# Gender, the Enclosure of Nuns and the *Cura Monalium* in Castile during the 13th Century: the Dominican Order as a Case Study

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#### **A**BSTRACT

The enclosure of women devoted to the religious life inside convents, definitively imposed in 1298, is an appropriate topic for discussing gender. It shows relationships between men and women, masculine and feminine roles, and the importance of gender in the religious world. Some religious orders had adopted the enclosure of nuns in previous years, and they experienced problems that became general during the 14th and 15th centuries. This contribution specifically analyses the situation of the Dominican Order in the Kingdom of Castile during the 13th century. From 1267 the spiritual care of nuns was officially entrusted to male clergy, while their secular affairs were entrusted to Dominican friars. But in fact this division was not really strict, because nuns turned to all of them without distinction even before 1267. The fact is that they could not act independently of men's jurisdiction, and separate roles were established for friars, the secular clergy and nuns.

La clausura de las mujeres dedicadas a la vida religiosa es un tópico adecuado para discutir sobre género, dado que clérigos, monjes y frailes fueron obligados a ocuparse de las monjas. El tema resulta relevante para abordar las relaciones entre hombres y mujeres en el mundo religioso, así como el papel que desempeñó el género en la construcción de la identidad religiosa, dado que se asignaron a cada sexo diferentes reglas, papeles y funciones.

Aunque la clausura fue impuesta de forma definitiva en el año 1298, algunas órdenes religiosas ya la habían adoptado en los años previos, y tuvieron que hacer frente a problemas que se generalizarían en los siglos XIV y XV. Es por ello que en esta contribución se analiza la situación de la Orden Dominicana en la Corona de Castilla durante el siglo XIII, donde había entonces tres conventos de monjas dominicas: Santo Domingo en Madrid, Santa María de Castro en San Esteban de Gormaz – luego trasladado a Caleruega – y Santa María de las Dueñas en Zamora.

Mientras se decidía sobre la pertenencia de dichas comunidades a la Orden Dominicana, ésta se resistía a hacerse cargo de las monjas sometidas a clausura, tanto antes como después de su aceptación oficial. Y sin embargo, no hay duda de la presencia de ciertos frailes dominicos y sobre todo de clérigos seculares del entorno más próximo, o con cierta influencia, que fueron los que asumieron el cuidado de las monjas, hasta que, en 1267, quedó institucionalizado el reparto de competencias entre dominicos y clérigos. Fue entonces cuando les correspondió a los primeros la atención en los asuntos temporales, y a los segundos el cuidado espiritual. Sin embargo, el división de funciones no se llevó a cabo de forma estricta, y las monjas dominicas acudieron a unos y otros indistintamente, dando lugar a un modelo de relaciones entre los sexos diferente al aprobado por la Orden Dominicana y ratificado por el Papado. En ningún caso pudieron ellas actuar de forma independiente, ni librarse de la jurisdicción

masculina. Y mientras los frailes podían predicar, estudiar, reclutar a nuevos miembros, o fundar nuevas comunidades, la vida de las monjas estaba consagrada principalmente a la oración y al trabajo manual, lo cual supuso una clara distinción de roles masculinos y femeninos.

#### Introduction

I agree with Joan Scott when she says that "... women and men were defined in terms of one another, and no understanding of either could be achieved by entirely separate study". Given that the history of women cannot be separated from that of men, we cannot understand the enclosure of nuns, a very important part of feminine religious life, if we do not analyse their social relations with the men who took care of them. The image of female communities as exclusively feminine spaces, tiny enclosed completely autonomous universes where women could live without masculine interference, is completely utopian. The rhythm of nuns' lives was dictated by rules imposed by the authorities of religious orders – always men –, by ecclesiastical authorities – likewise men, – and by Popes – also men. At the same time, contact with women compelled monks, friars and secular clerics to change their habits and customs, in such a way that a specific notion of masculinity emerged. The definitions of masculinity and femininity were reinforced by the differences established between them. So gender proves a very useful category of analysis in the medieval religious context.

Again according to Joan Scott, "Gender is a constitutive element of social relationships based on perceived differences between the sexes, and gender is a primary way of signifying relationships of power". Gender is a category of analysis which makes reference to the differences between men and women that arise in the family, social and cultural environment. A certain behaviour, functions and roles have been conferred on each sex and are a social and cultural construct changing through history. Masculinity and femininity are not fixed categories, but a social and cultural product changing in time. And given that the religious world differentiates between men and women's rules, functions and roles, it is an element contributing to the social construction of gender. The rules governing the enclosure of nuns, which determine power relationships between men and women religious, and the functions and roles assigned to each sex in the religious world, are part of this social construction of gender.

Religious enclosure was imposed on women devoted to the religious life inside convents, but not on men who chose the monastic life. It became a mechanism of men's control over women, and it transferred the generally subordinate position of women in lay society to the religious environment. While public areas were reserved for men, women had to stay confined in the domestic realm, which in the case of nuns turned into the extreme situation of enclosure in convents. But in their isolation, nuns would have died if they had relied only on the resources available inside nunneries. They needed external help, and this was provided by certain men, to whom the Papacy entrusted the *cura monialium* [welfare of nuns]. These two words referred to the fact that the spiritual care of nuns and the management of their wealth were officially made over to the masculine members of the orders to whom the nuns belonged. These men were in charge of the spiritual and material assistance of nuns, while nuns' lives were to be devoted to prayer, which meant a transfer of the patriarchal household model to convents.

