

**Priests with mutilated hand in canon law (1140-1234), between the autonomy of celebrants and the protection of the faithful**

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This communication proposes to historicize the inclusion and autonomy of disabled people through a medieval example: the prescriptions of canon law in the case of priests or aspirants to the priesthood with a mutilated hand.

From the 4th century, Christian authorities gradually established the rules governing the choice of ministers of religion. Those who presented a mutilated body were excluded from the orders because of their impurity<sup>1</sup>. These ancient rules of the Church were taken up and interpreted by the canon law that developed in the West from the 12th century. The most important compilation of this *ius antiquum* ("ancient law") was composed in the 1140s in Bologna, Italy. It was the Decree of Gratian, which was widely distributed from the time of its composition and became the basis for the teaching of canon law for the masters of the universities, who wrote glosses and commentaries on it. In addition to the Decree, its glosses, and commentaries by some Italian and French masters of the 12th century, the corpus of canon law on which this communication is based is also composed of five compilations (the *Quinque compilationes antiquæ*) collecting papal decretals produced in the period 1140-1234 and chosen by the canonists of the time for their interest in completing the Decree of Gratian.

Of all the impairments debated by canonists as to whether or not they prevented access to the priesthood, one is particularly stimulating to study: the mutilated hand. Indeed, the physical hand had many applications in canon law<sup>2</sup>. As an instrument of human action, it carried out the will of the priest who consecrated, blessed, and administered the sacraments to the faithful.

For canonists, the impediment of a priest with a mutilated hand from entering the priesthood was determined by criteria for evaluating his autonomy, namely his capacity for choice and action. Through the body, seen as a "partial reflection of the individual's choices" (Ch. Pichot), canonists evaluated the priest's capacity for choice<sup>3</sup>. If a priest had voluntarily chosen to mutilate himself, he could not enter the priesthood. On the contrary, if his mutilation was accidental or natural, it did not prevent him from entering holy orders. As for the priest's capacity to act, it was that which allows him to administer the sacraments according to the mutilated limb (left or right hand, fingers, nails, etc.), according to the visibility of the

<sup>1</sup> BRUNET DE COURRÈGES Hélène, « Les irrégularités *pro defectus* et la réception des ordres sacrés, quelle tradition ? », *Revue de droit canonique*, 62/1, 2012, pp. 95-110. FOSSIER Arnaud, *Le bureau des âmes. Écritures et pratiques administratives de la Pénitencerie apostolique (XIIIe-XIVe siècle)*, Rome, École Française de Rome, 2018.

<sup>2</sup> DOUNOT Cyrille, « La main en droit canonique », *Les Cahiers du Littoral*, 19, 2020, pp. 173-189.

<sup>3</sup> PICHOT Charlotte, « Le corps féminin est-il un miroir de l'honneur ? Quelques pistes de réflexion autour des sources judiciaires à la fin du Moyen Âge », *Annales de Janua*, 6, avril 2018.

mutilation, and according to the functional capacity of the body to perform the sacramental gestures in safety.

Thus, the objective criterion of the type of impairment (a mutilated hand) alone was not sufficient for canonists to determine whether or not a priest could celebrate the sacraments. Priests with a mutilated hand were not a priori incapables of autonomy. Rather, they were in a relationship of interdependence with the faithful<sup>4</sup>. Canon law established prescriptions that aim to protect the faithful from the scandal that a deformed and visible mutilation could cause. The faithful were also protected by the guarantee that their priest had a body functionally capable of performing the sacramental gestures necessary for the salvation of the faithful in a Christian context. Ultimately, this communication proposes to highlight how in the Middle Ages disabled people with a mutilated hand were integrated into the priesthood by canonists who evaluated their autonomy (capacity for choice and capacity for action) and considered the relationship of interdependence with the faithful.

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<sup>4</sup> GENARD Jean-Louis, « Une réflexion sur l'anthropologie de la fragilité, de la vulnérabilité et de la souffrance », dans PÉRILLEUX Thomas *et al.*, *Destins politiques de la souffrance*, Érès, 2009.