguayre in Catalonia: CH 3:22–24, doc. 3015.

<sup>61</sup> "Nulli liceat ab hujusmodi ordine seu religione exire, nisi forsitan ad arctiorem ordinem seu religionem, petita tamen a generali prelato licentia, voluerit se transferre" (Domenico Maria Federici, *Istoria de' cavalieri gaudenti*, 2 vols. [Vinegia, 1787], 2, Codex diplomaticus, 19, doc. 18).

<sup>62</sup> "Possint ad aliam religionem approbatam, strictiorem tamen, propria voluntate transire absque licencia rectoris prime religionis" (*Procès* 2:436–37).

<sup>63</sup> *Ibid.*, 2:104–5. A Templar questioned in Castile maintained that brothers could not transfer to a less strict order without permission: Josep Maria Sans i Travé, "L'inedito processo dei Templari in Castiglia (Medina del Campo, 27 aprile 1310)," in *Acri 1291: La*

Yet such freedom was likely to cause discontent within orders, and it was not universally accepted. Although canonists commonly expressed the view that a transfer could be made to a stricter order if permission had been sought but not obtained,<sup>64</sup> it was also argued that the ruling did not apply if an order's privileges stated that it was not sufficient merely to request permission to transfer.<sup>65</sup> There could obviously be differences of interpretation about the wording of some papal bulls, but some issued in the thirteenth century did state explicitly that a license was necessary. Privileges granted to the Teutonic order in certain cases forbade transfers without license, and Honorius III similarly decreed in 1220 that no sisters of the Calatravan convent of San Felices should leave without the permission of the abbess.<sup>66</sup> Confirmations of earlier privileges that required permission for transfers were also issued in the thirteenth century.<sup>67</sup> And, when allowing a brother who had left the Temple to transfer to a Benedictine monastery in 1290, Nicholas IV acknowledged that this decision might override Templar privileges.<sup>68</sup>

The orders themselves sought to ensure that the requirement for permission was maintained. The Templar Customs in use until the dissolution of the order in the early fourteenth century stated that no brother was to transfer to another order without permission, and other clauses ruled that any Templar who merely said that he would leave even if permission to transfer were refused was to be punished.<sup>69</sup> New recruits were obliged to promise not to leave the Temple for any other order without permission, and this pledge was reflected in many of the responses given by Templars when they were interrogated in the early fourteenth century.<sup>70</sup> The cases involving the Temple in 1219 and the Hospital in 1231 also demonstrate

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*fine della presenza degli ordini militari in Terra Santa e i nuovi orientamenti nel XIV secolo*, ed. Francesco Tommasi (Perugia, 1996), 227–64, at 253.

<sup>64</sup> Gert Melville, "Zur Abgrenzung zwischen Vita canonica und Vita monastica: Das Übertrittsproblem in kanonistischer Behandlung von Gratian bis Hostiensis," in *Secundum regulam vivere: Festschrift für P. Norbert Backmund, O. Praem.*, ed. Gert Melville (Windberg, 1978), 205–43, at 234–42.

<sup>65</sup> Konrad, *Transfer of Religious*, 48; Hostiensis, *In tertium Decretalium librum commentaria* (n. 27 above), fol. 113 (3.31.18).

<sup>66</sup> *Tabulae* 274–75, 327–28, docs. 304, 385; *BC* 47–49; on San Felices, see Carlos de Ayala Martínez, "San Felices de Amaya, monasterio medieval de la orden de Calatrava," in *Medievo hispano: Estudios in memoriam del Prof. Derek W. Lomax* (Madrid, 1995), 17–34.

<sup>67</sup> Mansilla, *Honorio III* (n. 36 above), 335–42, doc. 463.

<sup>68</sup> *Les registres de Nicolas IV*, ed. Ernest Langlois (Paris, 1886–93), 548, doc. 3531.

<sup>69</sup> *RT* 156–57, 246, 252, 309, arts. 239, 459, 474, 595; *CR* 4, 42, arts. 7, 91.

<sup>70</sup> *RT* 345, art. 676; *CR* 34, art. 66; *Untergang* 2:143–400; Gilmour-Bryson, *Trial in Cyprus* (n. 26 above), passim; *Procès* 1:180, 381–82, 395, 408, 410, 413, 416, etc.; Sans i Travé, "Inedito processo," 249–52, 254–61.



that these orders were, in practice, seeking in the thirteenth century to insist on the requirement that permission must be obtained from superiors for transfer to a stricter order.

Papal decrees issued in the twelfth and thirteenth centuries were not consistent in identifying who in a military order could grant approval for transfers. *Omne datum optimum* and some other early bulls imply that the wishes of the brothers, as well as of the master, should be taken into consideration.<sup>71</sup> On the other hand, bulls from the later twelfth century onwards tend to stress the master's authority in this matter.<sup>72</sup> Yet the significance of the change in wording should not be exaggerated. Later papal letters usually refer to the license that was to be issued by the master, but the fact that it was drawn up in his name did not signify that no consultation took place.<sup>73</sup> In the surviving account of the Templar admission procedure, it was made clear to the recruit that a transfer could be made only "with the permission of the master and convent who have the authority,"<sup>74</sup> and many brethren who were interrogated in Cyprus during the Templar trial said that the permission of the convent, as well as of the master, was needed for a transfer to another order.<sup>75</sup>

The regulations for the order of the Blessed Virgin Mary in 1261 implied that a transfer should only be to a stricter order, and from the early thirteenth century there was a growing tendency in papal documents to state explicitly that transfers from military orders should be to more rigorous, and certainly not to less strict, foundations. Innocent III interpreted the reference "to another place" in privileges of the Templars and Hospitalers to mean transfer only to a stricter order,<sup>76</sup> and he had in an earlier letter about a Hospitaler stated that "an ascent is to be made from a laxer to a more

<sup>71</sup> *PUTJ* 1:204–11, 212–13, docs. 3, 4, 6; *CH* 1:173–75, doc. 226; *BC* 5–6.

<sup>72</sup> Martin, *Orígenes de Santiago* (n. 4 above), 248–54, doc. 73; *Colección diplomática de Alcántara* (n. 8 above), 1:6–8, 10–13, docs. 13, 16; *PUTJ* 1:309–12, doc. 122; *BC* 22–25; *BS* 91–93. The privilege for the Teutonic order issued by Honorius III in 1220 followed, however, the wording of *Omne datum optimum* (*Tabulae*, 275–79, doc. 306).

<sup>73</sup> The papal privilege granted by Anastasius IV in 1154 for the Hospitalers had used the wording: "against the wishes of, or without consulting, the brothers, or [without] the license of the current master" ("in vitis sive inconsultis fratribus aut ejus, qui magister extiterit, licentia"); *CH* 1:173–75, doc. 226): the master gave the license, but on the advice of brethren.

<sup>74</sup> "Par le congie dou maistre et dou covent qui ont le pooir" (*RT* 345, art. 676). The Catalan version is not so precise (*CR* 34, art. 66); but see *ibid.*, 4, art. 7, which states that no official could give permission to transfer without the *esgart* of brothers given in chapter; see also *RT* 252, art. 474.

<sup>75</sup> *Untergang* 2:143–400; Gilmour-Bryson, *Trial in Cyprus*, *passim*. As was mentioned by some Templars questioned in Cyprus, permission could, of course, also be given by the pope.

<sup>76</sup> *CH* 2:96–97, doc. 1318; Mansilla, *Inocencio III* (n. 31 above), 405–7, doc. 392.

austere order; there should, however, be no descent on any grounds from a stricter to a laxer foundation.”<sup>77</sup> When writing to the master of Santiago in 1208, the same pope quoted Luke 9:62 — a text often used in condemning apostasy from an order — when arguing that there should be no transfer to a less rigorous foundation.<sup>78</sup> In another letter addressed to the Hospitalers in Spain, Honorius III similarly ruled that there was to be no transfer to a laxer life.<sup>79</sup>

Yet the principle that transfers should be only to stricter orders was not firmly established in the thirteenth century. Some papal privileges issued to military orders in that period still referred to transfers to laxer, as well as to more rigorous, foundations.<sup>80</sup> In the Templar admission ceremony recruits continued to promise that they would not leave for either a stricter or a less strict order without permission, and this undertaking is reflected in comments made by Templars during their trial.<sup>81</sup> The Templar Customs also stated that “a brother who leaves the house of the Temple cannot enter a more lax order without the dispensation of the person who has the authority to grant it,” although they do not explain the import of the last section of this ruling.<sup>82</sup> They also refer to the readmission of brothers who had earlier transferred to another order: presumably such former Templars would have been reverting to an order that was considered less austere.<sup>83</sup> On the other hand, an early Calatravan statute ruled that if a brother who had been in

<sup>77</sup> “De laxiore ascendendum sit ad ordinem arctiorem, non autem de arctiore ad laxiorem sit ratione aliqua descendendum” (*CH* 1:672–73, doc. 1082).

<sup>78</sup> *BS* 54. The pope did add the proviso: “unless by reason of urgent need or evident benefit it is permitted to an individual by the special dispensation of the apostolic see” (“nisi causa necessitatis urgentis aut evidentis utilitatis alicui specialiter ex dispensatione sedis apostolice concedatur”). Innocent was here alluding to the possible return to Santiago of brothers who had transferred to stricter orders.

<sup>79</sup> *CH* 2:278, doc. 1699; Mansilla, *Honorio III* (n. 36 above), 250, doc. 338.

<sup>80</sup> *Tabulae* 275–79, 304–5, 327–28, 387–88, docs. 306, 340, 385, 560; *CH* 2:621, doc. 2337.

<sup>81</sup> *RT* 345, art. 676; *Untergang* 2:143–400; Gilmour-Bryson, *Trial in Cyprus* (n. 26 above), passim; *Procès* 1:180, 381–82, 395, 408, 410, 413, 416, etc.; Sans i Travé, “Inedito processo” (n. 63 above), 249–50, 255–56, 258, 261; *Concilia* 2:337–38.

<sup>82</sup> “Ne en plus large relegion frere qui laisse la maison do Temple n’i puet entrer sans dispensation de celui qui a le pooir” (*RT* 233, art. 429).

<sup>83</sup> *Ibid.*, 252, 324, arts. 474, 630; *CR* 8, art. 14. Article 474 includes a comment that in the view of some Templars, a brother who had with permission transferred to another order should not be allowed to return; and this view was expressed more strongly in the Catalan version of the Customs (“Nouveau manuscrit,” 197, art. 12; *CR* 18, art. 38). But it does not seem to have been the order’s normal policy to refuse readmission in these circumstances. The return of brothers who had earlier transferred to another order was also permitted in a decree issued by the Hospital’s general chapter in 1265: *CH* 3:118–21, doc. 3180 art. 8.

the order for a year transferred to a Cistercian house, he could not revert to Calatrava.<sup>84</sup> But *difiniciones* drawn up for Calatrava envisaged transfers from Alcántara, Avis, and Montesa, which were orders of similar severity,<sup>85</sup> and an agreement between Calatrava and Santiago in 1243 alluded to transfers between these two orders, even though brothers changing to the latter order would have been adopting a laxer form of life.<sup>86</sup> Nor did canonists altogether reject the idea of a transfer to a less strict order. Hostiensis not only mentioned the opinion held by some that transfer to an order of similar austerity might be permitted, but also added: "You may say that, if there are grounds, there can be a transfer with the permission of the abbot to a laxer order."<sup>87</sup>

Yet, whatever arguments might be advanced to justify transfers, there were reasons for not allowing them to occur too frequently from any order. They could occasion unrest and instability in an institution that was losing members, and there was the danger that those seeking a transfer did not fully understand the demands that would be made of them in a new order. There were also practical considerations that related particularly to transfers from military orders. Eugenius III in 1151 wrote of the Templars that

after abandoning the ostentation of the secular world, they devote themselves in the service of God to the defense of the eastern church and the defeat of pagan savagery; if, therefore, permission were given to them to transfer to another place and to abandon the habit they have adopted, the church of God could suffer great harm;

and the same comment was made by Honorius III about members of the Teutonic order in 1221.<sup>88</sup> The loss of numerous brethren would endanger the Christian cause. It may have been partly an anxiety of this kind that led the master of the Teutonic order to say in 1246 that transfers could occasion serious loss.<sup>89</sup> Concern was usually being voiced about the defense of the

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<sup>84</sup> Derek W. Lomax, "Algunos estatutos primitivos de la orden de Calatrava," *Hispania* 21 (1961): 483–94, at 492.

<sup>85</sup> Joseph F. O'Callaghan, "The Earliest 'Difiniciones' of the Order of Calatrava, 1304–1383," *Traditio* 17 (1961): 225–84, at 273 (1325 [22]).

<sup>86</sup> *BC* 685–86.

<sup>87</sup> "Tu dicas, quod ex causa potest de licentia abbatis etiam ad laxiorem religionem transire" (*In tertium Decretalium librum commentaria* [n. 27 above], fol. 109 [3.31.7]); cf. Konrad, *Transfer of Religious* (n. 16 above), 54.

<sup>88</sup> "Ipsi ad defendendam orientalem ecclesiam et paganorum sevitiā reprimendam relictiis pompis secularibus in Dei sint servitio mancipati, si transeundi ad alia loca et sumptum habitum reliquendi daretur eis licentia, magnum ecclesie Dei posset exinde contingere detrimentum" (*PUTJ* 1:221–22, doc. 15); *Tabulae* 304–5, doc. 340; cf. *CH* 2:621, doc. 2337, for a similar comment about the Hospitalers.

<sup>89</sup> *Les registres d'Innocent IV*, ed. Elie Berger, 4 vols. (Paris, 1881–1920), 1:251, doc. 1661.

Holy Land, but in a letter about deserters from Santiago issued in 1223 Honorius III did allude to the fact that the Spanish order devoted itself to fighting for the faith and, by implication, that brothers were needed to further the *reconquista*.<sup>90</sup>

To reduce the demand for transfers to stricter foundations, Alexander III ruled in 1175 that in Santiago, which allowed married brothers to be full members, there should be “specified places in your order, where anyone can lead a stricter life”: those who wished to live without their wives and adopt a more rigorous conventual life should be able to do so within the order, rather than transferring to another institution.<sup>91</sup> In the mid-thirteenth century, the master of the Teutonic order similarly decreed that brothers who wished to follow a more austere life should be allotted places within the order where they could adopt a more rigorous regime.<sup>92</sup>

As some military orders were affiliated to the Cistercians, it was further thought appropriate that brothers of these foundations who sought greater rigor should transfer to a Cistercian monastery. Thus Gregory VIII in 1187 decreed that brothers of Calatrava should be allowed to move freely only to Cistercian establishments: they had no right to transfer to other stricter foundations.<sup>93</sup>

In 1177, after Roderick of Sarria had left Santiago to establish the order of Mountjoy, Alexander III commanded that no further brothers of Santiago should be received into Mountjoy, and similarly, when in 1245 Gerard of Mahlberg, the former master of the Teutonic order, was given permission to transfer to the Temple, Innocent IV decreed that in the future no other brothers of the Teutonic order should imitate his example.<sup>94</sup> On these occasions the papacy was seeking to ensure that transfers of prominent individuals did not occasion largescale defections from one order to another.

Military orders themselves placed particular restrictions on transfers to other foundations of the same type. The Templar Customs mention an agreement outlawing transfers between the Temple and Hospital, and a papal bull of 1245 states that transfers between these orders and the Teutonic order were also prohibited.<sup>95</sup> The Templars further forbade transfers to

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<sup>90</sup> BS 83.

<sup>91</sup> “Loca statuta ubi quisque districtius valeat conversari” (Martin, *Orígenes de Santiago* [n. 4 above], 248–54, doc. 73); cf. *ibid.*, 281–82 doc. 99; Mansilla, *Honorio III* (n. 36 above), 335–42, doc. 463; BS 79.

<sup>92</sup> *Registres d’Innocent IV*, 1:251, doc. 1661.

<sup>93</sup> BC 22–25; for similar later bulls, see *ibid.*, 31–35, 42–46; Mansilla, *Inocencio III* (n. 31 above), 200–204, doc. 186.

<sup>94</sup> PUTJ 1:278–81, doc. 89; *Tabulae* 363–64, doc. 488.

<sup>95</sup> RT 233, art. 429; *Tabulae* 363–64, doc. 488.

St. Lazarus unless a brother suffered from leprosy.<sup>96</sup> Such regulations relating to transfers to other military orders were presumably in the interests of all, as they served to prevent poaching, which could be a source of tension between foundations.<sup>97</sup>

#### MOTIVES FOR DESERTING

Transfers without permission, and desertions, were described in some documents as being the work of the devil,<sup>98</sup> while the word “fickleness” (*levitas*) was commonly used both by those in authority and by apostates themselves to explain these actions.<sup>99</sup> In many instances no more precise account survives of the reasons for abandoning a military order. But some of the factors at work can be discerned, and in some instances a fuller explanation is provided, although not all alleged reasons are to be accepted without question: some apostates interrogated during the Templar trial claimed that they had left because of the practices of which the Temple stood accused.<sup>100</sup> Although it has recently been argued that the charges relating to the Templar admission ceremony were not completely without foundation,<sup>101</sup> it remains extremely doubtful whether the Templars engaged in the activities attributed to them. It is also difficult to assess the state of mind of those who left military orders. James of Vitry suggested that some apostates had lost hope in God’s mercy,<sup>102</sup> but usually the provocation for action is all that is known.

