

Charters, “Primitive Documents,” and Papal Confirmations

In this chapter, I argue that the work of “Order-building” by the early Cistercians must be dated to shortly after the mid-twelfth century and thus after the first generation of leaders had passed away. Indeed, there are indications, discussed in the next chapter, that the creation of a Cistercian Order was in part a reaction to the continued dominance of Clairvaux after Bernard of Clairvaux’s death in 1153. The conclusion that a Cistercian Order was invented only in the 1160s, and not in the 1110s as is usually thought, is based on an analysis of just when the institutions we associate with the Cistercian Order first begin to appear in surviving documents of practice, or charters, from southern France and elsewhere. The earliest references in the charters to the Cistercians as a group to which one could belong or whose practices could be adopted, as well as their earliest references to a General Chapter, are found only in the mid-twelfth-century charters. All these indicators of the presence of a Cistercian Order appear sporadically in documents from the last years of the 1140s (in fact only in later cartulary copies of documents from 1146, 1148, and 1149); these indicators appear occasionally in the 1150s, and in the 1160s more consistently in more significant numbers.

I also describe in this chapter my examination of the authenticity and dating of the manuscripts containing the “primitive Cistercian documents,” which are normally cited as eyewitness accounts to the foundation events. These have often been used to argue for an early development of the Order, but I have found that the manuscripts and the texts of these constitutional documents do not date from earlier than the 1160s. They represent the description that a later generation provided about the Order’s origins. Finally, I show that the first papal confirmation of the Cistercian Charter of Charity was the papal bull, *Sacrosancta*, which appears in a form not found until the time of Alexander III (and dated to 1163 or 1165). My analysis of the early manuscripts shows that what had been thought to be the very early confirmation of the Order’s constitution, *Ad hoc in Apostolicae*, attributed to Calixtus II in 1119,

is a forgery. Indeed, evidence in papal documents for an Order dated earlier than the late 1140s is nonexistent. All evidence points to the 1150s as the era of the first General Chapters and to 1165 as the date of the first Cistercian constitution. The situation is clarified considerably once the evidence of the so-called "primitive documents" of the Cistercians is carefully weighed and dated.

The problem of the "primitive documents" has long been a vexing one, even in terms of definitions. There are several issues. First, these "primitive documents" were not created nearly as early as once thought. They are not "primitive" in the sense of being extremely early records, as has been implied. They were written or collected in the course of "Order-building," an activity that happened in the second part of the twelfth century. Moreover, these texts are not really "documents" at all, but a variety of legislative records and narratives. In fact, the term "primitive documents" is retained here only because it has become the standard designation for a certain group of problematic narrative and constitutional texts that have been the subject of debate over the last forty years.

The texts of these "primitive documents" include an early narrative account of the foundation of the new monastery at Cîteaux, either the *Exordium Cistercii* or the *Exordium Parvum*, each accompanied by characteristic versions of the Charter of Charity as well as by collected statutes often called the Cistercian *Instituta*. These "primitive" texts are usually accompanied in the manuscripts by a lay-brother treatise and sometimes by a papal confirmation, the latter found immediately following the *Exordium Parvum* and the Charter of Charity. The entire group of "primitive documents" is usually found in manuscript codices whose major component is the little-discussed Cistercian liturgical order-book, the *Ecclesiastica Officia*. Such collections of liturgical *ordines* are a neglected source for the earliest Cistercian practices, but in fact they include far more than what we would consider the practice of liturgy, including much detail on the internal organization of monasteries, such as the duties of various officials.¹ Much more so than the texts found with either the *Exordium Cistercii* or the *Exordium Parvum*, it is these liturgical *ordines* that comprise the earliest Cistercian regulations.

It is perhaps significant that such liturgical order-books, which concern the internal administration of individual abbeys, were more fully developed, and at an earlier date, than were such constitutional documents for the Order as its Charter of Charity. Obviously such liturgical *ordines*, as well as the lay-brother treatises that soon came to accompany them, provided the most necessary supplements to the Rule of Saint Benedict for any twelfth-century reform community wishing to adopt the reform practices associated with the brothers of Cîteaux. Only after many such houses had adopted such Cistercian practices

was an Order, in the sense of an “umbrella group” of abbeys, actually needed. Many reform communities could have adopted the customs found in the *Ecclesiastica Officia* or the treatises on lay-brothers before any of the issues about relationships between houses, which are often considered central to the Cistercian constitution, would have arisen.