During the 4th century, the archetype of the active celibate woman predominating in the first centuries of Christianity was replaced by a new one, that of the *monaca* or nun, whose main characteristics were virginity and enclosure. The enclosure of nuns was laid down by the Church Fathers, council canons and some monastic rules, such as the *Regula ad virgines* that Caesarius, bishop of

Arles, wrote for the nuns of Saint John in that city from 512. This rule was then assumed by other monastic communities and had an influence on rules that appeared later. Caesarius, who wrote the rule in a period of invasions, thought that nuns needed the physical protection of cloisters. But very soon this was also interpreted from the moral point of view, since the ecclesiastical authorities thought that women were fragile creatures and nuns should be protected against worldly temptations. Not that the rule was strictly obeyed during the High Middle Ages, when some Anglo-Saxon nuns developed missionary activities in Germany, nuns and abbesses made pilgrimages to Rome, and others went out in defence of their privileges and wealth, disputing and making deals, or visiting their relatives. But in the 12th and 13th centuries Papal zeal for enclosing nuns increased. The final step was the approval of the Decretal Periculoso by Boniface VIII in 1298. This bull meant the imposition of enclosure on nuns of all religious orders. They were not allowed to go out of convents and people's access to nunneries was also controlled. At the same time, the masculine members of religious orders were forced to take on the cura monialium. However, not all monks and friars accepted this task, not because they thought that feminine enclosure was unfair, but because they considered that it was a burden which caused harm to their own business, given that a lot of men had to give up their usual tasks (preaching and attending to the faithful, study, recruitment and proselytizing). Enclosure was also rejected by some feminine communities, who argued that it had not been established in their rules, they did not have enough money for the rebuilding that it meant (bars and locks on doors), or they did not have enough income to live without going out. So the Papacy had to take stock of this rejection, and the bull was not really imposed until the 16th century<sup>3</sup>.

A large part of the problem generated by the Decretal Periculoso from 1298 onwards and by application of the *cura monialium* could already be detected in certain religious orders and concrete cases in previous centuries, as various scholars have explained. Some have focused their analysis on the rejection of enclosure and the pretexts for breaking it, like Eileen Power's work on the medieval English nunneries<sup>4</sup>. Others have referred to the rejection of the *cura monialium*; one such is John B. Freed in his article about the labour of the Cistercian, Dominican and Franciscan Orders in Germany; and also Clifford H. Lawrence, who has also spoken about Cistercian nuns<sup>5</sup>. Other scholars have described the relationships between certain remarkable figures, mainly founders of religious orders, and the nunneries established by them: one thinks of Janet Burton, who discusses Robert of Arbrissel in connection with the Fontevrault Order, Saint Gilbert for the Sempringham Order, and Norbert of Xanten for the Premonstratensian Order; or Jo Ann McNamara, who has analysed the topic in various religious orders, including the relationship between Dominic of Guzman and Diana d'Andalo in the Dominican Order; or again Julie Hotchin, who has written about William of Hirsau and diverse Benedictine abbeys; and F.J. Griffiths, who has analysed Peter Abelard and Robert of Arbrissel's roles<sup>6</sup>. Such works usually refer to models established by religious orders or their founders, and how these last interacted with nuns, while the daily relationships between nuns and monks/friars/secular clerics in the post-foundation period tend to get forgotten. This last issue is the main contribution of my chapter, where I analyse the topic with regard to the Dominican Order. This religious order had had a feminine branch with nuns under enclosure from the very beginning, since the first community of the whole Order, a nunnery, was established in Prouille (France) in 1206. As Dominican nunneries increased, friars found it difficult to combine the cura monialium with their other tasks. So they refused to look after nuns, and this attitude was decisive in the process of incorporation of feminine communities in the Dominican Order across Europe, as various different scholars have studied<sup>7</sup>. The relevance of gender to understanding this topic has only been taken into consideration by John Coakley in an article about Franciscan and Dominican friars' authority over certain holy women, where he explains

how the friars' admiration for these women could imply a reversal of roles which the friars tried to avoid<sup>8</sup>. But he does not refer to the daily relationship between Dominican friars and common nuns, which is my sphere of interest.

My chapter is mainly concerned with one of the three levels on which the concept of gender needs to be investigated according to Rosi Braidotti, who suggests we use Sandra Harding's classification system: "Gender as a principle of organization of social structure". Gender is also a principle of organization of Dominican communities in the Middle Ages, and I am interested in explaining how Dominican enclosure and the cura monialium issue in the Kingdom of Castile during the period prior to the approval of the *Decretal Periculoso* contributed to gender construction. I have focused my work on the first convents that adopted Dominican rule, namely Saint Dominic in Madrid, Saint Mary of Castro in San Esteban de Gormaz – this last later transferred to Caleruega where it was definitively established under the name of Saint Dominic in 1270 -, and Saint Mary of the Ladies in Zamora. I have mainly used two types of sources. Firstly, I have handled normative records for the whole Dominican Order – what Penelope D. Johnson calls "documents of theory" – which show how the ecclesiastical authorities formulated relations between nuns and male religious, in other words how they thought that the situation should be. This type of document is commonly used by scholars interested in the topic of the *cura monialium* and the enclosure of nuns, so they usually present the situation as it was conceived by the Papacy and the Dominican Order. Secondly, I have used the available records of each convent, what Penelope D. Johnson calls "documents of practice"10, mainly documents related to purchases, sales, gifts, and exchanges11. They do not present information about the social conditions of women who entered enclosure (not even their names, with a few exceptions) nor do they describe individual and community models. But this kind of sources, generally the only ones surviving, shows the real situation in nunneries, which is not so commonly discerned from works related to the cura monialium and enclosure of nuns. Through comparative analysis of these two types of sources I will conclude that, even though enclosure of nuns was imposed in the Castilian Dominican nunneries after the most complicated of processes and the work of looking after nuns was shared by Dominican friars and secular clergy, the model of relationships between men and women in the Dominican Order was not strictly in line with that established by the Papacy and accepted by the authorities of the Order.