No doubt many apostates had little sense of vocation. Although the practice of child oblation was rejected by military orders, and the Templar Rule

<sup>96</sup> *RT* 233 art. 429.

<sup>97</sup> It was not only military orders that imposed restrictions of this kind: see James William Brodman, *Ransoming Captives in Crusader Spain: The Order of Merced on the Christian-Islamic Frontier* (Philadelphia, 1986), 66, 135, for prohibitions on transfers between Trinitarians and Mercedarians.

<sup>98</sup> Martin, *Origenes de Santiago*, 334–35, doc. 149; Mansilla, *Inocencio III*, 405–7, doc. 392; *CH* 2:96–97, doc. 1318; J. Ernesto Martínez Ferrando, *Jaime II: Su vida familiar*, 2 vols. (Barcelona, 1948), 2:244–45, doc. 329.

<sup>99</sup> See, for example, *BS* 139, 174; A. Quintana Prieto, *La documentación pontificia de Inocencio IV (1243–1254)*, 2 vols. (Rome, 1987), 1:87–88, doc. 71; 2:494–95, doc. 524; *BC* 121–22; *Proces* 1:554, 610; 2:192; *CH* 2:96–97, doc. 1318; 4:253–54, doc. 514; Mansilla, *Inocencio III*, 405–7, doc. 392. The use of the word *levitas* was not, of course, restricted to documents relating to military orders.

<sup>100</sup> *Proces* 1:216, 259, 479; 2:194; Anne Gilmour-Bryson, *The Trial of the Templars in the Papal State and the Abruzzi* (Vatican City, 1982), 140, 152, 155.

<sup>101</sup> Barbara Frale, *L’ultima battaglia dei Templari: Dal codice ombra d’obbedienza militare alla costruzione del processo per eresia* (Rome, 2001), chap. 5.

<sup>102</sup> *The Exempla or Illustrative Stories from the Sermones Vulgares of Jacques de Vitry*, 81, ed. T. F. Crane (London, 1890), 36–37.

stated that “it is better not to take vows in boyhood than outrageously to retract after one has become a man,”<sup>103</sup> some were recruited when they were scarcely old enough to make a binding decision. Guy Dauphin testified that he had joined the Temple when he was about eleven years old because his father and mother wanted him to do so,<sup>104</sup> and several other Templars stated during their trial that they had joined before they had reached their teens.<sup>105</sup> Guy Dauphin and most of the others who are known to have entered at an early age in fact remained in the Temple. But these cases are recorded because the brothers in question gave evidence during the Templar trial. The age on admission of deserters is usually not known, but those who abandoned military orders are likely to have included some who had entered when very young with little sense of vocation, and for whom the religious life had become an *inferno monacale*.

Yet those who made their profession in the Temple at an early age in the later thirteenth and early fourteenth centuries constituted a small minority of recruits. The average age on admission was the mid- to late twenties.<sup>106</sup> But those who entered as adults did not necessarily have a strong sense of vocation. Many who were younger sons had to find a means of supporting themselves, and some may have seen entry into a military order as an opportunity for ensuring a fairly comfortable lifestyle. Recruits were warned against such an expectation: those seeking admission to the Hospital, for example, were told: “Although it may be that you see us well clothed, and with fine horses, and you think of enjoying every comfort, you are mistaken,” and the hardships to be borne were explained.<sup>107</sup> Yet not all heeded such admonitions. James of Vitry reports the case of a brother who in the world had never slept with a pillow under his head but who, after entering a

<sup>103</sup> “Melius est enim in puericia non vovere, quam postea quam vir factus fuerit inenormiter retrahere” (*RT* 25–26, art. 62 of the Latin version).

<sup>104</sup> *Procès* 1:415–16.

<sup>105</sup> See, for example, Barcelona, Archivo Capitular, codex 149, fols. 7r–8v; *Procès* 1:612.

<sup>106</sup> A. J. Forey, “Recruitment to the Military Orders (Twelfth to Mid-Fourteenth Centuries),” *Viator* 17 (1986): 139–71, at 149–51.

<sup>107</sup> “Ja soit ce que vous nos vees bien vestus, et grans chevaux, et cuidies ayens tous les aises, vos estes enginies” (*CH* 2:536–61, doc. 2213 art. 121); cf. *RT* 338–39, 340, arts. 661, 663; *CR* 32–34, art. 65; Gallego Blanco, *Rule of St. James* (n. 18 above), 150. A number of brothers interrogated during the Templar trial remembered such warnings: see, for example, *Procès* 1:359, 380, 416, 425. According to his biographer, Amadeus of Clermont had already in the first half of the twelfth century told those who entered the monastery of Bonnevaux with him: “To go to the Temple is not to abandon the delights of the world but merely to change the color of one’s clothes” (“Ad Templum ire non est deserere delicias sed colorem vestium dumtaxat mutare”; M.-Anselme Dimier, “Vita Venerabilis Amedaei Altae Ripae [† c. 1150] auctore monacho quodam Bonaevallensi synchrono et oculato,” *Studia monastica* 5 [1963]: 265–304, at 282).



military order, bitterly complained because he lacked one for a single night while its linen cover was being washed.<sup>108</sup> Some may further have hoped by entering a military order to find more congenial occupations than those to which they were accustomed. Others appear to have been aspiring to improved social status or seeking to escape from a difficult situation in the secular world.<sup>109</sup>

Those who did consider that they had a true vocation were not always obliged to test it, because some military orders did not insist on a period of probation. Although in those orders that were affiliated to the Cistercians a novitiate was obligatory, the Templars abandoned the practice, and evidence of a probationary period in the Hospital is lacking, while the Teutonic order ceased to require it: those entering that order who wished to forgo the novitiate were allowed to do so.<sup>110</sup> Recruits who did not undergo a period of probation — either because it was not customary or because at the time of entry they had little doubt about their sense of vocation — might later experience disillusionment and find themselves bound for life to a regime to which they were not in fact suited. Probably some of these, after a period of uncertainty and heart-searching, abandoned the religious life.

The particular aspects of this way of life that were found burdensome no doubt varied. For all, the adoption of the religious life brought a weakening of ties with family and friends, while a strictly regulated life could in itself be a cause of disillusionment to those who were used to greater freedom, although the lives of members of military orders were not as enclosed as those of most monks: even brothers who were not engaged in fighting were often absent from their houses on administrative or other business. But there were also more particular discontents. To some the vow of chastity proved a stumbling block, and they were led astray by love of a woman. The Templar Rule warned against contacts with women, claiming that “through the company of women the old enemy has driven many from the

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<sup>108</sup> Joannes Baptista Pitra, *Analecta novissima spicilegii Solesmensis: Altera continuatio*, 2 vols. (Paris, 1885–88), 2:410.

<sup>109</sup> On motivation, see Forey, “Recruitment,” 162–71; Alessandro Barbero, “Motivazioni religiose e motivazioni utilitarie nel reclutamento degli ordini monastico-cavallereschi,” in *“Militia Christi” e crociata* (n. 10 above), 717–27.

<sup>110</sup> A. J. Forey, “Novitiate and Instruction in the Military Orders during the Twelfth and Thirteenth Centuries,” *Speculum* 61 (1986): 1–17, at 1–5. Peter of Dusburg (*Chronik*, 3.236, ed. Toepen, Scholz, and Wojtecki [n. 42 above], 350) reports that one recruit to the Teutonic order, who had been in doubt about his ability to observe a vow of chastity, had proved himself by sleeping naked with a beautiful virgin for more than a year before entering the order; cf. Nicholas of Jeroschin, *Di Kronike von Pruzinlant*, lines 19018–19103, ed. Ernst Strehle, in *Scriptores rerum prussicarum*, 6 vols. (Leipzig and Frankfurt, 1861–1968), 1:524–25. Yet probably few had the opportunity to perform such a test.

straight road to paradise.”<sup>111</sup> Yet opportunities were not lacking: women were employed in, or linked in other ways with, male convents;<sup>112</sup> some brothers were attached to, and had responsibilities in, convents of sisters; and when brethren of military orders were away from their houses on administrative or other business, no doubt opportunities for contact with women easily presented themselves. But breaches of the vow of chastity did not necessarily lead to apostasy.<sup>113</sup> Only those who were seeking an open, long-term relationship were likely to apostatize. Some did. The Catalan version of the Templar Customs reports that John Plantarosa deserted because he had a wife,<sup>114</sup> and during the Templar trial John le Bergonhons similarly stated that he had apostatized on account of a woman,<sup>115</sup> while James of Troyes said that he had left the Temple a year before the arrests of brethren, “captivated by love for a certain woman.”<sup>116</sup> Numerous papal letters certainly assert that some apostates contracted marriages or had relationships with women,<sup>117</sup> and a statute of the order of Santiago in the mid-thirteenth century includes a ruling on sisters who left the order and contracted marriages outside it.<sup>118</sup> Yet these documents may often be referring to a consequence of desertion rather than the cause: Roger of Flor did not marry the niece of the Byzantine emperor Andronicus II until some ten years after he had apostatized from the Temple.<sup>119</sup> It should also be remembered that marriage was permitted within the order of Santiago, and in the religious world in general the vow of chastity does not appear to have been a major cause of apostasy.<sup>120</sup>

<sup>111</sup> “Antiquus hostis femineo consorcio complures expulit a recto tramite paradisi” (*RT* 69, art. 56 of the Latin version).

<sup>112</sup> There were, however, very few females among the slaves possessed by the Aragonese Templars: A. J. Forey, *The Templars in the Corona de Aragón* (London, 1973), 285.

<sup>113</sup> For a discussion of sexual *mores* in Norman religious houses, male as well as female, in the thirteenth century, see Penelope D. Johnson, *Equal in Monastic Profession: Religious Women in Medieval France* (Chicago, 1991), 112–30.

<sup>114</sup> “Nouveau manuscrit,” 207, art. 46; *CR* 80, art. 178.

<sup>115</sup> *Procès* 1:76.

<sup>116</sup> “Captus amore cujusdam mulieris” (*ibid.*, 1:255). The latter later changed his testimony and claimed that he had left because of the wrongs in the order rather than because of a woman: he maintained that, when he was in the order, he used to have, and was able to have, a woman whenever he wanted one (*ibid.*, 1:259). But the second statement may well have been prompted partly by the questions that were put to him. In responses to the accusation about homosexuality it was sometimes said by Templars that brothers could obtain women if they wanted them (*ibid.*, 1:326).

<sup>117</sup> *CH* 2:100–101, 212–13, docs. 1322, 1538, 1539; 4:253–54, doc. 514: *Tabulae* 317, 327–28, 338, docs. 360, 385, 388, 412.

<sup>118</sup> Madrid, BN, MS 8582, fol. 56.

<sup>119</sup> *Crònica de Ramon Muntaner*, chap. 199, in *Les quatre grans cròniques*, ed. Ferran Soldevila (Barcelona, 1971), 846.

<sup>120</sup> Christopher Harper-Bill, “Monastic Apostasy in Late Medieval England,” *Journal of Ecclesiastical History* 32 (1981): 1–18, at 8; F. Donald Logan, *Runaway Religious in Medi-*

The vow of poverty precluded personal possessions but did not imply severe austerity. The Templar apostate John of Vanbellant, however, apparently claimed that there was too much fasting for his liking,<sup>121</sup> and some of those who had hoped for a life of considerable comfort may, on being disillusioned, have decided to leave. Certainly, apostates were in some cases said to have taken some of their order's possessions with them,<sup>122</sup> but this may have been merely to provide for themselves immediately after flight: it does not necessarily signify that they left because they were seeking a more affluent lifestyle. One, however, who did succumb to the attractions of wealth was a Hospitaller called John of Isca. In the early 1280s the sum of 11,000 *livres tournois* from the tenth collected for the Holy Land was deposited in the Hospitaller house in Paris, but John, "overcome by the blindness of greed," stole it and made off, to the considerable embarrassment of his order.<sup>123</sup> Yet, it is quite possible that if he had not been presented with that exceptional opportunity, he would have remained in the Hospital: his case does not imply that desire for riches was a frequent occasion for apostasy.

Some apostatized not because of difficulties with the vows of chastity and poverty but because of disagreements and conflicts within an order: these were no doubt often exacerbated by the obligation of obedience owed to superiors, although the likelihood of conflict was perhaps lessened by the common custom of transferring brothers from one house to another, not only when they were sent to serve in frontier regions, but also within provinces in areas away from Christian frontiers: such mobility probably helped to avert the growth of tensions. Towards the end of the thirteenth century, however, Elziacius of Montedracono was a vagabond for three years after apostatizing from the Temple "by reason . . . of certain immense and intolerable oppressions and injuries" that he claimed to have suffered, although no details survive about the hardships he had endured.<sup>124</sup> In the same period a number of brothers abandoned Santiago to avoid the discord which had arisen between the master on the one side and a group of brethren on the other.<sup>125</sup> Much earlier in that century Wickbert of Soest had deserted the

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*eval England, c. 1240–1540* (Cambridge, 1996), 78; idem, "Renegade Religious in Late Medieval England," in *Religion and Rebellion*, ed. Judith Devlin and Ronan Fanning, *Historical Studies* 20 (Dublin, 1997), 1–16, at 7–8.

<sup>121</sup> *Procès* 1:554.

<sup>122</sup> See below, p. 171.

<sup>123</sup> "Cecitate cupiditatis obductus" (*CH* 3:436–37, 473–74, docs. 3807, 3890; *Les registres de Martin IV*, ed. F. Olivier-Martin [Paris, 1901–35], 73–74, 266–67, docs. 204, 552).

<sup>124</sup> "Occasione . . . quorundam gravaminum, injuriarum intollerabilium et enormium" (*CH* 4:171, doc. 4795).

<sup>125</sup> *Registres de Nicolas IV* (n. 68 above), 134–35, doc. 660. The master, identified only by his initial, was probably Gonzalo Ruiz Girón, who held office from from 1275 until 1280. The brothers in question later entered another order before returning to Santiago.

Swordbrethren.<sup>126</sup> Henry of Livonia claimed that he loved the world more than religious discipline, but there may have been more than personal failings at issue. He had been removed from the command of Wenden, and he may have questioned his order's stance towards the bishop of Riga.<sup>127</sup> Yet some of those who were reported to have deserted during disputes appear in fact to have been driven out by the high-handed actions of superiors or rivals. In 1233 the master of Santiago complained to Gregory IX that the prior of San Marcos and several other priests of the order had abandoned the habit, taking some of Santiago's possessions with them.<sup>128</sup> But the master had been trying to secure closer control over the convent of San Marcos and had replaced the prior: this action occasioned the flight of the clerics, and the judge appointed by the pope to examine the case found in their favor.<sup>129</sup> In 1318 the English king Edward II gave orders for the arrest of Richard of Southampton, the head of the London house of St. Thomas of Acre, after he had been denounced as a vagabond who had adopted secular clothing and appropriated some of his order's property.<sup>130</sup> But Richard was claiming to be the head of the whole order, and the king's instruction was issued at the instigation of Henry of Bedford, the master in Cyprus, who had recently arrived in England. Richard may have been forcibly ousted and not apostatized.<sup>131</sup>

Among other apostates were men who had committed offenses within an order and wished to escape the consequences. The Templar John of Tuderto, who was questioned at Cesena in 1310, said that he had left the order after consulting colleagues about his simoniacal entry. He had not been formally expelled but claimed to have been stricken by his conscience.<sup>132</sup> Alardus of Horst similarly asserted in 1264 that he had left the Teutonic order for reasons of conscience: he had entered that order after apostatizing from a Premonstratensian house.<sup>133</sup> But for others, such as the Templar forger men-

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<sup>126</sup> *Heinrici Chronicon Livoniae*, chap. 13, ed. Leonid Arbusow and Albert Bauer, MGH, *Scriptores rerum germanicarum* (Hanover, 1955), 67; Friedrich Benninghoven, *Der Orden der Schwertbrüder: Fratres milicie Christi de Livonia* (Cologne, 1965), 94–97, 422; William Urban, *The Baltic Crusade* (DeKalb, IL, 1975), 75–76.

<sup>127</sup> He later murdered the master, Wenno.

<sup>128</sup> *BS* 97.

<sup>129</sup> Lomax, *Orden de Santiago* (n. 43 above), 72.

<sup>130</sup> London, National Archives, C 81/1796/10; *Calendar of Patent Rolls, 1317–1321* (London, 1903), 260.

<sup>131</sup> A. J. Forey, "The Military Order of St Thomas of Acre," *English Historical Review* 92 (1977): 481–503, at 496.

<sup>132</sup> Francesco Tommasi, "Interrogatorio di Templari a Cesena (1310)," in *Acri 1291* (n. 63 above), 265–300, at 288, 292.

<sup>133</sup> *Les registres d'Urbain IV*, ed. Jean Guiraud, 5 vols. (Paris, 1892–1958), 2:342, doc. 2118. He in fact sought papal permission to be allowed back into the Teutonic order.

tioned in the Catalan version of the Templar Customs, the fear of retribution was no doubt the overriding factor.<sup>134</sup>

Some probably became disillusioned solely by lack of advancement or by losing office. The Templar Amio of Ays was master *deça mer* in the West from 1179 until 1186 and seneschal of his order at the beginning of the 1190s.<sup>135</sup> But later in that decade he held no office,<sup>136</sup> and this demotion may help to explain why he abandoned the order and found a new role in the secular world. Others may have left when they failed to secure congenial employment. The Hospital expected many of its brothers to perform the same tasks in the order as they had in the world.<sup>137</sup> That disappointment about types of employment could occasion desertions is suggested by a decree issued by the chapter-general of Santiago in 1251: "It is established that every brother is held to follow the occupation that provided his living earlier when he was in the world, and if for this reason he is annoyed and leaves the order. . . ."<sup>138</sup>

Regulations of military orders commonly specify penalties for those who deserted to the Muslims, and in some instances conversion to Islam is also mentioned.<sup>139</sup> Certainly some brothers did desert to, or at least side with, the infidel, whether Muslim or pagan. In 1260 two brethren of the Teutonic order conspired with the Prussians at the time of rebellions against German rule in Prussia.<sup>140</sup> A non-Templar witness at the Templar trial in Cyprus

<sup>134</sup> CR 76, art. 174; "Nouveau manuscrit," 205–6, art. 42.