Thus a primary flaw in traditional accounts of the very early development of the Cistercians has been that these standard descriptions fail to make distinctions between the adoption of a new model for the internal organization of individual monasteries (such as a reformed liturgy that allowed time for field work on the part of monks and lay-brothers, or customaries for the management of lay-brothers) and regulations for a “supra-monastic” organization (that is, for an order and its governance). The failure to make such a distinction arises primarily because the full-blown Cistercian Order was assumed to have existed from such an early date. But assuming an early Order, and making no distinction between internal and extramural regulations, causes much confusion. There is in fact a difference between those issues that fall under the purview of the earlier liturgical order-books and those proper to the so-called “primitive documents,” which concerned the later creation of an Order.

Most published versions of the early Cistercian documents have been based on texts drawn from a manuscript created at the abbey of Cîteaux in the 1180s: Dijon, Bibliothèque municipale MS 114. This large, lavishly-made folio codex was designed to be the exemplar manuscript for later manuscript copies of such handbooks of Cistercian practice; it is dated to between 1182 and 1188 on the basis of the commemoration in its pages of certain new saints.² Dijon 114 is not only an elegant manuscript by Cistercian standards, it is invaluable for understanding Cistercian practice of the 1180s and thereafter. But the practices it reflects are those of what was by then an almost fully articulated religious Order.³ As a consequence, Dijon 114 is less useful as a source for the Order’s earlier history. Yet it served until the middle of the twentieth century as the base manuscript for frequently-consulted publications of Cistercian “primitive documents,” including statutes, the *Exordium Parvum*, and the Charter of Charity. Other manuscripts, however, now provide earlier versions of these texts that are the component parts of these constitutional documents, as discussed below.

Statutes Attributed to 1134 and 1152

Any discussion of dating the “primitive documents” of the Cistercians must begin with a brief consideration of a group of legislative compilations that

have been published as the earliest compilations of statutes of the Cistercian Order and dated to the years 1134 and 1152. It must be stressed immediately that the dates usually given to these statutes in published editions (1134 and 1152) have no basis in the manuscript evidence, but derive instead from a series of inferences that are in fact untenable. Particularly because such statutes have often been used as justifications for how institutions are dated, this misdating of "statutes" to 1134 and 1152 has caused considerable confusion among Cistercian historians. Indeed, the amount of circularity in their arguments is often not realized by historians who have trusted that the dates of published statutes are secure and had been subject to careful source criticism before being published in such editions as that of Jean-Marie Canivez, *Statuta Capitulorum Generalium Ordinis Cisterciensis ab Anno 1116 ad Annum 1786* (Louvain, 1933). These texts, unfortunately, are not dated reliably.

While Canivez's edition of the Cistercian statutes publishes groups of statutes for the years 1134 and 1152, his dating turns out to be based on traditional hypotheses about when the Order was created, rather than on the internal evidence of the twelfth-century manuscripts, which give these statutes no dates at all.⁴ The statutes published under the dates 1134 and 1152 appear undated in the twelfth-century manuscripts under the heading *Instituta* or *Capitula*. Such statutes cannot justifiably be attributed to either 1134 or 1152, which are both too early for them.

Canivez's collection provides other illusions about the early Cistercians that are equally unfounded. First, the volume suggests by its title that it is a complete transcript of all meetings of the Cistercian General Chapter between 1116 and 1786. It is often treated as if it were. Indeed, lacunae in its pages are treated by many historians as proof that nothing occurred in certain years, rather than as evidence that there are no surviving records, or that there was as yet simply no General Chapter or Order. For instance, the undated entry preceding that dated 1116 is the standard text of the Charter of Charity. The version used is not the earliest now known. Yet its placement implies that this is a document from before 1116. As I shall show, however, the Charter of Charity was probably written in the 1160s and certainly not before the second half of the century.