# Origin of communities and enclosure of nuns

Before analysing the problem of the *cura monialium* in the Dominican nunneries of Castile in the 13th century, I should briefly explain the foundation processes of the three nunneries that I have chosen for my study, because they present different ways of adopting enclosure.

When Dominic of Guzman, founder of the Dominican Order, visited Spain at the end of 1218, he decided to transform into a nunnery the monastery previously founded by some friars in Madrid<sup>12</sup>. He himself sent instructions relating to the nuns' way of life in a letter dated circa 1220, where enclosure of nuns was the main regulation: they were not allowed to leave the convent<sup>13</sup>.

The nunnery of Saint Mary of Castro existed in San Esteban de Gormaz at least from 1229 on. But nuns only became interested in joining the Dominican Order in 1238. It was then that nuns asked Gregory IX for permission to live under the *Constitutions of Saint Sixtus in Rome*, which he approved. These constitutions included enclosure of nuns, enjoining that all Dominican nuns should stay in the convent where they professed, and they were not allowed to go out or be transferred<sup>14</sup>.

Finally, the convent of Saint Mary of the Ladies in Zamora was founded by a woman, Jimena Rodríguez. She and her husband agreed to renounce their married life in 1258. He decided to

become a member of the Saint James Military Order, and gave her permission to choose a religious order. In January 1259, after receiving approval from Pope Alexander IV, Jimena founded a community whose nuns should follow the Dominican rule. The first ones were a group of *beatas* [beguines] from Zamora, joined by Jimena and her two single daughters. But it was not until 1264 that Jimena and her sister Elvira bought a site where the convent would be built. Elvira, who was the first prioress, also accepted the bishop's jurisdiction<sup>15</sup>.

So, according to the conditions under which each nunnery was constituted, the enclosure of nuns was an imposition in the case of the Madrid nuns, the result of the nuns' own initiative in San Esteban de Gormaz, and a founder's decision in Zamora. These three cases show that there were different ways of embracing the enclosure rule, at least in this period. It is remarkable that the adoption of enclosure was a women's decision in two cases; they freely chose the Dominican rule, although they did not explain why they preferred this order instead of a less restrictive one. At all events, enclosure meant looking to men to take responsibility for managing the business of each convent and paying attention to the spiritual needs of their members, a situation that Dominic of Guzman had already foreseen in 1217, when he decided that friars should take care of all recognized convents<sup>16</sup>. But it was not easy to put into practice.

# THE FRIARS' REACTION

During the 13th century there was a long process of hesitation before Dominican friars finally undertook the *cura monialium*, which in their opinion would detract from their other activities. My intention is to present this process and to show how it concerned Castilian nunneries and how they solved problems on a practical level.

The first refusal came at the 1224 General Chapter, when the Order decided to suspend foundation of feminine institutions, and even raised the possibility of disbanding those which had already been accepted. This, however, Gregory IX rejected. Nonetheless, the Dominicans insisted at the General Chapter of 1228, and finally, in 1235, the Order formally banned all *cura monialium*<sup>17</sup>. This situation directly affected the convent of Madrid, although there was only one friar taking care of the nuns there. Dominic of Guzman had decided to entrust the task to his brother Mamés, as result from the letter he sent to the nuns in 1220. Probably he was only trying to avoid the dispersion of a scanty band of friars who had only been living in Castile since 1217, so that most of them could follow the process of founding new communities. In the event, fray Mamés only stayed in Madrid until 1234<sup>18</sup>, so the Madrid nuns lacked help from 1235 onwards and their position was quite uncertain. Following widespread complaints from many nunneries, Gregory IX wrote to Dominican Master General Jordan of Saxony in 1236 commanding that his Order take care of its feminine communities, and on 7 April the same Pope entrusted the Madrid nuns to the Master General and Prior Provincial of Spain<sup>19</sup>. But this situation changed again in 1239, when Gregory IX relieved the friars, a position confirmed by Innocent IV in 1243<sup>20</sup>.

However, Papal bulls or no, there can be no doubt about the presence of friars in the Madrid nunnery throughout the period if we analyse the documents relating to the nuns' business. Somebody called Sancho, who held a position as *procurador* [attorney] or *provisor* [agent], managed some purchases from 1238, working alone or in liaison with the prioress. His role, however, is not the result of the 1236 bull, since he had been working there since 1225. So certain friars had been helping the Madrid nuns before the 1236 order. On the other hand, the relationship between the Madrid nuns and Dominican friars was not disturbed either by later decisions on this matter, since friar Sancho's management continued until 1246<sup>21</sup>. In short, there was at least one friar

taking care of the Madrid nuns' business outside the general agreement, and in practice Sancho became Mamés' successor.

The situation at the convent of Saint Mary of Castro in San Esteban de Gormaz was much more complicated. It was again Gregory IX who asked the Prior Provincial of Spain to assume the *cura monialium* of this nunnery in 1238. According to the *Constitutions of Saint Sixtus of Rome* that the nuns decided to follow, four religious were to take care of external business, while six friars (priests at least three of them and one of them the prior) should live in the convent to take care of spiritual matters. It was quite usual for the Prior Provincial to entrust this kind of task to the nearest masculine monastery, which was Saint Paul in Burgos in the case of San Esteban de Gormaz. But the friars of this monastery never took on the duty, as in 1239 they received Gregory's bull in which he exempted the Dominicans<sup>22</sup>. Not one friar took part in the business of Saint Mary of Castro, in contrast with the Madrid convent.

The Papacy's interest in convents of Mendicant Orders came back in 1245, when Innocent IV again decided to impose the *cura monialium*. The responsibility fell to the Master General and Prior Provincial, who were personally to visit all the nuns, according to a bull dated 4 April 1246, which was presented at the Provincial Chapter of 1249<sup>23</sup>. However, this did not take effect in Saint Mary of Castro. There is no proof of visits by Dominican authorities or by the friars of Saint Paul in Burgos, to whom Innocent IV repeated their exemption in October 1246, or again by friars from other communities<sup>24</sup>.