<sup>135</sup> Jochen Burgdorf, "Leadership Structures in the Orders of the Hospital and the Temple (Twelfth to Early Fourteenth Century): Select Aspects," in *The Crusades and the Military Orders: Expanding the Frontiers of Medieval Latin Christianity*, ed. Zsolt Hunyadi and József Laszlovszky (Budapest, 2001), 379–94, at 387; Hans Eberhard Mayer, *Die Kanzlei der lateinischen Könige von Jerusalem*, 2 vols. (Hanover, 1996), 2:909–14, docs. 13–14. I am grateful to Jochen Burgdorf for drawing my attention to this Templar.

<sup>136</sup> C. Kohler, "Chartes de l'abbaye de Notre-Dame de la Vallée de Josaphat (1108–1291)," *Revue de l'orient latin* 7 (1899): 108–222, at 166, doc. 56.

<sup>137</sup> CH 2:31–40, doc. 1193.

<sup>138</sup> "Establescido es que todo freyle sea tenuto de fazer su menester el por que antes solia bevir en el siglo e si por esto acaesciere que se ensanne e que se salga de la orden . . ." (Madrid, BN, MS 8582, fol. 56). On the other hand, some members of the leading orders may have been frustrated by the limited opportunities for fighting: Templar knights often served for only short periods in the Holy Land and spent most of their careers in the West: Alan Forey, "Towards a Profile of the Templars in the Early Fourteenth Century," in *The Military Orders: Fighting for the Faith and Caring for the Sick*, ed. Malcolm Barber (Aldershot, 1994), 196–204, at 200–201.

<sup>139</sup> RT 154, 230, 296, arts. 230, 422, 568; Madrid, BN, MS 8582, fol. 56; CH 2:536–61, doc. 2213 art. 34; 3:450–55, doc. 3844 art. 9; 3:655–57, doc. 4267; SDO 86, Gesetze 39(5).

<sup>140</sup> Peter of Dusburg, *Chronik*, 3.82, ed. Toeppen, Scholz, and Wojtecki (n. 42 above), 200–202; *Preussisches Urkundenbuch* ed. R. Philippi, etc., 6 vols. (Königsberg, Marburg, 1882–2000), 2.2:109–10, doc. 130.

reported that he knew someone who, as a Muslim captive, had encountered two Templars who were renegades and converts to Islam, and a Templar sergeant who was negotiating the surrender of Safet in 1266 was reported to have converted to Islam.<sup>141</sup> The Templar Customs themselves mention a brother George who deserted to the Muslims from Acre.<sup>142</sup> Yet the other examples quoted in these Customs are merely of a brother who was apparently tricked into swearing allegiance to Islam when in captivity and of another Templar who spent a night at a *casal* belonging to the Teutonic order that was inhabited by Muslims.<sup>143</sup> The choice of examples does not suggest that genuine defections of this kind were numerous. Nor should it be assumed that such desertions were necessarily motivated by sympathy with Muslims or the Islamic faith. The Teutonic order's statutes detail the punishment to be inflicted if "a deserter from the Catholic Church goes to blasphemers of the Christian name, with the apparent intention of staying with them, even if he does not renounce the faith";<sup>144</sup> and Matthew Paris mentions a Templar who was said to have deserted to the Muslims at Damietta because he had been deprived of a valuable horse.<sup>145</sup> Discontent within a military order, rather than rejection of the faith, may often have been the motive for desertions to the infidel.

The Templar trial provided particular grounds for apostasy. In various parts of the West some brothers sought to flee in order to avoid arrest and interrogation. Furthermore, after they had been apprehended, several French Templars asked permission to leave when they later appeared before papal commissioners in Paris, and others threw down their mantles in front of their interrogators:<sup>146</sup> they presumably wanted nothing more to do with an order, some of whose members had confessed to the charges laid against them. After the dissolution of the Temple, brothers no longer belonged to an

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<sup>141</sup> *Untergang* 2:394–95; Gilmour-Bryson, *Trial in Cyprus* (n. 26 above), 433–34; *L'Estoire de Eracles et la conquete de la terre d'outremer*, 34.9 (*RHC Hist. Occ.* 2:455); *Les gestes des Chiprois*, chap. 347, ed. G. C. Raynaud, Publications de la Société de l'Orient Latin, sér. hist. 5 (Geneva, 1887), 180–81; *Ayyubids, Mamlukes and Crusaders: Selections from the Tarikh al-Duwal wa'l-Muluk of Ibn al-Furat*, ed. and trans. U. Lyons and M. C. Lyons, 2 vols. (Cambridge, 1971), 2:95. During the Templar trial it was stated that Hugh of Ampurias had left the castle of Tortosa and gone over to the Muslims, denying his faith (*Concilia* 2:358), but he was in fact captured during the siege of Tripoli and held in captivity: A. J. Forey, "The Military Orders and the Ransoming of Captives from Islam (Twelfth to Early Fourteenth Centuries)," *Studia monastica* 33 (1991): 259–79, at 262–63.

<sup>142</sup> *RT* 312, art. 603; *CR* 96, art. 198.

<sup>143</sup> *RT* 296–97, arts. 569–70; *CR* 68–70, arts. 162–63.

<sup>144</sup> "Si apostata catholice ecclesie existens ad blasphemos nominis christiani, quasi cum eis manere volens, eciam preter fidei abnegacionem, abscesserit" (*SDO* 86, Gesetze 39[5]).

<sup>145</sup> *Chronica majora* (n. 22 above), 5:387; cf. *BS* 244–45.

<sup>146</sup> *Procès* 1:77–78, 80, 83, 139, 174, 192, 193, 205, 222.



order, but they were still expected to observe a religious form of life. Some were unwilling to do this. No doubt a lack of vocation and a feeling that they had been unjustly treated contributed to apostasies at this stage. The same factors were probably also at work when some former Templars refused to obey John XXII's ruling in 1318 that Templars should become members of other religious foundations, or at least take up residence in them.<sup>147</sup>

#### REASONS FOR TRANSFERRING

The reasons for transfers from one order to another were as varied as those for apostasy. Some transfers from military orders involved all the members of an institution or a community and did not rest on individual decisions. John XXII's proposed transfer of former Templars to other religious foundations was obviously a measure taken in exceptional circumstances, but there were several occasions when a small military order in difficulties was amalgamated with a larger foundation: the brothers of the order of Swordbrethren were thus received into the Teutonic order in 1237,<sup>148</sup> and at the end of the twelfth century brethren of the failing order of Mountjoy in Spain had been accepted into the Temple, while those who resisted that amalgamation and established themselves at Monfragüe were later absorbed by Calatrava.<sup>149</sup> A lack of financial resources or of recruits, the absence of strong leadership, waning enthusiasm, and internal divisions could all lead to amalgamation with a more established institution. The union of the order of Santa Maria de España with that of Santiago, however, was occasioned at least in part by the serious losses incurred by Santiago at Moclin in 1280, and not only by the weakness of the smaller order.<sup>150</sup> Very rarely the members merely of a single community within an order transferred their allegiance. The house of sisters at Aconbury, in Herefordshire, seceded from the Hospital in 1237 at the instigation of its patron, Margaret of Lacy, and adopted the Augustinian rule,<sup>151</sup> and the sisters of the convent at Mühlen,

<sup>147</sup> Hans Prutz, *Entwicklung und Untergang des Tempelherrenordens* (Berlin, 1888), 293–94; see below, p. 185.

<sup>148</sup> On the last Swordbrethren, see Benninghoven, *Schwertbrüder* (n. 126 above), 369–82.

<sup>149</sup> A. J. Forey, "The Order of Mountjoy," *Speculum* 46 (1971): 250–66, at 258–64.

<sup>150</sup> Juan Torres Fontes, "La orden de Santa Maria de España," *Miscelánea medieval murciana* 3 (1977): 73–118, at 94–95.

<sup>151</sup> H. J. Nicholson, "Margaret de Lacy and the Hospital of St John at Aconbury, Herefordshire," *Journal of Ecclesiastical History* 50 (1999): 629–51. Attempts were made by Hospitaler sisters at Sigena to sever links with the castellan of Amposta, but no change of rule was proposed: Agustín Ubieto Arteta, *El real monasterio de Sigena (1188–1300)* (Valencia, 1966), 37–44.

which had been made subject to the Templars in 1272, were obliged — apparently reluctantly — to become Hospitalers after the dissolution of the Temple.<sup>152</sup> Yet individual male convents of military orders were not likely to be subjected to changes of this kind.<sup>153</sup>

Not all transfers of individuals were voluntary. In the Temple, brothers who had contracted leprosy were admonished to transfer to St. Lazarus, although, according to the French version of the Templar Customs, those who stubbornly refused were not forced to leave, and were to be maintained separately from other brethren.<sup>154</sup> A Catalan version of the Customs states, however, that it was the view of senior brethren that a leprous brother who was reluctant to transfer could be ordered to do so.<sup>155</sup> Yet the Temple appears to have been alone in imposing requirements of this kind. Certainly the Hospitalers did not expect leprous brothers to transfer: provision for them was to be made by the order, although they were no longer to wear the habit.<sup>156</sup>

Brothers of experience were also on occasion required to leave their own order to take charge of another foundation. In 1266 Clement IV wanted a suitable person to administer the new hospital of St. Andrew in Rome and selected a Hospitaler for the task,<sup>157</sup> and when the order of Christ was founded with Templar property in Portugal, the first master was Giles Martin, a former master of the order of Avis.<sup>158</sup> But transfers of this kind were

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<sup>152</sup> M. Schüpferling, *Der Tempelherren-Orden in Deutschland* (Bamberg, 1915), 33–34, 36; *Jean XXII: Lettres communes*, ed. G. Mollat, 16 vols. (Paris, 1904–47), 5:63, no. 18845; Francesco Tommasi, “Uomini e donne negli ordini militari di Terrasanta: Per il problema delle case doppie e miste negli ordini giovannita, templare e teutonico (secc. XII–XIV),” in *Doppelklöster und andere Formen der Symbiose männlicher und weiblicher Religiosen im Mittelalter*, ed. Kaspar Elm and Michel Parisse (Berlin, 1992), 177–202, at 195, n. 76.

<sup>153</sup> It has been argued that the Sampson hospital in Corinth, whose master and brethren petitioned the pope in 1309 to be allowed to transfer to the Hospital, was a Templar establishment: Peter Lock, “The Military Orders in Mainland Greece,” in *The Military Orders: Fighting for the Faith and Caring for the Sick* (n. 138 above), 333–39, at 337. But it was not in fact subject to the Templars: Alan J. Forey, “The Charitable Activities of the Templars,” *Viator* 34 (2003): 109–41, at 136.

<sup>154</sup> *RT* 239–40, arts. 443–44.

<sup>155</sup> “Nouveau manuscrit,” 197–98, art. 14; *CR* 20–22, art. 40. This version of the Customs does also add that if there was no house of St. Lazarus in a western province, provision should be made within the Temple for leprous brothers.

<sup>156</sup> *CH* 3:225–29, doc. 3396 art. 17.

<sup>157</sup> *Les registres de Clément IV*, ed. Edouard Jordan (Rome, 1893–1945), 93–94 no. 347; *CH* 3:142, doc. 3227.

<sup>158</sup> *BC* 180–86. It has sometimes been argued that William of Eril, the first master of Montesa, had been a Hospitaler, but this is to be doubted: see Hippolyto de Samper, *Montesa ilustrada*, 2 vols. (Valencia, 1669), 2:473–74. The second master, Arnold of Soler, had, however, earlier been a member of the Hospital: Samper, *Montesa*, 2:475; Aurea L. Javierre Mur, *Privilegios reales de la orden de Montesa en la edad media* (Madrid, n.d.), 27;

not only to new foundations: Peter Ibáñez had been master of Alcántara for twenty years before being placed in charge of Calatrava in 1254, seemingly on the initiative of the Castilian king.<sup>159</sup>

A more common occasion for an involuntary transfer was a refusal of readmission or a sentence of expulsion. Some orders placed restrictions on the number of times apostates could be readmitted after leaving an order. The Hospitaller general chapter in 1283 decreed that, if a brother left the order three times, he could not be readmitted,<sup>160</sup> while several Spanish military orders were subject to the ruling of the Cistercian general chapter in 1221 that fugitives could be received back up to three times.<sup>161</sup> The regulations of some orders also stated that a brother who deserted to the Muslims should not be allowed back at all,<sup>162</sup> and those who took goods belonging to their order when they absconded were punished in the same way.<sup>163</sup> Gregory IX, in his decree *Ne religiosi vagandi*, had stated that, when rules did not allow a deserter to be readmitted, he should either be maintained by the religious house in a suitable place or sent to another house of the same order.<sup>164</sup> But an alternative was a transfer to another order. The Hospitaller

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Vicent García Edo, "Arnau de Soler, segon mestre de l'orde de Montesa (1320–27) (itinerari i altres notícies del seu temps)," in *Actes de les primeres jornades sobre els ordes religioso-militars als països catalans (segles XII–XIX)* (Tarragona, 1994), 555–66, at 555. Peter Núñez, master of Santa Maria de España, had apparently earlier been a member of Santiago: Juan Menéndez Pidal, "Noticias acerca de la orden militar de Santa Maria de España instituida por Alfonso X," *Revista de archivos, bibliotecas y museos* 11 (1907): 161–80, at 167–68; Torres Fontes, "Orden de Santa Maria," 90.

<sup>159</sup> Francisco de Rades y Andrada, *Crónica des las tres órdenes y cavallerías de Sanctiago, Calatrava y Alcántara* (Toledo, 1572), Calatrava, fol. 44r; Alcántara, fols. 9v–10r.

<sup>160</sup> *CH* 3:450–55, doc. 3844 art. 12; repeated in 1288 (*ibid.*, 3:525–29, doc. 4022 art. 17).

<sup>161</sup> Josephus-Maria Canivez, *Statuta capitulorum generalium ordinis Cisterciensis ab anno 1116 ad annum 1786*, 8 vols. (Louvain, 1933–41), 2:2 (1221[8]).

<sup>162</sup> *RT* 154, 230, 296, arts. 230, 422, 568; *CH* 2:536–61, doc. 2213 art. 34; *SDO* 86, Gesetze 39(5). In 1251 the order of Santiago decreed that a brother who deserted to the Muslims and converted to Islam should not be received back until his case had been considered by the pope: if the latter decided that he should be allowed back, the brother was to be subject to a three-year penance (Madrid, BN, MS 8582, fol. 56r).

<sup>163</sup> *RT* 162, 231, 247, 291–93, 321, arts. 262, 424–25, 462, 557–61, 621; *CR* 14, 56, 60–62, 64–66, arts. 30, 132–33, 135, 147–48, 156. A statute of Santiago decreed that a brother who had absconded should not be received back until he had returned the goods he had taken (Madrid, BN, MS 8582, fol. 56r).

<sup>164</sup> X.3.31.24, in *Corpus iuris canonici* (n. 21 above), 2:578. Earlier in the decree Gregory had ruled that other apostates should be received back "while upholding the discipline of the order" ("salva ordinis disciplina"), and it has been argued that this wording is to be interpreted to mean that some apostates might be a cause of disorder in the community, and superiors were therefore excused from receiving them back fully into the community: Logan, *Runaway Religious* (n. 120 above), 122. Yet it is obvious from various sources that the meaning of the phrase is that those readmitted should be obliged to undergo penance before being received back fully into a religious community: "[Discipline] This is to say

general chapter decreed in 1283 that a brother who had left three times was to have permission to enter another order.<sup>165</sup>

Expulsion was the penalty for very serious offenses committed within military orders,<sup>166</sup> although the regulations of most of these orders are not very precise about the consequences when a sentence of expulsion was passed. Some offenders were in practice subjected to lengthy imprisonment,<sup>167</sup> and Hartmann of Grunbach, the master of the Teutonic order in Prussia, burnt the two brothers who had conspired with the Prussians in 1260. Yet this was an exceptional case: according to Peter of Dusburg, Alexander IV was so disturbed that he gave instructions for the master to be removed from office, although the surviving papal bull on the question merely ordered that he should undergo penance.<sup>168</sup> More explicit information is, however, contained in Templar regulations. Article 428 of the Templar

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that penance should nevertheless be imposed on him, according to what the rule of that order requires and demands" ("[Disciplina] Hoc est dicere quod nihilominus imponetur ei poenitentia, secundum quod regula illius ordinis requirit et precipit"; Hostiensis, *In tertium Decretalium librum commentaria* [n. 27 above], fol. 116v [3.31.24]); see also, for example, *Procès* 1:204, where it is stated that Adam of Valincuria was received back into the Temple, while upholding the discipline of the order: his penance was then detailed; and it was also reported during the Templar trial that P. of Sencio had been received back, "while upholding the justice of the said order, the justice consisting of eating for a year and a day on the ground" ("salva la justicia de la dit ordre, la cal justicia era de 1 an et jor manger en terra" [ibid., 1:170]). "Discipline" and "justice" are synonymous. See also *RT* 253, art. 475, and *CR* 4, art. 7, and the decree of Benedict XII, in which the pope stated that apostates were to be received back, "while upholding the discipline of the order, which on this occasion we wish and instruct to be tempered with mercy towards those who return voluntarily" ("salva ordinis disciplina, quam volumus et mandamus circa illos, qui voluntarie redierint, hac vice . . . misericorditer temperari"; *Bullarum, diplomatum et privilegiorum sanctorum Romanorum pontificum Taurinensis editio*, ed. A. Tomassetti, 4 vols. [Turin, 1857–72], 4:326–28).