A perusal of Volume 1 of Canivez's edition shows that for many of the years before 1180 he included no authentic statute material. There are no surviving statutes for the years 1117–31, 1133, 1135–50, 1155–56, 1162, 1169, 1171–72, 1176, or 1178–79. That is, for 32 of the 64 years from 1116 to 1180, half of all these years, there are no statute entries at all. Texts found at some of the listed dates, moreover, starting with that for 1116, are later materials, often taken from a seventeenth-century Cistercian history by Angel Manrique. In

fact, Canivez acknowledges in his introduction that he has inserted such more recent texts to fill in some of the blanks in the statute series, but one must read the introduction very carefully to discover this.⁵

A brief series of dated statutes do survive from the years 1157–61. They were published by Canivez from the Montpellier H322 manuscript discussed below. Otherwise, only for after 1179 does he give a regular series of surviving dated annual statutes. Moreover, no surviving *Statuta* dating to before 1190 concern individual houses of monks or nuns whose affairs were brought before the General Chapter. Only daughters of Cîteaux whose abbots are later designated as “proto-abbots” are mentioned once or twice in the 1180s.⁶ The 1180s statutes do not yet concern the arbitration of disputes between Cistercian houses, which became regular business in the Order’s later General Chapter. They only concern Order-building itself.⁷

Recently historians have noted that statutes published under the year 1134 are not consistent with one another. Attempts have consequently been made to show that some statutes published under 1134 are earlier than others.⁸ But such attempts have treated 1134 as the latest possible date for any of them — an inference that is clearly incorrect, given the manuscript evidence. The manuscript evidence suggests that statutes published by Canivez for 1134 must have been gathered together fifteen or twenty years later in preparation for writing the Cistercian constitution, the Charter of Charity. That collection was presumably done just before the earliest version of that constitution, the *Summa Cartae Caritatis*, was prepared in the 1160s. Early lists of such statutes, often called *Instituta* (nearly identical to those published under 1134), were incorporated into the twelfth-century “primitive documents” manuscripts following their *exordia* and Charter of Charity. It is not clear, however, that these “statutes” found in the manuscripts as *Instituta* are really the decrees of annual General Chapters of abbots. They may be lists of ideals about practice drawn from such monastic texts as the Rule of Saint Benedict that were collected by abbots involved in the creation of the Cistercian constitution circa 1160. The gathering together of disparate lists of such ideals explains the incoherence noted with regard to those usually published (albeit incorrectly) as statutes for the year 1134.

Exceptional in the twelfth-century manuscripts containing such “statutes” is a single reference to an item found in the 1180s manuscripts in Dijon. Those manuscripts retrospectively date to the year 1152 a single item in a list of such early “statutes.”⁹ The statute in question is that published by Canivez as the first item for 1152, a much-cited statute concerning limiting the further affiliation of houses to the Order.¹⁰ It seems unlikely, however, that the 1180s attribution of this statute to a General Chapter in 1152 is correct. Indeed, a

General Chapter had probably not been held as early as 1152, at least not in the annual, universal form we associate with the issuance of such detailed statutes. If the dating of this item to 1152 reflects any reality at all, it might possibly be the date of a decision made by a Burgundian congregation that existed before the Order had been invented.

More important, whether or not the attribution from the 1180s for this item to the 1150s is accurate, the retrospective dating of this single item does not provide any date for the rest of the materials published under the year 1152. In particular, it cannot date Canivez's item number six under 1152, a statute concerning a liturgical innovation for Marian feast days. This regulation can at best be bracketed to the years 1152–85, and then only if we are willing to assume that such statutes were collected in some sort of chronological order and that the 1152 date of item number one is correct. Statute number six definitely cannot be used to argue that manuscripts that lack the Marian liturgical innovation must necessarily be earlier than 1152.¹¹

The fact that Canivez's edition has few reliable entries for the years before 1180, and almost none mentioning individual houses before 1190, means that lack of references in twelfth-century *Statuta* cannot be used to argue for the existence or nonexistence within the Order of specific houses of either nuns or monks. Moreover, the hypothetical dates for the early statutes cannot be used to date manuscripts or texts of "primitive documents" like the *exordia*. Indeed, the undated statutes reproduced by Canivez under the years 1134 and 1152 are preserved as *Instituta* in the very same twelfth-century manuscripts as the "primitive documents," and to argue that they can be used to date the manuscripts from which they come is absurd.