In the meantime, there were no changes in the Madrid community when the selfsame bull of 1246 was enacted. Friar Sancho was still taking part in the affairs of the convent at the end of that year, but it was the last time. Three years later, Innocent IV asked the Prior Provincial of Spain to take care of Saint Dominic in Madrid, and he also decided that some friars should visit the nuns and rebuke them, get them to change their ways, listen to their confessions and give them the sacraments<sup>25</sup>. This measure meant a modification of the 1246 bull, given that the *cura monialium* was not a responsibility for Prior Provincials any more, but for other Dominican friars. However, the new rule was not really effective, because nobody participated in the life of the Madrid convent until 1252, when a friar called Romero is mentioned. The fact is relevant, because the situation had just changed. Again the General Chapter rejected nuns with the Pope's consent, a measure that apparently did not affect the community of Madrid<sup>26</sup>. But anyway, friar Romero's presence is merely anecdotal, and nothing proves that a member of the Dominican Order was responsible for this convent.

Master General Humbert of Romans presented a proposal in 1255, which was accepted by the General Chapter. This last would decide in favour of or against the foundation of new convents, which would be definitively incorporated after approval by three consecutive chapters. This measure gave rise to a lot of requests by convents, and friars were overburdened in such a way that they asked Alexander IV to again be exempted of the *cura monialium*. The Pope agreed in 1257, but with one exception: they should take care of those convents founded by Saint Dominic of Guzman himself<sup>27</sup>. That was the case with the Madrid convent. But to make doubly sure, the Pope sent a new bull to the nuns in 1258, and it was then that Dominican friars began to take on the *cura monialium*. A proof of this is the presence of a friar in charge of the nuns from March 1259<sup>28</sup>.

However, the exception announced by Pope in 1257 did not benefit the community of Saint Mary of Castro since it had not been established by the founder of the Dominican Order. The nuns of this convent had to wait until the General Chapter of 1259, where Humbert of Romans succeeded in incorporating those convents which had been approved by a Prior Provincial, a Master General, a general chapter, or a Pope<sup>29</sup>. At an uncertain date, but in any case before 1261, the

nuns of Saint Mary of Castro asked friar Humbert for permission to live according to the *Constitutions* that he had written and presented at the General Chapter of 1259, where it was established that nuns should employ their time in prayer and manual work<sup>30</sup>. This petition gave rise to an investigation that Humbert entrusted to Raymond of Peñafort. The latter concluded that the community had been accepted into the Order by Dominic of Guzman, Masters General Jordan of Saxony and Johannes Teutonicus, and Pope Gregory IX. In fact, only papal support was true, and this would have been enough for acceptance, which they finally received in 1262, when the nuns were welcomed and management of their affairs entrusted to the Prior Provincial. In the event, friars did not appear in the convent until 1266, when the transfer to Caleruega was beginning to be prepared<sup>31</sup>.

The foundation of Saint Mary of the Ladies in Zamora took place without any problems, having been approved by Alexander IV in 1259, so this community fulfilled one of the requirements established in the General Chapter of that year - approval by a Pope. Episcopal jurisdiction over the nuns was imposed from 1264 on, but the friars were not called in until 1267, when Clement IV enacted a bull entrusting the nuns' affairs to them. When the news arrived at Zamora, the nuns understood that the bishop's jurisdiction had been revoked, and they did not allow Bishop Suero Pérez to set foot in the convent. At this he decided to excommunicate them, a decision that was confirmed by Gregory X in 1272. Accordingly, the nuns had to reverse their decision and again accept the bishop's jurisdiction, while this last banned friars from coming into the convent. This measure, however, did not prevent friars from being witnesses to the business of the convent in 1274. Five years later, in 1279, there was a terrible uproar because the rules were not being observed, there were nuns going out of the convent without permission, or indulging in intercourse with certain Dominican friars and a cleric. In fact, the community was divided in two groups, the bishop's followers and the friars' defenders. Such irregularities persisted for years until Honorius IV decided that the Zamora nuns and friars had been victims of Suero, and in August 1286, once that bishop was dead, the Pope incorporated the convent in the Order, although exemption from Episcopal jurisdiction by the new bishop, Pedro Benítez, would not arrive until two years later<sup>32</sup>.

In short, Dominican friars officially assumed the *cura monialium* of these convents at different dates: in Madrid from 1258, in San Esteban de Gormaz from 1262, and in Zamora from 1286. It was then that enclosure became a reality in the lives of Dominican nuns in accordance with the rule approved in 1259, the *Constitutions of Humbert of Romans*. These forbade them to leave the convent, although the Master General might authorize transfers of nuns to other convents. They were also allowed to leave the convent in case of mortal danger, namely in case of fire, ruin, or intrusion by thieves and delinquents<sup>33</sup>. The nuns of the Kingdom of Castile were henceforth locked in convents, while friars officially took over the *cura monialium*, although prior to that they had already been collaborating with nuns, at least in the Madrid and Zamora nunneries. The rules of the Dominican Order and Popes' express orders had not prevented friars from being involved. The model of strict segregation between friars and nuns that the ecclesiastical authorities tried to impose had not been observed, at least in two communities. That reality was officially accepted by the Dominican Order and the Papacy.

## The cura monialium up to the end of the 13th century

The Constitutions of Humbert of Romans, which came into effect in 1259, entrusted Dominican friars with giving nuns two sacraments, confession and communion<sup>34</sup>. But there were a lot of convents where nuns' affairs were left in the hands of a prior and various friars (attorneys, confessors, converts, etc.). They were who met the spiritual needs of the nuns, managed their patrimonies,

and defended their rights and privileges<sup>35</sup>. In our three case studies, Dominican friars mostly appeared without a specific position during the 13th century, although there are some exceptions.