<sup>165</sup> *CH* 3:450–55, doc. 3844 art. 12. When this decree was repeated in 1288, the words "if he requests it" ("s'il le requiert") were added (ibid., 3:525–29, doc. 4022 art. 17). The statutes of the Teutonic order made provision for brothers to be received back only twice after being given permission to transfer (*SDO* 60, Gesetze IIc). Those who attempted to return a third time had presumably to remain in their last order or seek a transfer from that order. As has been seen (n. 83 above), the compiler of the Templar Customs reported that it was the view of some brothers that a Templar who had transferred with permission to another order should not be allowed to return; but this was not a firm rule, and some did return (*Procès* 1:204).

<sup>166</sup> Indrikis Sterns, "Crime and Punishment among the Teutonic Knights," *Speculum* 57 (1982): 84–111, at 91; Barber, *New Knighthood* (n. 34 above), 219–20; Jonathan Riley-Smith, *The Knights of St. John in Jerusalem and Cyprus, c. 1050–1310* (London, 1967), 270.

<sup>167</sup> *RT* 164, 289–90, 297–98, 312, arts. 267, 554, 573, 603; *CR* 54, art. 129; *Procès* 2:7.

<sup>168</sup> Peter of Dusburg, *Chronik*, 3.82, ed. Toeppen, Scholz, and Wojtecki (n. 42 above), 200–202; *Preussisches Urkundenbuch* (n. 140 above), 1.2:109–10, doc. 130.

Customs states that a brother who was to be expelled should appear before the chapter, wearing only his breeches and with a cord round his neck, and then receive from the master “a letter of permission, allowing him to save his soul in another stricter order.”<sup>169</sup> Article 437 elaborates further:

every brother who has been dismissed from our house should as quickly as possible enter another order that is more strict. He should at all events do so within forty days, if he can; and if he is unwilling to make a transfer, and the brothers can find him, they should seize him and put him in irons, though making provision for him. They should keep him in this manner, until he has thought — or been advised by someone else — about the ruling that has been explained above. And this regulation was made because some evil brothers, who had left the house, went about the world and lived shamefully and scandalously, bringing much harm and shame to the house. It was to avoid this that the decree was made.<sup>170</sup>

The records of the Templar trial mention the particular case of the knight P. of Sencio who, because of the offenses he had committed, was given leave to save his soul in another order.<sup>171</sup> Although detailed regulations are lacking on this point for other orders, they presumably adopted the same practice. An agreement between the orders of Calatrava and Santiago in 1243 contained a clause about brothers of either order who sought to transfer to the other, and those under consideration included brethren who had committed offenses for which the penalty was expulsion.<sup>172</sup>

<sup>169</sup> “Chartre de congie, que il s’en aille sauver en autre religion plus estrete” (*RT* 232–33); cf. “Nouveau manuscrit,” 195–96, arts. 5, 7; *CR* 6, 16–18, arts. 9, 34.

<sup>170</sup> “Tout frere a qui l’on done congie de nostre maison se doit rendre au plus tost que il porra en autre religion et en plus estrete. Et se doit faire en toutes manieres, se il puet, dedens XL jorz, et se il ne se voloit rendre, et li frere le puent trover, il le doivent prendre et metre le en fers, et doner li sa soustenance, et le doivent tenir en tel maniere tant que il ait pense, ou autre por lui, de son ordenement ensi come il est dessus devise. Et ce fu establi en tel maniere, por ce que aucun mauvais, quant il estoient partis de la maison, aloient par le monde et vivoient hontousement et deshordeneement, et mult de damages et de hontes en avenoient a la maison, et por ce fu establi ensi que mais ne se peust faire” (*RT* 237).

<sup>171</sup> *Procès* 1:170.

<sup>172</sup> *BC* 685–86; Joseph F. O’Callaghan, “*Hernandades* between the Military Orders of Calatrava and Santiago during the Castilian Reconquest, 1158–1252,” *Speculum* 44 (1969): 609–18, at 615; cf. Klaus Militzer, *Von Akkon zur Marienburg: Verfassung, Verwaltung und Sozialstruktur des Deutschen Ordens, 1190–1309* (Marburg, 1999), 93. Papal privileges for the Teutonic order, like those for the Temple, stated that brother chaplains who were found to be troublemakers could be given leave to transfer to another order (*Tabulae* 275–79, doc. 306; *PUTJ* 1:204–10, doc. 3). Templar regulations state that, if there was doubt whether a brother subject to a long penance would perform it properly, it might be suggested that he should transfer to another order, but he was not under any obligation to do so (*RT* 334–35, art. 653; *CR* 6, art. 9).

Transfers on the individual initiative of brothers might be sought in the first place because of concerns about the validity of the institution of the military order. According to a letter written by Hugh *Peccator*, some early Templars had doubts about their way of life and wondered whether it was illicit and sinful,<sup>173</sup> and St. Bernard's *De laude novae militiae* was written to assure brethren that fighting against the infidel was spiritually meritorious. At that time not all had accepted that warfare could be other than sinful, and it is significant that in the bull *Omne datum optimum* in 1139 Innocent II prefaced his strictures on abandoning the order by the assurance that "your sacred institution and religious militia has been established through divine providence."<sup>174</sup> Yet, although there were some later critics of the use of force by military orders, such as Walter Map,<sup>175</sup> this kind of criticism tended to give way to other types of censure, relating to the abuse of privileges and the orders' inadequacies as defenders of the Holy Land. Any transfers because of doubts about the merits of fighting were probably limited to the early history of the military orders.

A more lasting cause of the desire to transfer was the feeling among brothers that a military order, although not to be condemned outright, was thought to be inferior to other religious orders, and not as meritorious. Hugh *Peccator* stated that some early Templars thought that their calling might be, if not sinful, an impediment to greater progress. He maintained that the devil was seeking to persuade them that the lesser good was to be abandoned for the greater, and added that "it might be argued that your calling, which distracts you with external concerns, creates an obstacle to inner progress and spiritual advancement."<sup>176</sup>

The brother of the Teutonic order to whom the Virgin Mary is said to have appeared became convinced of the merit of his order, but there were other brethren of military orders who persisted in their determination to seek a stricter life. During the Templar trial, the papal commissioners in Paris were told of Adam of Valincuria who, after many years in the Temple, wanted to enter a more austere order and, with permission, transferred to the Carthusians;<sup>177</sup> and one of those questioned at Tarragona in 1310 was

<sup>173</sup> Leclercq, "Document sur les débuts" (n. 41 above), 87; Sclafert, "Lettre inédite" (n. 41 above), 292.

<sup>174</sup> "Vestra sacra institutio et religiosa militia divina est providentia stabilita" (*PUTJ* 1:204–10, doc. 3).

<sup>175</sup> *De nugis curialium: Courtiers' Trifles*, 1.20, ed. and trans. M. R. James, C. N. L. Brooke, and R. A. B. Mynors (Oxford, 1983), 60.

<sup>176</sup> "Forte dicitur quia occupatio que vos per exteriora distrahit, interni profectus et ascensionum spiritualium impedimentum adducit" (Sclafert, "Lettre inédite," 292–96; Leclercq, "Document sur les débuts," 87–88).

<sup>177</sup> *Procès* 1:204.



William of Lobera, who after five or six years as a Templar, had with permission entered the Cistercian monastery of Santas Creus.<sup>178</sup> In the twelfth century Roderick of Sarria, the founder of the order of Mountjoy, had earlier been a brother of Santiago but had expressed a desire for a stricter life. Apparently one cause of concern for him was that Santiago admitted married recruits.<sup>179</sup> Alexander III accepted that his wish was not occasioned by fickleness of mind and agreed to his proposal to establish a new military order with modified Cistercian observances, even though the chapter of Cîteaux, noting his inconstancy, had been reluctant to agree, and his plan was accepted by the abbot of Cîteaux without the approval of the chapter.<sup>180</sup> But Roderick remained head of the new foundation for some ten years, although he may have lost interest in Mountjoy by the mid-1180s.<sup>181</sup>

Yet for some the adoption of a stricter way of life was not in fact as easy as they had imagined, and they sought to return to their original orders. In 1226 a Templar called Thomas, who had sought greater austerity in another order, was said to have found his new life too demanding.<sup>182</sup> Many would

<sup>178</sup> Barcelona, Archivo Capitular, codex 149, fols. 66v–68r.

<sup>179</sup> Roderick had in fact himself been married, and had entered Santiago with his wife: J. Delaville Le Roulx, "L'ordre de Montjoye," *Revue de l'orient latin* 1 (1893): 42–57, at 55–57, doc. 4; Angel Blásquez y Jiménez, "Bosquejo histórico de la orden de Monte Gaudio," *Boletín de la Real Academia de la Historia* 71 (1917): 138–72, at 168–70; Faustino D. Gazulla, "La orden del Santo Redentor," *Boletín de la Sociedad Castellonense de Cultura* 10 (1929): 124–26, at 125–26. José M. Sánchez-Pagín, "El conde don Rodrigo Alvarez de Sarria, fundador de la orden militar de Monte Gaudio," *Compostellanum* 28 (1983): 373–97, at 386–92, seeks to identify her with Mary Ponce de Minerva.

<sup>180</sup> *PUTJ* 1:278–81, doc. 89; Delaville Le Roulx, "Ordre de Montjoye," 55–57, doc. 4; Blásquez y Jiménez, "Bosquejo histórico," 168–70; Gazulla, "Orden del Santo Redentor," 125–26.

<sup>181</sup> Forey, "Order of Mountjoy" (n. 149 above), 256. Derek W. Lomax ("The Order of Santiago and the Kings of León," *Hispania* 18 [1958]: 3–37, at 14–16) suggests that Fernando Díaz resigned the mastership of Santiago in 1186 not because of political pressure but because he wanted to lead a stricter life: he "became prior of a new Jacobitan convent" of San Audito de Buitrago. Carlos de Ayala Martínez ("Las órdenes militares en el siglo XIII castellano: La consolidación de los maestrazgos," *Anuario de estudios medievales* 27 [1997]: 237–79, at 242 n. 2) argues, however, that Fernando received rights over San Audito in compensation from Alfonso VIII. Yet San Audito was an Augustinian foundation; Fernando remained a member of Santiago after his resignation; and there appears to be no evidence to link him with San Audito until 1204 —nearly eighteen years after he had given up the office of master —when the abbot of Santa Leocadia gave San Audito to the king of Castile at the latter's request, and Alfonso assigned it to Fernando Díaz: Martín, *Orígenes de Santiago* (n. 4 above), 41; Julio González, *El reino de Castilla en la época de Alfonso VIII*, 3 vols. (Madrid, 1960), 3:322–24, 332–35, docs. 756, 763–64. In 1204 Alfonso made clear that Santiago was to have no claim over San Audito. The reasons for Fernando Díaz's resignation and its consequences remain obscure.

<sup>182</sup> *Regesta Honorii III* (n. 33 above), 2:397, no. 5794.



also have suffered a diminution of status, as they were illiterate laymen and would have been obliged to occupy a subordinate position in their new order. Thus, when in 1318 John XXII decreed that former Templars were to be admitted to religious houses belonging to other orders, he stated that they should be received, “the clerics as clerics and the laymen as *conversi*.”<sup>183</sup> Yet this consideration suggests that members of military orders were unlikely to seek transfers as a means of furthering their own careers and gaining promotion, as happened in the case of transfers from some other religious houses.<sup>184</sup>

Disputes and conflicts within orders could occasion transfers as well as desertions. In 1245 Innocent IV granted Gerard of Mahlberg and some of his associates permission to transfer from the Teutonic order to the Temple, on the grounds that he could not stay in the order without causing grave scandal.<sup>185</sup> Gerard had been master of the Teutonic order, but in the preceding year had been forced to resign at Montfort and to surrender his seal, possibly because of differences within the order about relations with pope and emperor; but he had fled to the Templars and had had another seal made.<sup>186</sup> Gerard did not, in fact, transfer to the Temple, but Peter of Dusburg reports that a later master of the Teutonic order, Burchard of Schwanden, did — with permission — become a Hospitaller.<sup>187</sup> The chronicler did not know the reason, but it has been suggested that his action was linked with disagreements within the Teutonic order about its military priorities.<sup>188</sup> In

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<sup>183</sup> “Clericos . . . ut clericos, laycos ut conversos” (Prutz, *Entwicklung* [n. 147 above], 293–94).

<sup>184</sup> William A. Hinnebusch, *The History of the Dominican Order: Origins and Growth to 1500* (Staten Island NY, 1966), 324. Hugh Peccator suggested that some in the lower ranks of the Temple might wish to transfer to a place where their labors would receive more recognition (Leclercq, “Document sur les débuts” [n. 41 above], 89; Sclafert, “Lettre inédite” [n. 41 above], 298), but a transfer would in fact have brought little change.

<sup>185</sup> *Tabulae* 361–62, 363–64, docs 483, 488; MGH, *Epistolae saeculi XIII*, ed. Carolus Rodenburg, 3 vols. (Berlin, 1883–94), 2:60, doc. 83.

<sup>186</sup> *Tabulae* 362–63, doc. 486; *Epistolae saeculi XIII*, 2:60–61, doc. 84; *Die Hochmeister des Deutschen Ordens, 1190–1994*, ed. Udo Arnold (Marburg, 1998), 22–23; Militzer, *Von Akkon zur Marienburg* (n. 172 above), 41; Marie Luise Bulst, “Zur Geschichte der Ritterorden und des Königreichs Jerusalem im 13. Jahrhundert bis zur Schlacht bei La Forbie am 17. Okt. 1244,” *Deutsches Archiv für Erforschung des Mittelalters* 22 (1966): 197–226, at 217–18.

<sup>187</sup> *Chronik*, 4.70, ed. Toppfen, Scholz, and Wojtecki (n. 42 above), 504.

<sup>188</sup> *Hochmeister des Deutschen Ordens*, 40–41; William Urban, *The Prussian Crusade* (Lanham MD, 1980), 338. Militzer (*Von Akkon zur Marienburg*, 156) also draws attention to the weak position of the office of master at the time; see also idem, “From the Holy Land to Prussia: The Teutonic Knights between Emperors and Popes and their Policies until 1309,” in *Mendicants, Military Orders and Regionalism in Medieval Europe*, ed. Jürgen Sarnowsky (Aldershot, 1999), 71–81, at 78–80. In the twelfth century the Hospitaller master Gilbert

1312 three brothers of Calatrava who claimed to have suffered injuries and affronts at the hands of the master García López Padilla, and had with others rebelled against him, were given permission to enter Alcántara.<sup>189</sup> Yet while some transfers were occasioned by significant divisions within orders, others appear to have resulted from more individual difficulties. In 1252 Innocent IV allowed Stephen Pérez to transfer from Santiago to the Temple on the grounds that “because of the grave hostility he has encountered he could not remain in that order without risk to his person.”<sup>190</sup> In some instances, individual difficulties of this kind within an order might no doubt be resolved by a transfer to another house in the same order, but this remedy was perhaps not so feasible in small orders, and when the brethren involved in disputes were a master or opponents of a master, a transfer to another order was in many cases the only satisfactory solution.

Some brothers transferring from a military order were reverting to an order to which they had earlier belonged or with which they had been associated. In 1199 Innocent III ruled on a petition involving a man who had been a canon of Arrouaise for more than ten years, but who had then traveled to the Holy Land with permission — even though he asserted that he had gone out of curiosity rather than religious devotion — and joined the Hospital.<sup>191</sup> Nine years later Innocent also considered the case of an individual who stated that he had made his profession when ill at Grandmont, but had, on recovering, been refused the habit unless he made a payment. He had later assumed the habit of Santiago but wanted to revert to Grandmont.<sup>192</sup> As in both of these instances the proposed transfer was to a stricter order, the pope had no hesitation in giving permission.<sup>193</sup> Others were revert-

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d'Assailly resigned after incurring heavy debts, but he sought to adopt the life of a hermit in a cave rather than to transfer to another order (*CH* 1:276–79, doc. 403; *PUTJ* 2:222–27, doc. 19; Riley-Smith, *Knights of St. John* [n. 166 above], 61–62).

<sup>189</sup> *BC* 166; Carlos de Ayala Martínez, “Un cuestionario sobre una conspiración: la crisis del maestrazgo de Calatrava en 1311–1313,” *Aragón en la edad media* 14–15 (1999): 73–89, at 77–82, 87–89. Another brother of Calatrava, Peter Suárez, transferred to Santiago at the same time, but without permission (*BC* 165).