There are considerable repercussions for our understanding of all twelfth-century religious reform in knowing that these statutes so long believed to be firmly dated to 1134 and 1152 are later and perhaps are not even statutes at all. What is found under 1134 and 1152 in Canivez is neither a set of ideals agreed upon by an Order, nor precepts representative of general opinion among those monastic communities beginning to embrace the practices of Cîteaux. Yet these problems about dating the early statutes have almost entirely escaped notice in the debate over the so-called "primitive documents."

The Debate over the "Primitive Documents"

What then is the relationship between such texts and the early history of the Cistercians? Until recently few historians questioned the historical veracity of the traditional version of Cistercian history extracted from the *Exordium Par-*

rum, which promises us the “sincere truth” of early Cistercian history. Historians also did not question the early thirteenth-century *Exordium Magnum*, which incorporates the entire earlier text of the *Exordium Parvum*. Indeed, medievalists in general have given added validity to such texts, claiming that they speak in the “authentic voice” of the past. We do this often without exploring sufficiently whose “authentic voice” we are listening to and what issues that voice is addressing.

As discussed in the previous chapter, the “primitive documents” attempt to present the Cistercian Order as having been founded and having its administrative institutions all in place by the second decade of the twelfth century. Their narrative has been pervasive in most history writing up to the middle of the twentieth century. They bring with them many corollary conclusions about Cistercian singlemindedness and unanimity that depend on arguments for the early date of the creation of the Order. Indeed, despite the fact that new manuscript finds had begun to appear, it was still plausible in the 1940s for J.-B. Mahn to open his *L'ordre cistercien* by asserting:

One of the unique things about the Cistercian Order is that it represented at the very start of the twelfth century a willfully-designed organization, well-aware of its aims.¹²

Such treatment has continued in works that describe the Cistercians as “the first truly international Order,” its General Chapter as a precursor of all later democratic assemblies, and its centralized annual General Chapter organization as one of the earliest modern communications systems.¹³ Because of such assumptions, we have treated the Cistercians as the foremost early twelfth-century inventors, the leading creators of a religious order with a General Chapter as its head. This has also led us to explain the extraordinary wealth and power of the early Cistercians (or at least of the Cistercians by the end of the twelfth century) as the result of centralized planning, rationalization of agriculture, and other managerial feats diffused by the interactions of abbots at annual General Chapter meetings.¹⁴

Although considerable scholarly attention since World War II has been given to the Cistercians, much of that progress has been in studies of individual abbeys, drawing on the local administrative records produced in great abundance by twelfth- and thirteenth-century Cistercians, as well as studies of the architecture of their churches, abbey complexes, and tithe barns or on Cistercian spirituality and biblical commentary. Led by the noted Benedictine Jean Leclercq, who spent a lifetime publishing prodigiously on the Cistercians, historians of Cistercian intellectual history and theology have sorted out the authentic works of Bernard of Clairvaux from those of the pseudo-Bernards. They have also published catalogues of collections of Cistercian manuscripts in

many countries and made new editions of Bernard's and other Cistercian works. It was during their forays into the libraries of Europe in the 1930s and shortly after, looking for additional manuscripts by Cistercian writers, that these scholars began to uncover variants on the Cistercian "primitive documents," including the rediscovered *Exordium Cistercii* text.¹⁵ Circulation of publications about these finds was slow during the war years, and little discussion occurred until the 1950s.