It seems that the word *procurador* [attorney] defined the person in charge of administrative matters in convents, including management of the people who worked the estates<sup>36</sup>. That was the role of friar Sancho, who was sometimes also called *provisor* [agent], the only Dominican who held such a position in Madrid until 1246. He worked alone or together with the prioress, and he was in charge of buying and exchanging estates for the convent<sup>37</sup>. On the other hand, this periodic collaboration proves that prioresses did not always accept the passive role that the ecclesiastical authorities wanted to impose on nuns.

The word 'prior' referred to the person who was in charge of a masculine community, but sometimes also in charge of a feminine one, where he governed spiritual and temporary matters<sup>38</sup>. Friar Sancho, prior of Burgos, appeared in Caleruega as one of the witnesses to how the prioress Toda Martínez took jurisdiction over the town in 31 October 1266, and another prior, Juan Gil, represented the prioress in an exchange of estates in 1274, and was again one of the witnesses at a sale in 1276. The prior of the Dominican friars from Zamora bore witness to the separation agreement between Elvira Rodríguez, the founder of Saint Mary in Zamora, and her husband in 1258, and the same prior was the receiver of a letter in which the Pope acquitted the nuns accused of simony. In Saint Dominic of Madrid there was a prior from 1252<sup>39</sup>, although his role was not officially established until 1259. He took part in running the convent as the attorney or the agent had done before, working alone or together with a prioress, which is another case showing that prioresses were really active. The friars that held this position until the end of the 13th century mainly bought estates for the nuns, accepted donations and gifts for the convent, made and authorized exchanges and partitions of estates, and participated as witnesses<sup>40</sup>. When the prior could not work, another friar took on the task on his behalf<sup>41</sup>. From the dating it seems that the prior replaced the attorney or agent just when Dominican friars fully undertook the cura monialium, at least in the Madrid and Caleruega communities.

As well as attorneys, agents and priors, there were also other friars involved in the nuns' affairs. Domingo Peláez worked as a scribe for the nuns of Madrid in 1232, when friar Mamés was still in charge of the convent. In 1284, the Dominicans of Toledo acted as mediators persuading the local council to offer a tax exemption to the Madrid nuns. In 1293, the Madrid prioress and prior donated an estate in Rabudo and Carabanchel which belonged to friar Gil, and one year later, the Dominican Gil de Alba, probably the same friar, was one of the witnesses to an exchange conducted by prioress Urraca<sup>42</sup>.

In the case of Caleruega, when prioress Toda Martínez took jurisdiction over the town in 31 October 1266 not only the prior of Burgos, but other friars from that monastery, like Rodrigo of Atienza, friar Cornejo and friar Bartolomé, were present. Other Dominicans oversaw the removal of the nuns in 11 July 1270. Two years later, six friars were witnesses in an agreement, including Dominic of Caleruega, prior of Madrid, and Rodrigo of Cerrato. In 1273, prioress Toda Martínez sent two friars to Soria in order to be represented in matters relating to her father's inheritance. From then on, friars mainly in groups of three or five appeared as witnesses quite frequently in agreements, exchanges, purchases and sales, as well as when letters were sent to the Pope. The presence of Dominicans in Caleruega became quite usual, a circumstance that Munio of Zamora wanted to ratify in his *Ordinations* of 1288, where he established that a group of friars should be permanently present at Caleruega to give sacraments, listen to nuns' confessions and help them in their business<sup>43</sup>.

Finally at Saint Mary of the Ladies in Zamora there were Dominicans participating as witnesses in various deals occurring in 1274. One of them was Pedro of Rome, who days later was also a wit-

ness to the testament of the founder, together with another friar, Fernán Domínguez. And those involved in the scandalous episodes of intercourse in 1279 were Didaco, Bernabé, Nicolás, Juan de Aviancos, Pedro Gutiérrez, Gil, Domingo Yáñez, Martín Picamillo, Juan Yáñez and Munio of Zamora, the same who later gave the Caleruega nuns their *Ordinations*, and became Prior Provincial of Spain (1281-1285) and Master General of the Dominican Order (1285-1291)<sup>44</sup>.

The records thus show a clear link between the nuns and friars of the Dominican Order, collaborating in the management of the nuns' estates and business. But this role was also performed by certain of the secular clerics who frequented the convents, even before Clement IV's bull of 1267 which definitively solved the problem of the *cura monialium* in the Dominican Order<sup>45</sup>. It was then that nuns' lay affairs were deputed to friars, while spiritual matters, especially giving the sacraments, were entrusted to the secular clergy. But records show how both Dominican friars and clerics went on performing the same tasks as they had been doing previously.

Members of the local parishes appear in the lists of witnesses to Madrid documents, as well as other clergy coming from different places<sup>46</sup>. Their posts are not usually specified, although there are deacons, sub-deacons, and sacristans. The clerics of certain parishes located inside the city walls – Saint John, Saint James and Saint Nicholas, and also one of the outer parishes, Saint Giles – held out until the end of the fifties. This means that the nuns turned to the clergy of these parishes, the nearest to the convent, before the bull of 1267<sup>47</sup>. There was a change from the sixties onward, once the problem of the *cura monialium* was solved. References to parish clerics from Saint Nicholas, Saint John and Saint Giles become isolated, and the majority of the secular clergy come from Saint Saviour<sup>48</sup>. This last parish church was a long way from the convent, but it was the most important in the city and comprised the seat of the local council. Probably the change was because the nuns needed the support of the most powerful social groups when it came to financing a new nunnery; it is also possible that the friars were using the nuns to introduce themselves into the most influential class of urban society.