<sup>190</sup> “Propter capitales inimicitias quas incurrit, non posset absque periculo proprii corporis in eodem ordine remanere” (*Registres d'Innocent IV* [n. 89 above], 3:21, 35, docs. 5548, 5620; Quintana Prieto, *Inocencio IV* [n. 99 above], 2:655, 664–65, docs. 742, 759). Brothers of military orders who had apostatized in apparently similar circumstances were in some cases later allowed to transfer to another order (*CH* 4:171, doc. 4795). In 1290 the Templar knight Peter of Parlagiis was allowed to transfer because he could not remain without scruples of conscience; but this may relate to an illicit profession (*Registres de Nicolas IV* [n. 68 above], 548, doc. 3531).

<sup>191</sup> *CH* 1:672–73, doc. 1082.

<sup>192</sup> *BS* 54; Mansilla, *Inocencio III* (n. 31 above), 404–5, doc. 390.

<sup>193</sup> The transfer to the Hospital in the first case had presumably been made without permission.

ing to a stricter foundation, but not to the one where they had previously resided. In 1284 the archbishop of Canterbury asked the prior of Christchurch, Twynham, to accept a Hospitaler called Hilary. The latter had originally been a brother in the Augustinian abbey of Waltham but, overcome by temptation, had left and joined the Hospital. He later came to realize that the Hospital was less strict, and expressed the wish to live according to the Augustinian rule and requested to be allowed to enter Christchurch.<sup>194</sup>

Yet some who sought to transfer to another foundation were in fact seeking to evade their obligations in their own order or to abandon the religious life. In 1208 the Hospitalers were complaining to Innocent III that some brethren, who held administrative posts, transferred to the Cistercians when they received orders that they disliked,<sup>195</sup> and eight years later Honorius III was informed by the same order that some brothers with administrative responsibilities “do not shrink from transferring to another foundation without their master’s permission, so that they can escape the order’s discipline.”<sup>196</sup> Honorius III himself wrote in 1221 of the Teutonic Order that

sometimes brothers, influenced by fickleness of mind rather than ardor for the religious life, and desiring to free themselves from the discipline of regular observances — since they desire to escape from the religious life rather than to adopt a different form of it — pretend to transfer to another order, where they betray their religious habit and deprive themselves of the benefit of both their first and their second choices;<sup>197</sup>

and many other papal bulls assert that in seeking transfers some brothers were in fact attempting to escape the discipline of the regular life.<sup>198</sup> A transfer was a cloak for apostasy. A letter from Alexander III to the archbishop of Reims apparently provides a particular example, for the pope reported that the Templar Richard of Corberio had decided to transfer to a stricter order but then delayed in implementing his decision; Alexander ordered that he should be subjected to ecclesiastical censure if he did not make the transfer within three weeks.<sup>199</sup>

<sup>194</sup> *Registrum Peckham* (n. 32 above), 3:860, doc. 617.

<sup>195</sup> *CH* 2:96–97, doc. 1318; Mansilla, *Inocencio III*, 405–7, doc. 392.

<sup>196</sup> “Ut regularem queant effugere disciplinam, ad religionem aliam sine sui magistri licentia non metuunt se transferre” (*CH* 2:199–200, doc. 1504).

<sup>197</sup> “Nonnunquam etiam iidem fratres, ducti animi levitate potius quam religionis ardore, ut evitent regularis observantie disciplinam, cum potius velint religionem fugere quam mutare, ad aliam regulam simulant se transferre, ubi sic mentito religionis habitu fructu primi propositi careant et secundi” (*Tabulae* 317, doc. 360).

<sup>198</sup> See, for example, *ibid.*, 327–28, 338, docs. 385, 412.

<sup>199</sup> *PL* 200:228–29. A delay did not, of course, necessarily mean that a transfer was not eventually made. The regulations of the Teutonic order state that a brother committed a “graver” offense if, after obtaining permission to transfer to another order, he delayed for

## FREQUENCY OF DESERTIONS AND TRANSFERS

To assess the frequency of desertions — other than during the Templar trial — or of individual transfers made with or without permission is difficult. It has been suggested that in England between 1270 and 1530 those who are known to have apostatized represented just under one percent of religious.<sup>200</sup> But as the total numbers in religious houses in this period are not precisely known, the percentage is no more than a rough approximation. To count up the numbers of apostates and of those transferring from military orders who are mentioned by name in surviving sources is likely to produce a gross underestimate, as the records are by no means comprehensive. Some brothers are named in royal, papal, and episcopal letters, but not only is there the problem of assessing what proportion of cases was referred to popes, prelates, or secular rulers; the degree of efficiency with which chanceries entered copies of letters onto rolls or into registers has also to be taken into account.<sup>201</sup> The number of apostates who can be traced from such sources is small: apart from Templars who fled at the time of the Templar trial, the English patent and close rolls up to 1330 refer by name to only two Templar and one Hospitaller apostates.<sup>202</sup> But it would be unwise to draw conclusions from inadequate evidence.

Chronicles of a general character are likely to mention those who deserted or transferred only if they were of some standing, such as Julian, the former lord of Sidon, who either apostatized or transferred from the Temple, and Roger of Flor.<sup>203</sup> Most military orders in the twelfth and thirteenth centuries

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no good reason (*SDO* 84, Gesetzze 38[9]), but this conduct was not automatically regarded as apostasy.

<sup>200</sup> Logan, *Runaway Religious* (n. 120 above), 68–69.

<sup>201</sup> Investigation of the registers of the Aragonese kings in the Archivo de la Corona de Aragón in Barcelona is, of course, hampered by the lack of calendars or indexes. Military orders were usually exempt from episcopal jurisdiction and therefore not subject to episcopal visitation.

<sup>202</sup> Templars: Richard of Southwark, 1235: *Close Rolls, 1234–1237* (London, 1908), 183; *Calendar of Documents Relating to Ireland, 1171–1251* (London, 1875), 336, no. 2264. Richard of Feckenham, 1305: *Calendar of Close Rolls, 1302–1307* (London, 1908), 339.

Hospitalers: William of Merley, 1270–71: *Calendar of Patent Rolls, 1266–1272* (London, 1913), 488, 519; *CH* 3:236, doc. 3405 (this Hospitaller is not included in the list given by Logan, *Runaway Religious*, 252).

<sup>203</sup> *L'Estoire de Eracles*, 34.20, in *RHC Hist. Occ.*, 2:467; *Crònica de Ramon Muntaner*, chap. 194, ed. Soldevila (n. 119 above), 841. *L'Estoire de Eracles* states that Julian entered the order of the Trinity after being a Templar and died in that order in 1275. One Templar questioned in Paris during the Templar trial said that Julian had apostatized (*Procès* 2:140), and a notary who also gave evidence at the trial asserted that Julian had been expelled from the Temple, had later joined the Hospital, but had then left that order for Prémontré, becoming a member of the house of St. Michael de Clusa, near Beirut (*ibid.*,

did not produce narrative sources of their own, and, although members of the Teutonic order did compose several chronicles from the late thirteenth century onwards, the authors would usually not wish to draw attention to desertions or transfers: they were likely to comment only if the case involved visions or miracles, as in that of the brother at Rehden, or had significant consequences, as in the incidents leading to the demand for the dismissal of Hartmann of Grunbach.

Non-narrative sources emanating from military orders themselves similarly provide little information about individual desertions or transfers. The Templar Customs do quote a few examples, which were inserted to illustrate the implementation of regulations, and in the collection of paper documents (*Cartas reales diplomáticas*) in the Archivo de la Corona de Aragón references to a Templar deserter in Mallorca called R. Royg occur in the correspondence of the acting provincial master, Peter of Tous.<sup>204</sup> In England, some petitions from religious foundations, including military orders, requesting the king to act against apostates, have survived, but clearly many have been lost.<sup>205</sup> But the nature of the surviving documents from the twelfth and thirteenth centuries means that few references to deserters or those transferring to other orders are likely to be encountered.<sup>206</sup>

The records of the Templar trial include some information about individual brethren who deserted or transferred in the decades before members of the order were arrested. Some Templars questioned had earlier apostatized but had then returned to the order or been captured before 1307.<sup>207</sup> Some apostates were also questioned;<sup>208</sup> and, as has been mentioned, one of those giving evidence at Tarragona in 1310 was William of Lobera, who had become a monk of Santas Creus.<sup>209</sup> References also occur in the trial records to others who had transferred or apostatized but who did not testify.<sup>210</sup> Yet

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1:647). The notary claimed to be speaking at least in part from personal knowledge. William of Tyre notes that Malih, brother of Thoros II of Armenia, had at one time been a Templar (*Chronicon*, 20.26, ed. R. B. C. Huygens, CCM 63 [Turnholt, 1986], 949).

<sup>204</sup> Barcelona, Archivo de la Corona de Aragón, Cancillería Real, Cartas Reales Diplomáticas, Templarios 560, 563.

<sup>205</sup> London, National Archives, C 81/1795–96; Logan, *Runaway Religious*, 101–2.

<sup>206</sup> Military orders did develop their own systems of visitation, but records of visitations do not survive from the twelfth and thirteenth centuries.

<sup>207</sup> *Procès* 1:553; 2:192, 200; Heinrich Finke, *Papsttum und Untergang des Templerordens*, 2 vols. (Münster, 1907), 2:318, doc. 152; *Concilia* 2:345.

<sup>208</sup> *Procès* 1:30, 76, 216, 255; *Untergang* 2:17–22, 45; Finke, *Papsttum*, 2:329–30, 335–37, doc. 155; Gilmour-Bryson, *Trial in the Papal State* (n. 100 above), 140, 143, 152, 155; Tommasi, “Interrogatorio a Cesena” (n. 132 above), 288.

<sup>209</sup> Barcelona, Archivo Capitular, codex 149, fols. 66v–68r; see above, p. 174–75.

<sup>210</sup> *Procès* 1:204, 456, 521, 644, 647; 2:140, 253; J. Loiseleur, *La doctrine secrète des Templiers* (Paris, 1872), 195; Sans i Travé, “Inedito processo” (n. 63 above), 262.

the trial records merely provide a few examples of desertions and transfers, and these are of little use for calculating total numbers. Nor were all those who claimed to be apostates in fact Templars. John of Melot told the papal commissioners in Paris that he had been a Templar for ten years but had then left the order: he asked for sustenance because he was poor. But the commissioners regarded him as “extremely simple, foolish, and not in full possession of his senses.”<sup>211</sup> They merely told him to go to the bishop of Paris and did not take any steps to ensure that he was detained.

To gain an impression of the frequency of apostasies and transfers it is necessary to turn to evidence of a more general nature. Papal letters about apostates and about those who sought transfers, with or without permission, from military orders were at times relatively numerous: at least nine relating to the Teutonic order were dispatched by Honorius III.<sup>212</sup> The wording of papal and royal letters also sometimes implies that desertions and transfers were not uncommon. A letter sent by Innocent III to the master of Santiago in 1208 states that “many” (*plures*) brothers of that order had transferred to other foundations, and the words “very often” (*sepius*) were used by that pope and Honorius III of brothers leaving the Hospital and the Teutonic order.<sup>213</sup> Honorius III in 1217 also asserted that “a considerable number” (*plerique*) of Hospitalers sought to transfer to other orders without seeking permission.<sup>214</sup> In 1265 the English king Henry III claimed that apostate Hospitalers were roaming through many counties of his kingdom.<sup>215</sup> It could be suggested, of course, that popes and kings might exaggerate the problem in order to encourage action, but papal and royal letters do not provide the sole evidence. During the Templar trial, several brothers suggested that the papal commissioners who were conducting inquiries should find out the views of Templars who had transferred to other orders or had apostatized, as though these were fairly numerous.<sup>216</sup> It was also commonly asserted that many had left the order,<sup>217</sup> and one Templar claimed that “a large number”

<sup>211</sup> “Valde simplex, fatuus et non bene compos mentis sue” (*Procès* 1:27).

<sup>212</sup> *Tabulae* 274–75, 284–86, 304–5, 312, 317, 325, 327–28, 338, docs. 304, 314, 340, 353, 360, 375, 385, 388, 412.

<sup>213</sup> *BS* 54; *CH* 2:105–6, doc. 1326; *Tabulae* 312, doc. 353.

<sup>214</sup> *CH* 2:212–13, doc. 1539.

<sup>215</sup> *Ibid.*, 3:123, doc. 3185; *Calendar of Patent Rolls, 1258–1266* (London, 1910), 469.

<sup>216</sup> *Procès* 1:140–41.

<sup>217</sup> *Ibid.*, 1:182, 192, 221, 240, 306, 316, 337, 594; Loiseleur, *Doctrine secrète*, 181, 195, 201; Gilmour-Bryson, *Trial in the Papal State*, 155; C. R. Cheney, “The Downfall of the Templars and a Letter in their Defence,” in his *Medieval Texts and Studies* (Oxford, 1973), 314–27, at 326. Some of those who confessed to the main charges said that brothers had left because of the activities of which the order was accused, but others asserted that desertions had been for other reasons.



(*grant plenté*) had returned after absconding.<sup>218</sup> No doubt those apostatizing or transferring represented only a small proportion of the total membership of military orders, but this evidence, although imprecise, suggests that desertions and transfers were by no means unusual occurrences.

It is, however, possible to be a little more precise about the scale of desertions among Templars at the time of the Templar trial, at least in some countries. Because of the secrecy with which Philip IV acted, in France flight seems to have been possible in 1307 only for the relatively few who were not in their houses when the king's orders were implemented: the Templar sergeant Amaury Cambellan, for example, claimed that he had been ill at the time and staying with relations, and had therefore not been arrested with other brethren.<sup>219</sup> A list of a dozen brothers who fled survives,<sup>220</sup> but records of the trial allude to about another twenty French fugitives.<sup>221</sup> Yet this represents only a very small proportion of the Templars resident in France in 1307.<sup>222</sup> When they appeared before the papal commissioners in Paris, several Templars who had been recruited only shortly before the arrests did beg to be allowed to leave the order and return to the world or enter another order;<sup>223</sup> four others threw their mantles to the floor before the commissioners, saying that they no longer wanted to wear them;<sup>224</sup> and another, when told to leave by the commissioners, "threw down his mantle in front of them . . . saying that he had received it from the Church, and was abandoning it to the Church."<sup>225</sup> But these Templars were in custody and were in no position to determine their status.<sup>226</sup> A higher proportion fled

<sup>218</sup> *Procès* 1:146.

<sup>219</sup> *Untergang* 2:44.

<sup>220</sup> Finke, *Papsttum* (n. 207 above), 2:74–75 doc. 50.

<sup>221</sup> References are to be found scattered in *Procès*; Finke, *Papsttum*, vol. 2; *Untergang* 2:13–71. It is difficult to give an exact number, because names were not always recorded in the same form, and in some cases it was merely rumored that a particular Templar had absconded. Nor were all those who were reported to be fugitives in fact Templars (*Procès* 1:29–31). The Templar preceptor of Lombardy also escaped from the papal court in February 1308 (Malcolm Barber, *The Trial of the Templars* [Cambridge, 1978], 78–79).

<sup>222</sup> In 1310 nearly 600 Templars in France offered themselves for the defense of the order: Barber, *Trial*, 132.

<sup>223</sup> *Procès* 1:77–78, 80, 83, 139.

<sup>224</sup> *Ibid.*, 1:174, 192, 193, 205, 222.

<sup>225</sup> "Projecit coram eis mantellum . . . dicens quod ipsum ab ecclesia receperat, et ipsum ecclesie dimittebat" (*ibid.*, 1:474).

<sup>226</sup> Many others appeared before the commissioners without their mantles, but this does not necessarily signify a deliberate rejection of the order: some said that they had abandoned their mantles because they were worn out (*Procès* 1:290–91, 368, 371, 619), because they had been sold (*ibid.*, 1:344), because they had been used to make a tunic (*ibid.*, 1:328), because they had been lent to another brother (*ibid.*, 1:634), or had been taken away from them, sometimes by those guarding them (*ibid.*, 1:301, 320, 324, 331, 334). One



in England, Wales, and Scotland, where arrests did not take place until January 1308. At least seventeen Templars absconded either at the time of the arrests or during the trial out of a total membership that has been estimated to have been about 150 for the whole British Isles.<sup>227</sup> By contrast, although James II of Aragon did not issue orders for the arrest of the Templars until the beginning of December 1307, few Aragonese brothers appear to have attempted to flee. But the circumstances in northeastern Spain were different from those in England. In Aragon and Catalonia members of the order sought to resist arrest in seven castles, and brethren from many other convents went to assist in the defense of these.<sup>228</sup> It was reported that one brother remained at Horta when other brethren resident in that castle went to help in the defense of Miravet, and several were apprehended when apparently seeking to escape from other Templar convents that passed into royal

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said that he had been told by prelates at the Council of Sens to remove his mantle (ibid., 1:415), and many stated that they had removed their mantles at the provincial councils at which they had been absolved and reconciled to the Church. Some of these appear just to have been imitating their colleagues (ibid., 1:529), and one brother said he acted "because it no longer pleased him to wear it" ("quia non placebat sibi ulterius portare ipsum," ibid., 1:311–12). Most offered no explanation, but many may have been under the impression that they were no longer Templars.