When it came to the attention of monastic scholars that there were manuscripts earlier than the exemplar from Cîteaux, Dijon 114, and earlier versions of some of the "primitive" Cistercian texts such as the Charter of Charity and the *Exordium Parvum*, there was astonishment and disbelief. It turned out that many medievalists, not only monastic historians, had and still have a considerable intellectual investment in the authenticity and accuracy of the dating of accounts such as the *Exordium Parvum* and the early statutes. Secular historians have found it hard to believe that the published texts on which they had built sometimes substantial scholarly edifices had been published from single sources, and that such central texts had never been subjected to the rigorous source criticism assumed to have been standard in the nineteenth century.¹⁶ Monastic scholars have felt bereft in even more dramatic ways, since they have been convinced that the very sources of their personal spiritual inspiration are being called into question by any discussion of the dating of the "primitive" texts.

Indeed most historians of the Middle Ages (not just modern members of religious orders) have found it hard to abandon the traditional Cistercian narrative about the early creation of a monolithic religious Order, apparently because this narrative has provided us with so many explanations for our views of the twelfth-century world. Economic historians have used the twelfth-century polemical attacks on Cistercian avarice as evidence for the managerial prowess of Cistercian entrepreneurs and have described Cistercian economic successes as deriving from the exchange of economic ideas and managerial strategies at General Chapter meetings in Burgundy; Cistercians viewed as being at the forefront of economic growth are used to explain the economic take-off of the High Middle Ages.¹⁷ In North America, the Cistercians have often been seen in economic terms as the twelfth-century predecessors of doughty American frontiersmen, pulling themselves up by hard labor and becoming wealthy by abandoning cities for the frontiers where they installed a primitive egalitarian society. Even the twelfth-century history of the Cistercians' major rivals, the Cluniacs, has been written (very much in the style of the Cistercian *Exordium Magnum*) as the antithesis of everything that was happening at Cîteaux.¹⁸

Debate as to the dating and authenticity of the *Exordium Parvum* as an

eyewitness account to the beginnings of Cistercian history arose first in Europe. It centered on the differences between the two accounts summarized in the previous chapter, the *Exordium Cistercii* and the *Exordium Parvum*. Monastic historians initially rejected the shorter version of early Cistercian history (the *Exordium Cistercii*) as nothing but a later précis of the *Exordium Parvum*. But the length of the *Exordium Cistercii* alone (comprising as it does only two short paragraphs) might suggest its composition prior to that of the much longer *Exordium Parvum*. Moreover, the *Exordium Cistercii* is always found with the *Summa Cartae Caritatis*. Confirmation that the textual grouping that contains the *Exordium Cistercii* and the *Summa Cartae Caritatis* is early is found in the fact that the abbot of Morimond is not listed as being among that special group of “proto-abbots” having oversight of Cîteaux. The abbot of Morimond is also not found in that role in the *Carta Caritatis Prior* that accompanies the earliest versions of the *Exordium Parvum*, such as that in Ljubljana (Laibach) 31; he appears only in the *Carta Caritatis Posterior*.

In Europe the attack on the authenticity of an early date for the “primitive documents” soon became a generational dispute between an entrenched intellectual establishment arguing that Calixtus II had confirmed the Charter of Charity as the Cistercian constitution in 1119 and ambitious young scholars who perceived their new manuscript findings as irrefutable evidence for their reinterpretations.¹⁹ Medievalists of the younger generation who survived best in this climate did so by carefully sidestepping the issues of the “primitive documents”; they turned to editing Cistercian charters, describing Cistercian economic expansion, and making lists of Cistercian library holdings.²⁰ Those who, like J.-A. Lefèvre, were brash enough in that 1950s debate to attempt to resolve issues about the “primitive documents” were vilified.²¹ Indeed, one can still be attacked for relying on Lefèvre.