With regard to the Caleruega community, their records also include some references to clergy from the local parishes before Clement's 1267 bull, a link which in fact would have begun while the nuns lived in San Esteban de Gormaz. Just as in Madrid, the posts of secular clerics are not always specified, although there are some sacristans, deacons, sub-deacons, bell-ringers and canons. They came from the churches of Saint Michael and mainly from Saint Olalla. However, there is only one quotation about a cleric from Saint Peter – the new name of the Saint Martin canons, whose church was the closest to the nunnery – although the nuns had been using Saint Martin's at least until 1232<sup>49</sup>. Once they transferred to Caleruega, the presence of chaplains became very common. The best example of a chaplain's duties concerns somebody called Benito, who got the post in 1272, after handing over his houses to the convent, while the nuns undertook to feed him. The same Benito was a witness on behalf of the nuns during an appeal in 1283, together with another chaplain, Juan Domingo, while this last was the nuns' scribe in June 1285, when they bought some goods in Caleruega<sup>50</sup>. So chaplains were not only in charge of the spiritual functions that the Pope had entrusted to them in 1267, but also involved in lay matters, a task which concerned the friars, who had not stopped acting in that capacity.

Besides chaplains there were other clerics at Saint Dominic of Caleruega during the 13th century. They participated as witnesses in convent business, especially those from Saint Olalla, Saint Michael and Saint Martin. The clergy from other places like Arauzo de la Miel, Saint Dominic of Silos, Burgos, Sepúlveda, Hontoria de Valdearados and Baños in turn played a very important role<sup>51</sup>. The nuns also received help from certain prelates at the Castilian court, like Sancho Pérez, archdeacon of Baeza and Alfonso X's notary, who wrote some of the nuns' documents and some-

times acted as their witness<sup>52</sup>. Abbots and monks from Oña, Saint Peter of Arlanza or Covarrubias likewise figured in the events of the Dominican convent<sup>53</sup>. At the beginning everything points to the community of Saint Dominic in Caleruega having decided to keep the link that the Saint Mary of Castro nuns had established with the clergy of San Esteban de Gormaz, but this relationship disappeared at the end of the 13th century, while they kept up links with clergy from neighbouring towns and villages, mainly those places where the nuns had estates or extended their domain.

In the case of the nuns of Zamora, certain of the clergy were present when the founder of the convent and her husband separated in 1258. The witnesses to the act were Gil, master and singer of Zamora and later a Dominican friar, and also García Móniz, canon and vicar to the bishop of Zamora. The following year, when her husband threatened to cancel the agreement, Elvira was supported by master Gil's nephew, Pedro Benítez, who was vicar to the Zamora archdeacon and later attended bishop Suero, in a court case where various prelates of the Zamora cathedral were witnesses, including master Gil, and also chaplains and other clerics from different parishes of Zamora - Saint Colomba, Saint Martin the Small, Saint Mary the New - and others besides. There was another singer from Zamora, Pedro Yáñez, who sold a mill to the nuns in 1274. Three years later, prioress María Domínguez asked the Zamora bishop for a person to hear the nuns' confessions and administer the sacraments to them. During the scandal of 1279, the cleric Pedro Pérez, who had been selling wheat in a number of villages together with a nun, was accused of having a sexual relationship with her and also of encouraging the young nuns to rebel against the prioress appointed by the bishop. Another cleric, Gonzalo Pérez, was accused of bearing false letters from the bishop. One year later, the choirmaster García Pérez was chosen by the nuns as their attorney when faced by the dean of Salamanca. Another dean bequeathed money to the nuns in his will of 128154. It is manifest that the Dominican nuns of Zamora were in contact with the clergy of the cathedral despite the problems existing between their community and the bishop.

None of the records of these three convents include references to the role of Dominican friars, chaplains and other clerics in the nuns' spiritual welfare. They were all involved in their secular affairs, although that task had been assigned to the friars in 1267. So the allocation of responsibilities was not strictly adhered to. Given the presence of chaplains and other clerics before that date, it is easy to conclude that the division of 1267 simply tried to clarify the situation existing in some nunneries such as those I have analysed, but was not strictly observed. In view of the uncertainty of the Dominican Order during the 13th century, nuns would have sought help from the secular clergy, and this trend would carry on after the bull of 1267. So the *cura monialium* was performed by Dominican friars and other local clerics who lived closest to the convents (Madrid, Caleruega and Zamora), had some relationship with local authorities (Madrid), or contacts with cathedral clergy (Zamora). And the Dominican nuns could call on them when they needed any kind of help, without observing the division of duties. It was this policy that made it possible for Dominican nuns to go ahead with the practice of enclosure, while friars and other members of the clergy could attend to their other duties.

#### Conclusions

Although Saint Dominic of Guzman became interested in the development of feminine spirituality, advocating the formation and integration of nunneries in the religious order that he had founded, the nuns' role differed from the friars', as is shown by the approval of enclosure for nuns and the question of the *cura monialium*.

As I have shown in this chapter, nunneries did not receive enclosure in the same way. Sometimes it was imposed by Saint Dominic (Madrid). Sometimes it was accepted by the nuns (San Esteban

de Gormaz). Sometimes it was due to a founder's resolution (Zamora). But in all cases it implied the need for external help, and the first option was to call upon the friars. The Dominican Order resisted taking care of the nuns, and only agreed when there was no doubt that the nunneries were approved by Saint Dominic (Madrid) or a Pope (San Esteban de Gormaz and Zamora). However, in the meantime friars were undoubtedly present in nunneries, at least in Madrid and Caleruega, working as attorneys and agents, which contravened the official rules. At the same time, some clergy from the immediate neighbourhood or wielding a certain influence looked after the Dominican nuns as regular participants in convent business. This task persisted once the allocation of responsibilities between friars and secular clergy was institutionalised in 1267, when the former were supposed to attend to secular matters and the latter to spiritual care. But it is also manifest that the division was not strictly adhered to: Dominican nuns asked for help indiscriminately, as is proved by the involvement of all ranks of clergy in the business of the convents analysed.