<sup>227</sup> A list of eight named fugitives is found in a summons included in *The Register of William Greenfield, Lord Archbishop of York, 1306–1315*, ed. William Brown and A. Hamilton Thompson, 5 vols., Surtees Society 145, 149, 151–53 (Durham, 1931–40), 4:285–86, no. 2271. Fugitives are also mentioned by name in some witness statements and other documentation relating to the trial: *Concilia* 2:335, 341–44, 355–56, 370, 373, 381, 383, 384–86, which partially reproduces Oxford, Bodleian Library, MS Bodley 454. Logan (*Runaway Religious* [n. 120 above], 251–52) lists only the eight named in the summons by the archbishop of York. Eileen Gooder (*Temple Balsall: The Warwickshire Preceptory of the Templars and their Fate* [Chichester, 1995], 127) gives a list of sixteen who fled at the time of the arrests or during the trial, but the inclusion of the name John of Caraton stems from a mistranscription in *Concilia* 2:381: the manuscript (MS Bodley 454, fol. 156v) gives John of Ebreston, who is also mentioned in other sources as a fugitive. She also states that Henry Craven and William of Middleton fled at the beginning of proceedings. Yet Henry Craven was listed among those arrested in Yorkshire: H. E. Chetwynd-Stapylton, "The Templars at Templehurst," *Yorkshire Archaeological and Topographical Journal* 10 (1887–89): 276–86, 431–43, at 432–33; E. J. Martin, "The Templars in Yorkshire," *Yorkshire Archaeological Journal* 30 (1930–31): 135–56, at 141. There further seems to be no evidence to suggest that William of Middleton was among those who absconded in Scotland (*Concilia* 2:381; *Spottiswoode Miscellany*, 2 [Edinburgh, 1845], 10–11). Clarence Perkins ("The Knights Templars in the British Isles," *English Historical Review* 25 [1910]: 209–30, at 224) traced 144 Templars in the British Isles; Gooder (*Temple Balsall*, 84) gives a figure of 153; and Logan (*Runaway Religious*, 27) states that there were 135 in England. Evelyn Lord (*The Knights Templar in Britain* [Harlow, 2002], 194) is mistaken in asserting that 153 Templars were arrested in England.

<sup>228</sup> Alan Forey, *The Fall of the Templars in the Crown of Aragon* (Aldershot, 2001), 15 and the map on the following page.

hands at an early stage: three brothers were arrested by the royal bailiff of Tortosa when trying to avoid capture, and the commander of Peñíscola was taken when he was trying to escape by boat when his castle fell.<sup>229</sup> Yet these brothers who were caught when fleeing may have been intending to join their colleagues in the castles that were holding out against the king.<sup>230</sup> Four Aragonese brothers are known to have abandoned their colleagues during the sieges of Templar castles by James II, but only one of these — James of Garrigans — was clearly seeking to leave the order. Attempting to ingratiate himself with the king, he informed him: “I have altogether abandoned their habit and left their order forever.”<sup>231</sup> But, like his French counterparts appearing before the papal commissioners, he was in custody and in no position to decide his fate. References survive to only three who escaped while they were in royal custody following the fall of the order’s castles: these included Bernard of Fuentes, who subsequently became the head of the Christian militia in the service of the Tunisian ruler.<sup>232</sup> As the total number of Aragonese Templars in 1307 has been estimated to be about 200,<sup>233</sup> the proportion who fled between 1307 and 1312 was apparently small.<sup>234</sup>

The situation was different after the end of the trial. Templars interrogated in England were sent to religious houses belonging to other orders, and few appear to have absconded at this stage. Roger of Sheffield escaped briefly from the Cistercian house at Kirkstall,<sup>235</sup> but he was an exception: when a London provincial council discussed in 1312 whether it was advisable to investigate how the former Templars were behaving and whether they were performing their penances, it was concluded that “it is not necessary to inquire unless rumors have been circulating.”<sup>236</sup> Desertions were

<sup>229</sup> *Ibid.*, 15–17.

<sup>230</sup> References were made after the trial to a fugitive named Raymond of San Ipólito, but it is not known at what stage he fled (Forey, *Trial of the Templars*, 23, 216).

<sup>231</sup> “He lexit tot lur habit et tot lur orde per tostemps” (Finke, *Papsttum* [n. 207 above], 2:166, doc. 94); Forey, *Fall of the Templars*, 28.

<sup>232</sup> *Ibid.*, 97, 111, 216.

<sup>233</sup> *Ibid.*, 17.

<sup>234</sup> A Templar called Andrew of Siena, who was questioned at Cesena in Italy in 1310, stated that he and many others had fled at the time of the arrests (Tommasi, “Interrogatorio a Cesena” [n. 132 above], 297). But precise figures for Italy cannot be calculated.

<sup>235</sup> A. J. Forey, “Ex-Templars in England,” *Journal of Ecclesiastical History* 53 (2002): 18–37, at 24, 27.

<sup>236</sup> “Non expedit inquirere nisi fama precesserit” (*Councils and Synods, with Other Documents Relating to the English Church 2 A.D. 1205–1313*, ed. F. M. Powicke and C. R. Cheney, 2 vols. [Oxford, 1964], 2:1369–70). Logan (*Runaway Religious*, 27–28) asserts that in the northern province many Templars refused to go to the religious houses to which they had been assigned: at least fifteen were still free in August 1312; but see Forey, “Ex-Templars in England,” 27 n. 46.

again not a problem in England when John XXII ordered in 1318 that former Templars should be accepted into religious houses either as members or lodgers: some brethren in England transferred to other houses, but the papal instruction was not seen as an opportunity to abandon the religious life.<sup>237</sup> In Aragon, the surviving Templars were in 1312 expected to reside in former Templar houses, which remained in royal hands for several years until an agreement about Templar property was reached with John XXII. These brothers were not subject to any close supervision, and many abandoned the religious life and left their houses. Some resided at royal or princely courts; some engaged in military undertakings; and James of Mas embarked upon a career as a pirate.<sup>238</sup> What precise proportion of Aragonese Templars abandoned the religious life at this stage is not clear, but more exact figures are available for the period when John XXII's decree of 1318 was being implemented. A clear majority declined to enter religious houses belonging to other orders. At least nine of the fourteen brothers who are known to have received their pensions at Monzón in 1319 refused to obey papal instructions, as did seven of eleven brothers whose pensions were paid at Gardeny.<sup>239</sup> In the mid-1320s few of the surviving Aragonese Templars were still leading a religious life: most were living in the world again.

#### DESTINATIONS OF THOSE TRANSFERRING

To assess the proportions of transfers made with and without permission is impossible. Most of the references to those undertaken without permission are of a general nature, and many transfers that were made with due permission have probably left no record. Some comment is, however, possible about the destinations of those who made approved transfers to another order. The transfers that were permitted were in practice often to stricter orders. In the middle of the twelfth century the Templar master Everard of Barres became a Cistercian, and several others are known to have entered *Cistercian or Carthusian houses*; in 1290 the Templar Peter of Parlagiis was given permission to enter a Benedictine house; and Stephen Pérez's and Peter Vicente's transfers from Santiago to the Templars and Hospitalers respectively also implied the adoption of a stricter form of life.<sup>240</sup> But some

<sup>237</sup> *Ibid.*, 31–34.

<sup>238</sup> Forey, *Fall of the Templars* (n. 228 above), 221–23.

<sup>239</sup> *Ibid.*, 229. John XXII's ruling was not implemented until 1322–23, and some brothers listed in 1319 had in the meantime died.

<sup>240</sup> Marie Luise Bulst-Thiele, *Sacrae domus militiae Templi Hierosolymitani magistri: Untersuchungen zur Geschichte des Templerordens, 1118/19–1314* (Göttingen, 1974), 50; PL 200:228–29; *Procès* 1:204; Barcelona, Archivo capitular, codex 149, fols. 66v–68r; *Registres de Nicolas IV* (n. 68 above), 548, doc. 3531; *Registres d'Innocent IV* (n. 89 above), 3:21, 35,

brothers were allowed to move from one military order to another of similar severity, as in the case of Gerard of Mahlberg and in that of the three brothers who were given leave to move from Calatrava to Alcántara in 1312.<sup>241</sup> The amalgamation of the Swordbrethren with the Teutonic order in 1237 similarly involved a transfer to a foundation of equal standing, for the regulations of both orders were based largely on Templar practice. It was presumably felt that, when transfers were necessitated by conflicts within a military order, a move to an establishment of a similar type was more appropriate than a transfer to a stricter order for which the individual had little liking or aptitude; and in amalgamations of orders account was inevitably taken of the foundations' purposes and objectives and of the circumstances and needs of the time.

There is no evidence of individual transfers with permission to less strict orders, but there was little possibility of this unless a move was made to another military order with a laxer way of life, such as a transfer from Calatrava to Santiago: the adoption of a completely different form of life normally required the acceptance of a stricter regime. There are, however, examples of brothers who were allowed to return to a military order that they had earlier left to adopt a more severe life, even though to some commentators this constituted apostasy: the case of Adam of Valancuria has already been mentioned, and in 1226 Honorius III asked the Templars to receive back the brother called Thomas who had earlier transferred to a stricter order.<sup>242</sup> Certainly there was no absolute adherence to the notion that there should be no transfers to less strict orders, as some individuals were allowed to enter a military order who had earlier belonged to foundations that were regarded as more severe. In 1220 Honorius III agreed that a former Benedictine who had entered the Hospital should remain a Hospitaler: this was permitted on the grounds that his first entry to the religious life had been simoniacal and that he had received a license from his diocesan bishop to transfer to another foundation.<sup>243</sup> Yet this is not an isolated example. Honorius III at the same time gave a similar dispensation for a regular canon, and in 1248 Innocent IV allowed a Franciscan to become a

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docs. 5548, 5620; Quintana Prieto, *Inocencio IV* (n. 99 above), 2:655, 664–65 docs. 742, 759; Lomax, *Orden de Santiago* (n. 43 above), 46. During the Templar trial it was reported that John of Romay had transferred to the Franciscans, although it was not stated whether this had been done with permission (Sans i Travé, "Inedito processo" [n. 63 above], 262).

<sup>241</sup> See above, p. 176–77; cf. *CH* 4:29, 171 docs. 4561, 4795.

<sup>242</sup> See above, n. 164; *Regesta Honorii III* (n. 33 above), 2:397, no. 5794.

<sup>243</sup> *CH* 2:278–79, doc. 1700.

Templar.<sup>244</sup> And amalgamations of military orders in some instances led to the adoption of a less strict life. Members of Mountjoy who joined the Temple abandoned a Cistercian way of life, as did the members of Santa María de España who became brothers of Santiago. But the requirements of the situation overrode any considerations about austerity of life. In 1196 the Aragonese king, Alfonso II, who had earlier been excluding the Templars from southern Aragon, accepted that the Temple could protect Mountjoy's frontier strongholds in that region more effectively than anyone else,<sup>245</sup> and the amalgamation of Santa María de España with Santiago was dictated by the latter's needs as well as by those of the other order.

#### THE ENFORCEMENT OF REGULATIONS

In some cases, it was necessary to ensure that those who were transferring with permission actually did so, but effective procedures appear not to have been devised. Surviving regulations indicate that arrangements were left to the individual, and that his order merely gave him a letter granting permission to leave.<sup>246</sup> The decrees of the Teutonic order consider the case of a brother who, having been given permission to transfer, unnecessarily spent time in the world, and the Templar ruling that brothers should seize and imprison a brother who declined to join another order, if they could find him, has already been quoted.<sup>247</sup> Transfers even of expelled brothers do not seem to have been arranged and organized by their superiors. The situation was, however, at times exacerbated by a reluctance on the part of other

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<sup>244</sup> *Ibid.*, 2:279, doc. 1701; Horoy, *Medii aevi bibliotheca patristica* (n. 33 above), 3:618, doc. 157; *Registres d'Innocent IV*, 1:547, doc. 3631; *Bullarium franciscanum* (n. 30 above), 1:509. In 1264 Urban IV permitted an apostate from the Premonstratensian order to stay in the Teutonic order: the individual in question had claimed that he had been coerced into taking his vows before the age of fourteen, but he had remained in the monastery for a further four and a half years (*Registres d'Urban IV* [n. 133 above], 2:342, doc. 2118). For the admission of friars to Alcántara and Avis with papal permission see *Colección diplomática de Alcántara* (n. 8 above), 1:284–88, doc. 434(2); Philippe Josserand, "Pour une étude systématique de la documentation statutaire des ordres militaires: Deux manuscrits des 'definiciones' inédites d'Alcántara de 1306," *En la España medieval* 20 (1997): 321–38, at 333–34; Aurea L. Javierre Mur, *La orden de Calatrava en Portugal* (Madrid, 1952), 21.

<sup>245</sup> Paul Kehr, *Papsturkunden in Spanien. I. Katalanien*, Abh. Göttingen, N. F. 18.2 (1926), 560, doc. 254; Forey, "Order of Mountjoy" (n. 149 above), 252–53, 262.

<sup>246</sup> *RT* 232–33, art. 428. Some monasteries sent letters requesting the head of another religious house to accept a brother who was being expelled, but there is no evidence that military orders did this (Leclercq, "Documents sur les 'fugitifs'" [n. 49 above], 122–23).

<sup>247</sup> *SDO* 84, Gesetze 38(9); *RT* 237, art. 437; see above, p. 173. It was not only military orders that encountered difficulties: see, for example, *Bullarium ordinis predicatorum* (n. 30 above), 1:215; Rodríguez de Lama, *Documentación de Alejandro IV* (n. 30 above), 435–36, 472–73, docs. 462, 505.

religious foundations to accept those who were to transfer. No doubt they were wary of receiving men who had been expelled from other orders, but apparently even brothers who did not fall into this category did not always receive ready acceptance.<sup>248</sup>

Action probably had to be taken more frequently about brothers who apostatized or transferred without permission. Some, of course, did return of their own accord. Apostates might repent of their actions, or perhaps discovered that they had become institutionalized and could not settle outside their familiar environment, while those who had transferred might come to realize that they in fact preferred their original order. Yet it was also the duty of military orders to pursue and recover those who had left unlawfully. This obligation is apparent not only in Gregory IX's general decree that heads of religious houses should seek out apostates every year,<sup>249</sup> but also in regulations issued for particular military orders that included instructions that apostates were to be apprehended;<sup>250</sup> and Conrad of Feuchtwangen further decreed that those who had been absent from the Teutonic order for a considerable time should be sent back to their provinces under guard.<sup>251</sup> In some instances orders did themselves manage to arrest brethren who had absconded. Henry of Livonia reports that Wickbert of Soest was pursued by other members of the Swordbrethren, who seized him at Idumea and brought him back to Wenden,<sup>252</sup> and the Templar Customs relate that when a brother fled from Acre to the Muslims, the master sent brothers after him, and he was apprehended.<sup>253</sup>

Yet military orders often lacked the means, as well as the necessary information, to arrest deserters and, as they admitted,<sup>254</sup> it was often necessary to invoke the aid of outside authorities; and the latter were, of course, wholly responsible for apprehending Templars who absconded during or after the Templar trial. Although those orders that were affiliated to the

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<sup>248</sup> BS 232.

<sup>249</sup> X.3.31.24, in *Corpus iuris canonici* (n. 21 above), 2:578.

<sup>250</sup> Madrid, BN, MS 8582, fols. 44v, 56r; O'Callaghan, "Earliest 'Difiniciones'" (n. 85 above), 277 (1336[23]), 281 (1338[4]); idem, "Las definiciones medievales de la orden de Montesa, 1326–1468," *Miscelánea de textos medievales* 1 (1972): 213–51, at 231 (1326[5]); *Colección diplomática de Alcántara*, 1:284–88 doc. 434(22); Josserand, "Pour une étude," 333–37; Canivez, *Statuta* (n. 161 above), 1:87 (1190[9]); 2:247 (1242[10]).

<sup>251</sup> SDO 141.

<sup>252</sup> *Heinrici Chronicon Livoniae*, chap. 13, ed. Arbusow and Bauer (n. 126 above), 67.

<sup>253</sup> RT 312, art. 603; see also "Nouveau manuscrit," 211, art. 49; CR 86, 96, arts. 181, 198.

<sup>254</sup> BS 141; Quintana Prieto, *Inocencio IV* (n. 99 above), 1:197–98, docs. 175–76; O'Callaghan, "Earliest 'Difiniciones,'" 277 (1336[23]), 281 (1338[4]); *Colección diplomática de Alcántara* (n. 8 above), 1:284–88, doc. 434(22); Josserand, "Pour une étude" (n. 244 above), 333–37.



Cistercians might invoke the latter's assistance, and although some military orders made agreements among themselves to collaborate on this issue,<sup>255</sup> all military orders that were seeking help in detaining deserters often turned to the papacy, and popes at times themselves took the initiative in seeking to secure the return of deserters. Yet popes were not well placed to take effective action against individual fugitives who were scattered throughout western Christendom: they could themselves deal directly only with those who appeared at the papal court.<sup>256</sup> The task was therefore commonly delegated to prelates, who were instructed to warn offenders and, if necessary, to impose ecclesiastical censure.<sup>257</sup> Visitation was not normally an instrument available to the episcopate in the apprehension of apostates from military orders, but action was sometimes taken by means of decrees published by provincial councils. Surviving conciliar pronouncements are usually of a general nature and do not refer specifically to military orders,<sup>258</sup> but more particular action was taken during the Templar trial. In 1309, for example, a summons to Templar fugitives in all dioceses was issued by the council of the southern province in England.<sup>259</sup> At that time prelates themselves issued summonses to brothers who had escaped arrest, in some cases by name.<sup>260</sup> This was usually the limit of their action, but it was reported in 1311 that the fugitive Templar Stephen of Stapelbrigg had been arrested by the bishop of Salisbury's bailiffs.<sup>261</sup>

Secular rulers and their officials were, however, best placed to effect the seizure of apostates. Popes sometimes turned to them for assistance in this

<sup>255</sup> BC 160, 498–500, 685–86. The general chapter of Cîteaux also issued decrees of a more general nature concerning measures to be taken against fugitives: Canivez, *Statuta*, 3:282–83 (1296[2]).