In North America, criticism of traditional versions of early Cistercian history came at a slightly later date and with less generational conflict. The opening up of academic opportunities after World War II was accompanied, however, by a political climate stressing local history rather than bold general syntheses (the latter were considered too potentially dangerous as Marxism) and a new stress on social history based on the quantitative analysis of local records (among which the charters produced by twelfth- and thirteenth-century Cistercians were ideal). It was a period when the justification of American imperialism by American exceptionalism made it easy for every schoolchild to identify with a myth of Cistercian pioneers bringing light to the uncivilized parts of Europe in the twelfth century.²² Moreover scholars from North America, often at one remove from the local context of the documents, were surprised to find contradictions between standard versions of early Cistercian

history in the "primitive document texts" and the local administrative records. They often found traditional explanations so compelling that they tried to dismiss the evidence they were finding as somehow aberrant, rather than asking whether it was the traditional narratives that were incorrect.²³

By the early 1970s, historians of monasticism in North America were pointing to the problem of the early Cistercian documents as the outstanding issue needing resolution.²⁴ But they also described how much dust had been raised by young scholars in Europe attempting to do so — this did not encourage younger scholars. New interpretations also arose among medievalists in North America and Britain as a generation of women academics were trained; their investigations soon turned to monastic women and uses of feminine imagery in monastic writing.²⁵ The question of the "primitive documents" began to be seriously raised in North America as it had in Europe, but its resolution was deferred for nearly a generation by a paper presented in 1974 at a Cistercian studies conference in Kalamazoo by Father Louis Lekai, who proposed a new methodology. That method has allowed many younger scholars to sidestep the issues of the "primitive documents" rather than resolving them.²⁶ His proposal was to treat the Cistercian Order's early history as a perfectly normal confrontation between idealistic institutions and local practice, between what he called "Cistercian Ideals" and "Cistercian Reality." His method has provided a context within which younger scholars can publish their findings that often have turned out to be contrary to the models, and to do so while avoiding the perils of the debate over the "primitive documents," but it has also meant that attention was diverted for some time from issues that are central to the reevaluation undertaken here.²⁷

In fact, there were unacknowledged problems underlying Lekai's "Ideals and Reality in Early Cistercian History." His proposal was premised on the accuracy of the dating in Canivez's publication of the Cistercian statutes, from which he extracted "Cistercian ideals." Indeed, "ideals" were extracted particularly from the "statutes" for the years 1134 and 1152 — those which, as I have noted, cannot be dated to before the third quarter of the century. While deferring acrimonious debate, Lekai's method has over the long term allowed the publication of much more evidence of variation between local practices and ideals than he had already cited as the reason for his proposal of a divergence between ideals and actuality. Eventually, that accumulated evidence of the divergence of early practice from the purported ideals of the early Cistercians became so overwhelming that it was beginning to undermine all confidence one might have placed in the Ideals and Reality model. This study is a result of that accumulated evidence, which has come to show that divergence from the model is the norm. So many divergences from ideals can only now prove that

we have assumed too early a development of any notion of uniformity and too early an articulation of Cistercian ideals themselves. Both ideals and attempts to impose uniformity developed later than has been assumed. This is confirmed once we resolve the issue of dating the “primitive documents” manuscripts and the related issue of dating the “primitive” texts that they contain.

Dating the “Primitive Documents” Manuscripts

Surviving manuscripts containing the “primitive documents” texts are very limited, as are the textual variants among the texts themselves.²⁸ There are five basic texts to be discussed, including the Charter of Charity. Generally, the “primitive documents” manuscripts contain one version of each of the five; the order of placement in the complete early manuscripts we discuss here is usually *Exordium*, Charter of Charity, *Instituta*, *Ecclesiastica Officia*, and lay-brother treatise. For how these texts are combined as a slightly different unit in various manuscripts, see Figure 19. A brief description of them follows.

The Charter of Charity is perhaps the best-known early Cistercian text. Three variants exist:

1. *The Summa Cartae Caritatis* is the earliest Charter of Charity with a two-paragraph prologue called the *Exordium Cistercii*. The *Exordium Cistercii* and *Summa Cartae Caritatis* are found only as a single continuous text, never existing in twelfth-century manuscripts as separate parts.
2. The *Carta Caritatis Prior*, with its references to Cîteaux as the “New Monastery”; it lists only three abbots with oversight of Cîteaux.²⁹
3. The *Carta Caritatis Posterior*, which drops references to a “New Monastery” but adds the abbot of Morimond to those of la Ferté, Clairvaux, and Pontigny, making four abbots with oversight of Cîteaux.³⁰

Usually one of these last two versions of the Charters of Charity follows immediately after the *Exordium Parvum*.