Given the reluctance of the Dominican Order to take on the cura monialium, nuns themselves worked out a mechanism for surviving in the enclosure of the cloister, at least in Madrid and Zamora: they turned indiscriminately to friars and secular clerics. Later, in 1267, the Papacy tried to establish a model based on a division of duties between friars and secular clergy, although this was not strictly carried out in practice. The traditional way went on, and friars and clerics performed the same kind of supposedly masculine functions: attorneys, agents, priors, scribes, mediators, witnesses, and chaplains, also including the nuns' spiritual welfare. This made it possible for friars and clerics to fulfil their other masculine tasks - preaching, studying, recruitment and foundation in the case of friars, or their work as deacons, sub-deacons, sacristans, bell-ringers and canons in the case of the clerics. The possibility that Dominican nuns might act independently of men's jurisdiction was never accepted, and they were always shepherded by friars and secular clergy. While male religious could live in the world, nuns were confined to cloisters, where they prayed and did manual work, soon considered feminine roles. Though the enclosure of nuns had been established in order to avoid relations between women and men in the religious world, the need to take care of cloistered nuns entailed the creation of a model that did not avoid such relations. At the same time, masculine and feminine roles in the Dominican Order were established (management and control of nuns for men, prayer and manual work in cloisters for women). So it is not possible to understand the enclosure of nuns and the cura monialium without taking gender into consideration.

#### Notes

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- <sup>2</sup> *Ibid.*, p. 1067.
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- <sup>4</sup> E. Power, Medieval English nunneries c. 1275 to 1535, Cambridge 1922.
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- J. Coakley, Gender and the Authority of Friars: The Significance of Holy Women for Thirteenth-Century Franciscans and Dominicans, in "Church History", 1991, 60, pp. 445-460.
- 9 R. Braidotti, The Uses and Abuses of the Sex/Gender Distinction in European Feminist Practices, in G. Griffin, R. Braidotti (eds.), Thinking Differently. A Reader in European Women's Studies, London 2002, p. 287. The other two levels are: "Gender as a dimension of personal identity" and "Gender as the basis for normative values".
- <sup>10</sup> Johnson, *Equal* cit., p. 7.
- I have used the medieval documents of the Convent of Saint Dominic in Madrid, which are kept in the *Clero* section of *Archivo Histórico Nacional* (AHN) in Madrid, and also those of the Convent of Saint Mary of Castro in San Esteban de Gormaz, which could be consulted in the Archive of the Convent of Saint Dominic in Caleruega (ACC). The information related to the nuns of the Convent of Saint Mary of the Ladies in Zamora comes from M.L. Bueno Domínguez, *Las mujeres de Santa María de las Dueñas de Zamora: la realidad humana*, in A. Muñoz Fernández (ed.), *Las mujeres en el cristianismo medieval. Imágenes teóricas y cauces de actuación religiosa*, Madrid 1989, pp. 231-245; Id., *Santa María de las Dueñas de Zamora. ¡Beguinas o monjas? El proceso de 1279*, in "Historia. Instituciones. Documentos", 1993, 20, pp. 85-105; P. Linehan, *The Ladies of Zamora*, Manchester 1997.
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- <sup>13</sup> S. Tugwell, St. Dominic's letter to the nuns in Madrid, in "Archivum Fratrum Praedicatorum", 1986, 56, pp. 5-13.
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- <sup>15</sup> Bueno, *Las mujeres* cit., pp. 234-235; Linehan, *The Ladies* cit., pp. 5-6, 12-13.
- <sup>16</sup> Scheeben, *Die Anfänge* cit., p. 305.
- <sup>17</sup> Pontenay de Fontette, Les religieuses cit., p. 117.
- <sup>18</sup> R. de Cerrato, *Vida de Santo Domingo*, in Galmes, *Santo Domingo* cit., p. 363.
- Scheeben, Die Anfänge cit., p. 312; T. Ripoll, Bullarium Ordinis FF. Praedicatorum, Rome 1729, t. I, p. 87, Gregory IX, doc. CLIII (7 April 1236).
- <sup>20</sup> Id., Bullarium cit., t. I, p. 107, Gregory IX, doc. CXCVI (25 October 1239); t. I, p. 121, Innocent IV, doc. IX (18 July 1243).
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- <sup>22</sup> ACC, box 7, doc. 6 (9 April 1238), doc. 12 (12 April 1238). *CSR*, art. 18, pp. 807-808; AHN, Clero, folder 181, doc. 4 (16 November 1239). About the responsibility of masculine communities for feminine ones see Pontenay de Fontette, *Les religieuses* cit., p. 107.
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- <sup>24</sup> AHN, Clero, folder 181, doc. 11 (15 October 1246).
- <sup>25</sup> Innocent IV's bull dated 27 April 1249 is kept in a copy dated 24 April 1346, AHN, folder 1359, doc. 21.
- Friar Romero is called prior in two documents: AHN, folder 1353, doc. 18 (November 1252), doc. 19 (February 1257); Ripoll, Bullarium cit., t. I, pp. 217-218, Innocent IV, doc. CCLXIX (26 September 1252).
- <sup>27</sup> Pontenay de Fontette, *Les religieuses* cit., pp. 122-123; Ripoll, *Bullarium* cit., t. I, p. 354, Alexander IV, doc. CLXXXIX (16 November 1257).
- <sup>28</sup> Alexander's bull dated 13 June 1258 is kept in a copy dated 24 April 1346 (AHN, folder 1359, doc. 21); AHN, folder 1354, doc. 2 (March 1259).
- <sup>29</sup> Pontenay de Fontette, Les religieuses cit., p. 124.
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- <sup>32</sup> Linehan, *The Ladies* cit., pp. 25-28, 41-75, 78, 86-87.
- <sup>33</sup> Mothon, *Liber* cit., pp. 347-348.
- <sup>34</sup> *Ibid.*, p. 341.
- <sup>35</sup> Pontenay de Fontette, Les religieuses cit., p. 116.
- 36 *Ibid.*, p. 108.
- <sup>37</sup> M1203, doc. 40 (6 January 1225). AHN, folder 1353, doc. 3 (August, 1229), doc. 8 (February 1238), doc. 9 (17 October 1239), doc. 10 (27 October 1239), doc. 15 (March 1243), doc. 16 (October 1246). M1235, doc. 64 (March 1246).
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- J.L. Martín, Documentos zamoranos, I. Documentos del Archivo Catedralicio de Zamora. Primera Parte (1128-1261), Salamanca 1982, doc. 164 (1258); Linehan, The Ladies cit., p. 28; ACC, box 1, doc. 3 (31 October 1266); box 7, doc. 16 (5 December 1274), doc. 15 (31 December 1276); AHN, folder 1353, doc. 18 (November 1252), doc. 19 (February 1257).
- Purchases: AHN, folder 1354, doc. 2 (March 1259), doc. 3 (29 April 1259), doc. 4 (May 1259), doc. 10 (May 1259), doc. 10bis (3 May 1260), doc. 11 (2 July 1260), doc. 12 (18 January 1261), doc. 13 (20 July 1261), doc. 14 (13 November 1261), doc. 15 (22 February 1262), doc. 16 (18 March 1262), doc. 17 (16 October 1262), doc. 18 (12 April 1263), doc. 19 (1 May 1263); folder 1355, doc. 1 (3 July 1267); folder 1356, doc. 3 (26 March 1284); folder 1357, doc. 15 (14 April 1299); M1235, doc. 79 (26 July 1260). Gifts: AHN, folder 1355, doc. 14 (29 December 1273); folder 1357, doc. 9 (5 March 1293). Exchanges: AHN, folder 1355, doc. 19 (14 February 1283); folder 1357, doc. 14 (11 June 1298), doc. 18 (no date). Witnesses: AHN, folder 1357, doc. 10 (19 March 1294). Partitions: AHN, folder 1357, doc. 19a (no date).
- <sup>41</sup> Domingo Muñoz of Segovia stood in for prior Pedro de Toro in the purchase of a property in July 1259, AHN, folder 1354, doc. 5. Fray Gil also stood in for him in another purchase in 30 September 1266, AHN, folder 1354, doc. 20.
- <sup>42</sup> AHN, folder 1353, doc. 7 (1232); folder 1356, doc. 4 (4 July 1284); folder 1357, doc. 9 (5 March 1293), doc. 10 (19 March 1294).
- <sup>43</sup> ACC, box 1, doc. 3 (31 October 1266), doc. 4 (11 July 1270); box 6, doc. 24 (12 September 1283); box 7, doc. 14 (13 February 1278), doc. 15 (31 December 1276), doc. 16 (5 December 1274), doc. 23 (26 March 1272), doc. 23bis (23 June 1273); box 12, doc. 3 (11 June 1285), doc. 37 (21 February 1274). See Orders in ACC, box 11, doc. 20.
- <sup>44</sup> Linehan, *The Ladies* cit., pp. 168-171.
- <sup>45</sup> Ripoll, Bullarium cit., t. I, pp. 481-482, Clement IV, doc. LIX (6 February 1267).
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- <sup>47</sup> Saint John: de Quintana, *A la muy* cit., t. II, fol. 392 vº (May 1219); AHN, folder 1353, doc. 14ter (6 January 1243), doc. 17 (May 1247), doc. 19 (February 1257); folder 1354, doc. 3 (29 April 1259). Saint James: de Quintana, *A la*