<sup>256</sup> These were in fact numerous: see, for example, Benedict XII's decree issued in 1335: *Bullarum, diplomatum et privilegiorum editio* (n. 164 above), 4:326–28.

<sup>257</sup> See, for example, *PUTJ* 1:221–22, doc. 15; *Tabulae* 274–75, 284–86, 304–5, docs. 304, 314, 340; *BS* 140, 172–73; Quintana Prieto, *Inocencio IV*, 1:192–93, doc. 167; *Les registres de Boniface VIII*, ed. Georges Digard, Maurice Faucon, Antoine Thomas, and Robert Fawtier, 4 vols. (Paris, 1884–1939), 1:745–48, doc. 1950. Apostates were subject to automatic excommunication from 1298 onwards.

<sup>258</sup> Riesner, *Apostates and Fugitives* (n. 5 above), 29; Harper-Bill, "Monastic Apostasy" (n. 120 above), 5; Logan, *Runaway Religious* (n. 120 above), 131–32; see also, for example, Josep Maria Pons Guri, "Constitucions conciliars tarraconenses (1229–1330)," *Analecta sacra Tarraconensia* 47 (1974): 65–128, at 102–3; 48 (1975): 241–363, at 319.

<sup>259</sup> *Councils and Synods* (n. 236 above), 2:1269.

<sup>260</sup> *Register of William Greenfield* (n. 227 above), 4:285–86, no. 2271; *Concilia* 2:343; Forey, "Ex-Templars in England" (n. 235 above), 35.

<sup>261</sup> *Calendar of Close Rolls, 1307–1313* (London, 1892), 316–17. According to the record of the interrogation of this Templar, he had been apprehended by royal officials (*Concilia* 2:383), but more credence is to be given to the royal letter, which is an instruction to the sheriff of Wiltshire.



matter. Thus in 1245 Innocent IV wrote to the kings of Portugal, Aragon, and Navarre, asking them to help the master of Santiago in taking action against brothers who were vagabonds.<sup>262</sup> But orders also appealed directly to secular rulers, and in some cases regarded kings as the surest means of help.<sup>263</sup> In fact the latter do appear normally to have cooperated, as numerous royal instructions survive from various kingdoms for the arrest of fugitive brethren of military orders. Such commands could either be of a general nature or relate to an individual brother. As well as ordering the detention of individual Templars and Hospitalers who had absconded, Henry III in 1265 issued a general instruction for the arrest of Hospitaler deserters in England.<sup>264</sup> Four years later, at the request of the Hospitaler prior of Messina, Charles of Anjou commanded his officials in the kingdom of Sicily to take action against several Hospitaler apostates,<sup>265</sup> while royal orders for the apprehension of individual Templars and Hospitalers who had absconded in Aragon survive from the years 1282 and 1290.<sup>266</sup> Action was, of course, also taken by secular rulers to apprehend Templar fugitives during the Templar trial: the English king, Edward II, for example, dispatched numerous writs between 1308 and 1311, ordering royal officials to apprehend any Templars who were still at large.<sup>267</sup>

Military orders seeking the return of apostates may in some cases have received support and assistance from deserters' families and friends. A Templar who testified at Cahors in 1307 said that he had returned to his order because "he was won over by the prayers of his mother,"<sup>268</sup> and another told the papal commissioners in Paris in 1311 that friends had compelled him to return.<sup>269</sup> It was also reported by a non-Templar witness that Anedinus Gara had returned to the Temple at the request of friends, while a Templar apostate questioned at Poitiers in 1308 claimed that his father and family wanted to send him back.<sup>270</sup> The validity of the first two of these claims is

<sup>262</sup> *BS* 141, 165; Quintana Prieto, *Inocencio IV*, 1:197–98, 248, docs. 175–76, 212.

<sup>263</sup> O'Callaghan, "Earliest 'Difiniciones'" (n. 85 above), 277 (1336[23]), 281 (1338[4]); *Colección diplomática de Alcántara*, 1:284–88, doc. 434(22); Josserand, "Pour une étude," 333–37.

<sup>264</sup> *Calendar of Patent Rolls, 1258–1266* (n. 215 above), 469; *CH* 3:123, doc. 3185. On the writ *de apostata capiendo* used in England, see Logan, *Runaway Religious*, 97–120.

<sup>265</sup> *CH* 3:203, doc. 3348.

<sup>266</sup> Barcelona, Archivo de la Corona de Aragón, Cancillería real, registro 59, fol. 43r; reg. 81, fol. 200r; *CH* 3:577, doc. 4130. This is not a comprehensive list.

<sup>267</sup> Thomas Rymer, *Foedera, conventiones, litterae et cujuscunque generis acta publica*, 10 vols. (The Hague, 1745), 1.4:120, 154–55, 157–58, 163, 182; *Calendar of Close Rolls, 1307–1313*, 177, 179, 181, 189, 206, 295.

<sup>268</sup> "Precibus matris sue fuit devictus" (Finke, *Papsttum* [n. 207 above], 2:318, doc. 152).

<sup>269</sup> *Procès* 2:194.

<sup>270</sup> *Ibid.*, 1:456; *Untergang* 2:46.

admittedly questionable, as these brothers were seeking to explain why they had returned even though they alleged that they had left the Temple because of the illicit practices supposedly adopted in the order; but there is little reason to doubt the accuracy of the second two comments.

On the other hand, deserters and those transferring without permission on many occasions received aid and succor from outsiders. In 1209 the Hospital was complaining that deserters were commonly given support by both ecclesiastics and laymen,<sup>271</sup> and papal decrees often included warnings that no one should give aid to those who apostatized or who transferred without letters from their superiors.<sup>272</sup> Popes also accused prelates of neglecting to take action: Alexander III claimed that

some of you are reluctant to act zealously and vigilantly for the sake of their [the apostates'] souls and to correct their excesses; indeed, you allow some of them to transfer to the secular militia, to contract marriages, and to stay in the world just as they choose.<sup>273</sup>

In other papal letters it was asserted that apostates “associate with both ecclesiastical and secular people, who not only support them in the contumacy of their rebelliousness but also defend them.”<sup>274</sup>

Such letters were of a general nature, but more particular evidence also survives. Some is provided in testimonies given during the Templar trial. Gerard of Pasagio claimed that, after apostatizing, he had stayed in Lorraine in the house of the count of Blémont, where two of his brothers lived, and Stephen of Troyes asserted that he had spent six years with the “count” of Brittany, while another said that he had gone to Sicily with “the lord Charles.”<sup>275</sup> The chronicler Muntaner further relates that Roger of Flor was able to enter the service of Frederick of Sicily and remained in his employ until the Treaty of Caltabellotta in 1302. Fearing that he might again be in danger of being apprehended, he offered his services to the Byzantine emperor, Andronicus II.<sup>276</sup> Less precise evidence suggests that some fugitives

<sup>271</sup> *CH* 2:105–6, doc. 1326.

<sup>272</sup> See, for example, *PUTJ* 1:204–11, 221–22, 309–12, docs. 3, 4, 15, 122; *BC* 5–6, 22–25, 31–35, 47–49; *CH* 2:105–6, doc. 1326; 3:312–13, doc. 3554.

<sup>273</sup> “Quidam vestrum de salute ipsorum vigiles et studiosi nolunt existere et eorum excessus corrigere, sed quosdam ipsorum ad miliciam secularem et nupcias transire et iuxta voluntatis sue arbitrium in seculari vita manere permittunt” (*ibid.*, 4:253–54, doc. 514). Similar wording is found in other bulls (*Tabulae* 338, doc. 412).

<sup>274</sup> “Ad personas se transferant ecclesiasticas vel mundanas, qui ipsos non tam fovent in sue rebellionis contumacia quam defendunt” (*CH* 2:212, doc. 1538; *Tabulae* 317, doc. 360).

<sup>275</sup> *Procès* 1:216; Finke, *Papsttum*, 2:335–36, doc. 155; *Untergang* 2:17; cf. *ibid.*, 2:19, 46. The reference may be to Charles of Valois rather than Charles II of Naples.

<sup>276</sup> *Crònica de Ramon Muntaner*, chap. 194–99, ed. Soldevila (n. 119 above), 841–47. Roger was still calling himself a Templar in 1301: Heinrich Finke, “Nachträge und Ergän-

found refuge at royal courts in the West. In 1223 Honorius III wrote to Spanish kings, instructing them to avoid apostates from Santiago, and in 1307 the abbot of Morimond — to which Calatrava was subject — asked the Castilian king Fernando IV to expel any fugitive members of Calatrava who appeared at his court and to have them arrested.<sup>277</sup> The word “schismatic,” as well as “fugitive,” was, however, used by the abbot of these brothers, and it seems that they were rebels and opponents of the master García López de Padilla, rather than apostates.<sup>278</sup> Clear evidence of royal support occurs after the end of the Templar trial. Although former Templars were expected to lead a religious life, James II of Aragon gave encouragement to those who abandoned the houses where they were supposed to reside, by arranging for them still to receive their pensions from royal officials. In October 1313, for example, he ruled that Bernard of Millas should continue to receive his pension, even though he was then in the service of the queen mother of Mallorca, and in the next year the Aragonese king even provided for some installments to be paid in advance, as Bernard could not conveniently collect them.<sup>279</sup> Some laymen or ecclesiastics who gave support to deserters may not have been aware that the latter were apostates, but this must have been known to families and friends, and Roger of Flor was presumably fairly widely known to be a Templar, while James II after 1312 was certainly not acting in ignorance.

Religious houses, including those belonging to military orders, were also at times willing to accept brethren who sought to transfer to another order without seeking permission. In 1220 the master of Calatrava was complaining that the Hospitalers had admitted brothers who had transferred without consent, and early in the fourteenth century a later master appealed to the pope, claiming that Santiago had received an apostate brother of Calatrava called Peter Suger.<sup>280</sup> The Cistercians in Spain were similarly warned by Innocent III in 1208 about accepting Hospitalers in contravention of papal rulings.<sup>281</sup> In some instances such transfers may have been allowed unwittingly: in 1265 the Hospitaller general chapter decreed that an individual

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zungen zu den *Acta Aragonensia* (I–III),” *Spanische Forschungen der Görresgesellschaft: Gesammelte Aufsätze zur Kulturgeschichte Spaniens* 4 (1933): 355–536, at 443–44, doc. 7.

<sup>277</sup> Mansilla, *Honorio III* (n. 36 above), 346, doc. 473; *BS* 83; *BC* 160.

<sup>278</sup> Joseph Francis O’Callaghan, “The Affiliation of the Order of Calatrava with the Order of Cîteaux,” *Analecta sacri ordinis Cisterciensis* 16 (1960): 255–92, at 258; Ayala Martínez, “Un cuestionario” (n. 189 above), 74–75.

<sup>279</sup> Barcelona, Archivo de la Corona de Aragón, reg. 242, fol. 1v; reg. 254, fols. 136v–137r; reg. 275, fol. 74v; cf. Forey, *Fall of the Templars* (n. 228 above), 223–24.

<sup>280</sup> *CH* 2:278, doc. 1699; Mansilla, *Honorio III*, 250, doc. 338; *BC* 165.

<sup>281</sup> Mansilla, *Inocencio III* (n. 31 above), 405–7 doc. 392. Military orders also at times accepted individuals who had transferred from non-military religious foundations without permission: see, for example, Horoy, *Medii aevi bibliotheca patristica* (n. 33 above), 3:807,

who had belonged to another order should not be accepted without the license of the master and general chapter, "unless the official, who receives him, is not aware that he is from another order."<sup>282</sup> Military orders did, of course, ask recruits whether they had made vows in, and worn the habit of, another order; but the word of the applicant was accepted.<sup>283</sup> Yet in some instances there was not only a readiness to accept, but also a determination to retain, those who were known to have deserted from a military order. In 1267 the Hospital was involved in a dispute with the Cistercian monastery of Thennenbach, in the diocese of Constance, about a brother who had not sought permission to transfer from the Hospital: the abbot of Thennenbach had not only allowed him to become a Cistercian but also resisted an instruction that he should be returned.<sup>284</sup> It was in fact not unusual for religious orders to compete for members.

Orders were also sometimes reluctant to readmit those who sought to return after apostasy. Although in some quarters these were regarded as prodigal sons or lost sheep who should be welcomed back,<sup>285</sup> there was no doubt an unwillingness to accept those whose past conduct had been very unsatisfactory and whose future good behavior was in question. The situation is apparent from Gregory IX's and Benedict XII's general decrees that heads of religious foundations should be compelled, if necessary by ecclesiastical censure, to receive back apostates.<sup>286</sup> It is also clear from the fact that some apostates turned to the pope for assistance in securing readmission. In 1244 Innocent IV wrote to the master of Santiago about a deserter called Sancho Garcés, who was said to have left from fickleness of mind but who had repented: the pope instructed that he should be received back, subject to penance.<sup>287</sup> Several other papal letters of the same kind relating to apostates from military orders survive, while the Templar Customs make reference to papal requests for reinstatement of those who had abandoned the order.<sup>288</sup> It is possible that in some cases the penitent had exceeded the per-

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doc. 382; 4:350–51, doc. 131; *Colección diplomática de Alcántara* (n. 8 above), 1:284–88, doc. 434(3); Jossierand, "Pour une étude" (n. 244 above), 333–37.

<sup>282</sup> "Nisi ille, qui eum receperit, ipsum fuisse alterius religionis nesciverit" (*CH* 3:118–21, doc. 3180 art. 8).

<sup>283</sup> *RT* 234, 342, arts. 431, 670; *CH* 2:536–61, doc. 2213 art. 121; *SDO* 127.

<sup>284</sup> *CH* 3:169–74, doc. 3288; *Registres de Clément IV* (n. 157 above), 193, doc. 574.

<sup>285</sup> See some of the texts quoted in Leclercq, "Documents sur les 'fugitifs'" (n. 49 above), 87–145.

<sup>286</sup> X.3.31.24, in *Corpus iuris canonici* (n. 21 above), 2:578; *Bullarum, diplomatum et privilegiorum editio* (n. 164 above), 4:326–28.

<sup>287</sup> *BS* 139; Milagros Rivera Garretas, *La encomienda, el priorato y la villa de Uclés en la edad media (1174–1310)* (Madrid, 1985), 403, doc. 195; Quintana Prieto, *Inocencio IV* (n. 99 above), 1:87–88, doc. 71.

<sup>288</sup> *BS* 174; Quintana Prieto, *Inocencio IV*, 2:494–95, doc. 524; *RT* 253, art. 475. The sense is changed in *CR* 4, art. 7.

mitted number of returns to an order, but not all military orders had a regulation of this kind, and there is nothing in the wording of extant letters to indicate that popes were referring to those who had already returned several times.<sup>289</sup>

Some prominent brothers who apostatized were certainly able to live openly in the world with approval or at least without effective challenge. Both the Templar authorities and Eugenius III were well aware of the defection of Humbert of Beaujeu, but no determined action was taken against him.<sup>290</sup> In the opening decade of the thirteenth century, the apostate Templar Amio of Ays frequented the court of the king of Jerusalem,<sup>291</sup> and his former colleagues appear to have acquiesced in his defection. In 1211 both he and the Templar master were present at the crowning of John of Brienne, and in the same year Amio was the leader of a royal contingent on an expedition to Armenia, which also included Templar and Hospitaler forces.<sup>292</sup> But he clearly enjoyed royal favor. According to Muntaner, the Templar master ordered the arrest of Roger of Flor, who left the Temple after being accused of profiting from the evacuation of refugees from Acre in 1291.<sup>293</sup> But no further action appears to have been taken: the support of a secular ruler was sufficient to give Roger immunity.

James, the eldest son of James II of Aragon, was also able to ignore normal restraints, even though he did not altogether abandon the religious life. At the end of the year 1319 he entered the Hospital in order to extricate himself from a marriage with the Castilian infanta Leonor,<sup>294</sup> but he soon

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<sup>289</sup> The “Templar of Tyre” reports that the French king Philip IV and the pope sought to secure the reinstatement of the Templar treasurer in Paris after he had been expelled by James of Molay (*Gestes des Chiprois*, chap. 695, ed. Raynaud [n. 141 above], 329–30). This report presents a number of difficulties: see the discussion in Alain Demurger, *Jacques de Molay: Le crépuscule des templiers* (Paris, 2002), 221–28, but it suggests that attempts were sometimes made to prevent orders from expelling a brother and from insisting on his transfer to a stricter order.

<sup>290</sup> For Humbert’s later career in the West, see Mathieu Méras, *Le Beaujolais au moyen âge* (Villefranche-en-Beaujolais, 1956), 33–40. The pope may have been influenced by Peter the Venerable’s claims that Humbert was restoring peace and order to his home district: *Letters of Peter the Venerable* (n. 6 above), 1:410–13, doc. 173. He may also have taken into account the abbot of Cluny’s further argument that Humbert had not had the consent of his wife for joining the Temple: if this claim was accepted, Humbert’s vows would have had no validity.

<sup>291</sup> *Tabulae* 29–30, 33–34, docs. 36, 41; Geneviève Bresc-Bautier, *Le cartulaire du chapitre du Saint-Sépulcre de Jérusalem* (Paris, 1984), 336–37, doc. 179.

<sup>292</sup> *L’Estoire de Eracles*, 31.1, 6, in *RHC Hist. Occ.*, 2:312, 317–18; Burgtorf, “Leadership Structures” (n. 135 above), 388.