A second text is the *Exordium Parvum*, a long text filled with embedded documents, mostly concocted by its authors; along with but following the *Exordium Parvum* and the Charter of Charity is the forged privilege from Calixtus II, first found in the Ljubljana 31 manuscript.

A third component is the *Instituta* or *Capitula*, a collection of legislative statements about the administration of the Order and the common practices to be adopted by member houses. These look like Cistercian statutes and in

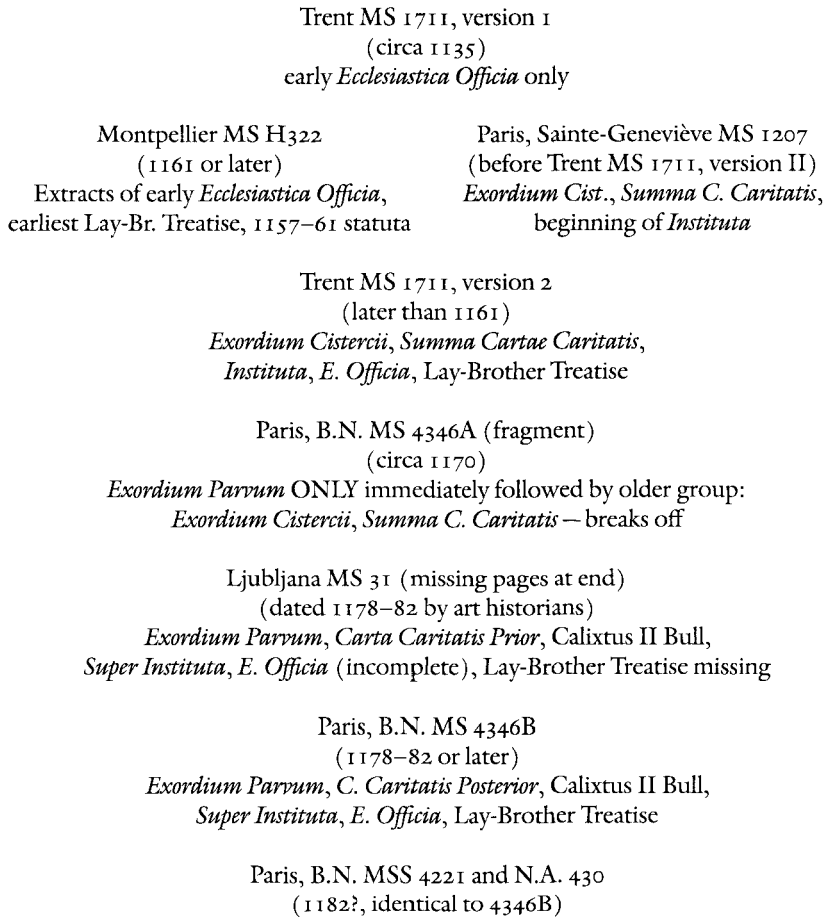


Figure 19. Relationship of “primitive Cistercian document” manuscripts, in order by new dating.

fact are identical to the so-called “statutes” Canivez published under the years 1134 and 1152, but this collection of “ideals” was not dated in any twelfth-century manuscript.

A fourth, much more substantial part is the collection of liturgical *ordines* called the *Ecclesiastica Officia*. This much-neglected liturgical handbook establishes the major customs concerning both the liturgy and office-holding in the monastery. It consists of a collection of more than a hundred, often lengthy chapters. The slight variants from one version to the next provide the material from which chronological sequencing of all the “primitive documents” manu-

scripts up to Dijon 114 may be established. It is the largest item in any “primitive documents” manuscript.

Finally, Cistercian “primitive documents” collections often contain a lay-brother treatise (of which there are several variants). It sometimes has a preface describing the reasons for providing such texts.