- muy cit., t. II, fol. 392 v (May 1219); AHN, folder 1353, doc. 7bis (January 1233), doc. 9 (17 October 1239); folder 1354, doc. 7 (29 August 1259), doc. 14 (13 November 1261); M1235, doc. 65/d (17 April 1247). Saint Nicholas: AHN, folder 1353, doc. 11 (3 April 1241), doc. 13 (May 1242), doc. 19 (February 1257); M1235, doc. 63 (10 August 1245). Saint Giles: AHN, folder 1353, doc. 6 (September 1232).
- Saint Nicholas: AHN, folder 1357, doc. 13 (7 July 1297). Saint John: AHN, folder 1357, doc. 8 (1 July 1291). Saint Giles: AHN, folder 1354, doc. 3 (29 April 1259); folder 1355, doc. 13 (24 October 1277); folder 1356, doc. 19 (6 September 1285); folder 1357, doc. 10 (19 March 1294). Saint Saviour: de Quintana, *A la muy* cit., t. II, fol. 392 vº (May 1219); M1235, doc. 71 (16 May 1254), doc. 79 (26 July 1260); AHN, folder 1353, doc. 15 (March 1243); folder 1354, doc. 11 (2 August 1260), doc. 17 (16 October 1262), doc. 18 (12 April 1263); folder 1355, doc. 6 (14 March 1272), doc. 13 (24 October 1277), doc. 14 (29 December 1273); folder 1356, doc. 18 (4 September 1285); AHN, folder 1357, doc. 2 (6 January 1287).
- <sup>49</sup> ACC, box 7, doc. 18 (21 April 1261), doc. 19 (31 August 1263), doc. 20 (28 March 1232), doc. 21 (27 January 1260).
- <sup>50</sup> ACC, box 6, doc. 24 (12 September 1283); box 7, doc. 23 (26 March 1272); box 12, doc. 3 (21 June 1285).
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- <sup>53</sup> ACC, box 1, doc. 3 (31 October 1266), doc. 4 (11 July 1270), doc. 16bis (10 August 1277).
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