<sup>293</sup> *Crònica de Ramon Muntaner*, chap. 194, ed. Soldevila (n. 119 above), 841.

<sup>294</sup> Martínez Ferrando, *Jaime II* (n. 98 above), 1:94; 2:227–29, doc. 306; Heinrich Finke, *Acta Aragonensia*, 3 vols. (Berlin, 1908–22), 3:370–71, doc. 170(4); Andrés Giménez Soler,

expressed a desire to wear a different habit from other Hospitalers.<sup>295</sup> This wish was refused by the pope, and early in May 1320 James appears to have abandoned the Hospital and to have been living in Tarragona, where he was said to be subject to numerous temptations.<sup>296</sup> A further request had been made to the pope, seeking a dispensation releasing James from his vows, but this had been refused. John XXII had instructed that “he is to remain in his vocation.”<sup>297</sup> Later in the month, however, the infante was admitted to the order of Montesa at the Cistercian monastery of Santas Creus.<sup>298</sup> This change was supported by James II, and the master of Montesa was no doubt unwilling to refuse admission.<sup>299</sup> The pope felt obliged to instruct the archbishop of Tarragona in January 1322 to grant James a retrospective dispensation allowing him to remain in the order of Montesa.<sup>300</sup> There were further backslidings: in 1321 the abbot of Santas Creus wrote to James II, expressing concern that James had left the monastery and gone to Cervera, but the king replied that “you ought not to be upset if the said brother James goes somewhere else for recreation or comfort.”<sup>301</sup> But in November 1323 the king himself reported that James was said “to be living shamefully and disgracefully, and had become so immersed in vile deeds and uncleanness that the divine majesty is without doubt offended, his order is brought into disrepute and contempt, and we are greatly dishonored.”<sup>302</sup> On this occasion the king sent the infante Peter to retrieve him. James was, how-

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*Don Juan Manuel* (Zaragoza, 1932), 482. James was, of course, in theory disqualified from entering the Hospital without the consent of Leonor. On the marriage, see H. T. Sturcken, “The Unconsummated Marriage of Jaime of Aragon and Leonor of Castile (October 1319),” *Journal of Medieval History* 5 (1979): 185–201.

<sup>295</sup> Barcelona, Archivo de la Corona de Aragón, Bulas, legajo 31, no. 49; Finke, *Acta Aragonensia*, 3:371, doc. 170; Martínez Ferrando, *Jaime II*, 2:241–42, doc. 326; it has been suggested that James II obliged him to enter the Hospital because it could be done immediately, without a probationary period (Martínez Ferrando, *Jaime II*, 1:95; cf. *ibid.*, 2:227–29, doc. 306; Finke, *Acta Aragonensia*, 3:370–71, doc. 170[4]).

<sup>296</sup> Martínez Ferrando, *Jaime II*, 2:242–43, doc. 327.

<sup>297</sup> “In vocatione sua remanere debeat” (*ibid.*, 2:244, doc. 328; Finke, *Acta Aragonensia*, 3:375–76, doc. 170[10]).

<sup>298</sup> *Ibid.*, 3:375, doc. 170(9); Martínez Ferrando (*Jaime II*, 1:96) suggests that James found the Hospital too strict. But Montesa was a Cistercian foundation, and stricter than the Hospital, as James pointed out (Barcelona, Archivo de la Corona de Aragón, Cartas Reales Diplomáticas, Jaime II 6416).

<sup>299</sup> Martínez Ferrando, *Jaime II*, 2:242–43 doc. 327.

<sup>300</sup> *Jean XXII: Lettres communes* (n. 152 above), 4:48, no. 14931.

<sup>301</sup> “Displicere vobis non debet si dictus frater Iacobus, causa recreacionis aut consolationis, se ad locum alium contulit” (Martínez Ferrando, *Jaime II*, 2:259, doc. 348).

<sup>302</sup> “Turpiter et inhoneste vivens, ad viles actus et inmundicias taliter declinavit quod profecto cedit in divine maiestatis ofensam, ac sue religionis infamiam et contemptum, et non in modicum dedecus nostri” (*ibid.*, 2:297–98, doc. 410).



ever, still a brother of Montesa in 1328, although he continued to live at Santas Creus and not in one of Montesa's convents.<sup>303</sup> His history shows that ecclesiastical authorities could do little when confronted by a recalcitrant member of a royal family.

The papacy was prepared to tolerate a more widespread apostasy among former Templars, who were expected to adhere to a religious way of life. Although John XXII decreed in 1318 that they should enter religious houses belonging to other orders, the only sanction imposed was the threat of a loss of pensions.<sup>304</sup> Brothers who were prepared to forgo payments were not put under any further constraint to observe their vows. By the time that the pope's ruling was being implemented, the numbers of Templars were, of course, declining through death, and it may have seemed an issue that would soon disappear. But there may also have been a suspicion that Templars had been wrongly judged, and that it would therefore be harsh to impose further restrictions on them.

Yet it is to be doubted whether formal permission was given by either the papacy or military orders themselves to allow brothers to return to or stay in the world. Evidence to the contrary is to be treated with caution. That Eugenius III granted a dispensation to Humbert of Beaujeu for his abandonment of the Temple and, as a penance, obliged him to establish a religious house, has been stated repeatedly; but no documentary evidence has been produced.<sup>305</sup> The foundation in question is said to have been the Augustinian house of Belleville, but Humbert did not in fact endow it until some ten years after he had left the Temple. It has further been argued that permission was given by the commander and chapter of Uclés in 1196 for a doctor called Gonzalo and his wife Mayor to leave the order of Santiago and to recover some possessions that they had given to it.<sup>306</sup> Yet it is to be doubted whether they were members of the order. In 1189 they had given properties to Santiago, on the condition that Gonzalo was to be "commander" of them during his life, but was not to give, sell, or exchange them without the consent of the master: the document recording the grant

<sup>303</sup> Johannes Vincke, *Documenta selecta mutuas civitatis Arago-Cathalaunicae et ecclesiae relationes illustrantia* (Barcelona, 1936), 345–46, doc. 474; cf. *Jean XXII: Lettres communes*, 7:373, no. 42277.

<sup>304</sup> Prutz, *Entwicklung* (n. 147 above), 293–94.

<sup>305</sup> Samuel Guichenon, *Histoire de la souveraineté de Dombes*, 2 vols. (Lyon, 1863), 1:163–64; Louis Aubret, *Mémoires pour servir à l'histoire de Dombes*, 4 vols. (Trévoux, 1864–68), 1:323, 347; Méras, *Le Beaujolais* (n. 290 above), 33; Bulst-Thiele, *Sacrae domus Templi magistri* (n. 240 above), 48 n. 30. Guillaume Paradin (*Mémoires de l'histoire de Lyon* [Lyon, 1573], 406–7) maintained that Humbert was persuaded by the archbishop of Lyon to found a religious house.

<sup>306</sup> Martin, *Origènes de Santiago* (n. 4 above), 27–28; Rivera Garretas, *Encomienda de Uclés* (n. 287 above), 98.



makes no reference to entry to the order, and the arrangement was apparently that Gonzalo should retain the administration of the properties until his death.<sup>307</sup> The document drawn up in 1196 does state that the brothers of Santiago freed Gonzalo and his wife “from all claim and from all vow and profession, if they have made any,” but this comment was made in relation to the lands that the couple had given. It does not refer to admission to Santiago, and they were not being given permission to return to the world after serving in the order.<sup>308</sup>

Two Templar apostates questioned in 1308 at Poitiers claimed that their order had agreed that they should remain in the world. Stephen of Troyes stated that he had been recaptured and held for five weeks, “until his mother redeemed him for two hundred pounds, on the understanding that from then on he would be able to live safely with his mother and would be totally free from any claim by the order”,<sup>309</sup> and the knight William of Reses asserted that, after he had left the order, his provincial master “at a general chapter, which was held in the Auvergne, discharged him . . . from the order of the Temple at the prayers and insistence of his friends who were present and who are nobles and very powerful.”<sup>310</sup> The accuracy of unsupported claims that served to justify continued absence from the Temple is obviously to be questioned. An English Templar further asserted during his interrogation in 1311 that the master granted permission to return to the world to several brothers who were unable to live chastely or to obey the order’s regulations.<sup>311</sup> But he may have been confusing the permission given to transfer to another order with a license to revert to the world.

#### READMISSION AND PENANCE

Procedures were developed for the readmission of those who returned voluntarily or were caught. In the Temple, those who sought to be received back into the order were first to go to the main gate of the house, kneeling

<sup>307</sup> Martin, *Orígenes de Santiago*, 376–77, doc. 195.

<sup>308</sup> “Ab omni inquietudine et voto et professione, si fecerunt” (*ibid.*, 426, doc. 251). Lomax (*Orden de Santiago* [n. 43 above], 36) states that they had been admitted as *familiares*.

<sup>309</sup> “Donec mater sua redemit eum de ducentis libris, pacto, quod secure deinceps remaneret cum matre et ex toto stetit secure ab ordine” (Finke, *Papsttum* [n. 207 above], 2:336, doc. 155).

<sup>310</sup> “In quodam capitulo generali, quod fecit in Avernia, quitavit ipsum . . . ab ordine Templi ad preces et instantiam presentum amicorum suorum, qui sunt valde nobiles et potentes” (*Untergang* 2:19).

<sup>311</sup> *Concilia* 2:384. The Templar in question was one of only three English brothers who towards the end of the trial confessed to some of the main charges, but there was little reason for him deliberately to lie on this issue.

to brothers who passed by and begging their mercy. They were then to stand at the main door, wearing only their breeches, with a cord around their necks, and then come before the chapter, kneeling before the brethren.<sup>312</sup> Chaplains were, however, allowed to undress at the door of the chapter, and were to plead for mercy without kneeling.<sup>313</sup>

Brothers who were readmitted were subject to a severe penance. The Hospitaller rule imposed a penance of forty days on those who returned after leaving without permission,<sup>314</sup> but this was a very early pronouncement, and the penalty for an absence of two or more nights from a military order in the twelfth and thirteenth centuries was commonly a year's penance. This was the punishment imposed in the Temple and the Teutonic order, and it was similarly decreed by the general chapter of Santiago in 1251.<sup>315</sup> During their year of penance, Templars were to wear a cope without a cross; they were obliged to fast for three days a week on bread and water; lay brethren were to eat on the ground, were to work with the slaves, and were to be beaten in the chapel on Sundays, stripped except for their breeches, in the presence of the community. Chaplains who were subject to a year's penance were, however, allowed to eat at the table of the *familia*, were to recite the psalter instead of working with the slaves, and were to receive corporal punishment in private.<sup>316</sup> Penance in other military orders were similar, although the Cistercian general chapter also decreed in 1233 that lay brethren of Calatrava who returned after apostasy should for a period occupy the last place in the community — a ruling observed in many monasteries.<sup>317</sup> The threat of such punishments might deter some from deserting, although much would depend on the likelihood of evading capture after flight. It

<sup>312</sup> *RT* 257–59, 333–35, arts. 486–88, 651–54; *CR* 4–8, arts. 8–12; *Procès* 1:204.

<sup>313</sup> *RT* 165, 326–27, arts. 270, 636; *CR* 24, art. 48. For procedures in other religious orders, see Logan, *Runaway Religious* (n. 120 above), 145–47.

<sup>314</sup> *CH* 1:62–68, doc. 70 art. 10.

<sup>315</sup> *RT* 165, 250, 251–52, 327, arts. 270, 468, 470, 472, 637; *SDO* 83–86, Gesetze 38; Madrid, BN, MS 8582, fol. 56r; Sterns, “Crime and Punishment” (n. 166 above), 90–91.

<sup>316</sup> See, apart from clauses in the Templar Customs, the descriptions of penances reported by brothers during the Templar trial: *Procès* 1:204, 553, although they sometimes differ in detail from Templar regulations; see also Cheney, “Downfall of the Templars” (n. 217 above), 327.

<sup>317</sup> Canivez, *Statuta* (n. 161 above), 2:118 (1233[37]); cf. *ibid.*, 2:247 (1262[11]). The penalties imposed in this period by non-military orders were rather more varied (Logan, *Runaway Religious*, 147–53; Philipp Hofmeister, “Die Strafen für den apostata a religione,” *Studia gratiana* 8 [1962]: 423–46, at 432–40). Some monastic regulations make reference to imprisonment, and several Templars questioned during their trial stated that they had been told, or feared, that they would be imprisoned if they deserted and were apprehended (*Procès* 1:218, 299; 2:194, 251–52), but the Templar Customs provide no confirmation. Brothers in the Teutonic order who incurred a year's penance could in exceptional cases be imprisoned, but this punishment was not limited to apostates (*SDO* 85–86, Gesetze 38).

might also discourage those who had transferred to a stricter order from returning too readily to a less austere life, for the procedures were in some cases applied to brothers who had left with permission: the statutes of the Teutonic order decree that a brother who returned for a second time after being given permission to transfer should undergo a year's penance, and a witness at the Templar trial described how Adam of Valincuria, on returning from the Carthusians, had sought mercy, clad only in his breeches, and had been subjected to a year's penance.<sup>318</sup> Yet severe punishments might also dissuade those who had deserted from returning: this was acknowledged by Benedict XII in 1335, when he recommended leniency for those who submitted voluntarily.<sup>319</sup>

It is usually impossible to state how many apostates were apprehended or returned of their own accord and how many who had transferred from military orders without permission were obliged to return. As has been seen, the records of the Templar trial provide some examples of desertions followed by repentance, but most of the surviving evidence relates to measures taken to arrest deserters, and these normally give no indication of the degree of success. That the regulations of the Hospital refer to those who had left of their own will three times might suggest that it was not unusual for deserters to repent and return; but these decrees were probably influenced by the wording of the Benedictine rule.<sup>320</sup> Yet both the frequency and the reissuing of decrees about the apprehending of those who had left military orders illicitly suggest that the arrest of fugitives was often difficult. Although, for example, the English king Henry III issued a writ for the arrest of the Hospitaler William of Merley in November 1270, it is clear that the fugitive was not quickly apprehended, for a further writ was dispatched in February of the following year.<sup>321</sup>

More precise information can, however, be provided about Templar fugitives at the time of the Templar trial in some kingdoms. Of the Templars in France who at first evaded capture, eight are known to have been apprehended later or to have surrendered during the period of the trial: thus about a quarter were later taken into custody. The proportion was rather

<sup>318</sup> *Ibid.*, 60, Gesetze IIc; *Procès* 1:204.

<sup>319</sup> *Bullarum, diplomatum et privilegiorum editio* (n. 164 above), 4:326–28. He was by no means the first to argue that returning fugitives should be shown mercy: see Leclercq, “Documents sur les ‘fugitifs’” (n. 49 above), 93–95.

<sup>320</sup> *CH* 3:450–55, doc. 3844 art. 12; 3:525–29, doc. 4022 art. 17; *Règle de Saint Benoît*, art. 29 (ed. Vogüé and Neufville [n. 21 above], 2:554).

<sup>321</sup> *CH* 3:236, doc. 3405; *Calendar of Patent Rolls, 1266–1272* (n. 202 above), 488, 519. Requests for the arrest of the Hospitaler Alan of Mouncens were made in 1331 and 1334, but it is not clear whether he was a fugitive throughout the intervening period (London, National Archives, C 81/1795/1, 2).

higher in England, where just over half were arrested or submitted. Stephen of Stapelbrigg was captured in 1311, while John of Ebreton gave himself up during the trial, allegedly in a spirit of humility.<sup>322</sup> Others, however, did not seek to be reconciled until after the end of the trial, when they presumably knew what their fate would be; among these was Thomas of Lindsey, who had earlier fled to Ireland: he offered to stand to judgment, and his case was heard at a London council in 1312. William Grafton the younger similarly submitted to the bishop of Lincoln.<sup>323</sup>

#### CONCLUSION

Although members of military orders were not allowed to return to the world, and although it was accepted that restrictions should be placed on transfers from one order to another, the situation in practice was by no means clear-cut. There was no unanimity of opinion about the limitations on transfers: papal decrees on the matter were, for example, not always in harmony with regulations issued by the orders. Furthermore, the particular needs, both of individual brothers and of entire orders, led popes to permit transfers and amalgamations that they would in other circumstances have opposed. On occasions both the papacy and military orders also found that it was politic not to pursue deserters who had the support of secular powers. Even when attempts were made to take action against those who had apostatized or made unlawful transfers, success was hampered by the lack of adequate procedures and by the support given to offenders by both laymen and ecclesiastics. No doubt only a comparatively small minority sought to desert or transfer, but the motivations for entering an order, the frequent lack of a novitiate, and the lowly standing of military orders among religious foundations meant that attempts to leave, or transfer from, a military order were not unusual; and to check desertions and regulate transfers was not easy.

*Kirtlington, Oxford*

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<sup>322</sup> *Concilia* 2:383; *Calendar of Close Rolls, 1307–1313* (n. 261 above), 316–17; *Register of William Greenfield* (n. 227 above), 4:326–27, no. 2294.

<sup>323</sup> *Councils and Synods* (n. 236 above), 2:1369; Lincoln, Lincolnshire Archives, Episcopal Register III, fol. 267r; on English fugitives, see Forey, “Ex-Templars in England” (n. 235 above), 35–36. Some Aragonese Templars similarly submitted after the end of the trial: these included Bernard of Fuentes, who returned from Tunis (Forey, *Fall of the Templars* [n. 228 above], 216).