Such “primitive documents” have rarely been discussed as a unit, as texts always found together. Moreover, different parts of the collection are often treated by different Cistercian specialists — those who concentrate on liturgy, institutional history, or law, for example.³¹ Yet in considering the texts of the “primitive documents” and their dating the most important point is that they usually survive together.

All the earliest complete manuscripts, those listed in Figure 19, once contained, like Dijon 114, the entire collection of “primitive” texts including the *Ecclesiastica Officia*. All contain material in their liturgical *ordines* that can easily be used to establish them in a chronological sequence in which the Dijon 114 exemplar is last. Each of the “complete” surviving manuscripts of Cistercian customs earlier than Dijon 114 that contain these documents is devoted uniquely to these five texts, although by the 1180s the Benedictine Rule and tables of commemoration dates are included, as they are as well in Dijon 114.³² Moreover, these texts are almost never found except in such manuscripts. The Charter of Charity, *Exordia*, and *Instituta* were not detached to circulate in other types of manuscripts, such as those containing Cistercian sermons or letters, although the lay-brother treatise and extracts of the *Ecclesiastica Officia* are found in at least one manuscript, that from Montpellier, H322.³³ Moreover, the manuscripts are not histories of the Cistercian order, but liturgical books with prefaces that make reference to the Order’s early growth in what are still brief introductions, like the *Exordium Parvum*. Only circa 1206 does a real history of the Order come to be written, the *Exordium Magnum*, composed by Conrad of Eberbach, which has a separate manuscript tradition.³⁴ In addition to the five complete manuscripts, portions of the “primitive” texts are also found in three manuscript fragments described in Figure 19 and Appendix 2.

There has been a tendency in the past to detach various texts of the Cistercian “primitive documents” from the manuscripts in which they survive and to make arguments about their dating on the basis of the content of individual texts found in those manuscripts. But such manuscripts are not really composite in the sense usually meant by that term; in fact, the entire contents of these manuscripts comprise a single unit. Such splitting apart of documents that in the twelfth-century manuscripts always occur together and the separate study of each part have made the problem of their dating more

difficult. Discussion of the evidence one text at a time has also exaggerated the scope of the entire problem of the "primitive documents."

In the following pages, I establish a chronological sequence for all the manuscripts up to and including the exemplar manuscript from Cîteaux, Dijon 114, by considering all the texts within a manuscript as a single unit. The *Ecclesiastica Officia*, the often-ignored liturgical part of the "primitive documents" manuscripts, is used both to establish a chronological sequence for the entire group of manuscripts and to show that there is a small group of such manuscripts that definitely date to before the Dijon 114 exemplar manuscript (that is, before 1185). All these manuscripts, however, are also later than a twelfth-century manuscript from Clairvaux, now found in Montpellier, Bibliothèque de l'école de médecine, MS H322, that contains the earliest dated series of Cistercian statutes, those from 1157–61. Montpellier H322 thus dates the entire group of manuscripts to 1161 or later. Only one of the texts in the group of manuscripts discussed here, the *Exordium Cistercii*, and that only in one manuscript fragment, might possibly date to slightly earlier than Montpellier H322 and 1161. None of the manuscripts or texts can be dated to before 1150.

In contrast, the most recent survey of previous scholarly opinion seems to indicate that it is widely held that the *Summa Cartae Caritatis* and the two-paragraph prologue to it, the *Exordium Cistercii*, date to circa 1136. Moreover, the *Summa Cartae Caritatis* is believed to be based on an even earlier text, now lost, of the Charter of Charity, that confirmed by Calixtus II in 1119. The *Exordium Parvum* in these discussions is still much under dispute; most recently it has been dated to anywhere between 1134 and 1147. Such opinion maintains that the *Carta Caritatis Prior* comes from circa 1152 and the *Carta Caritatis Posterior* from even later.³⁵

Although my chronological sequence for the group of "primitive" texts found in the "primitive documents" manuscripts derived from the evidence of the liturgical texts discussed here parallels the sequence of texts suggested by such recent scholarly opinion, my dating adds approximately thirty years to the date of each text just mentioned. I argue in this chapter that the *Exordium Cistercii* and *Summa Cartae Caritatis* date to 1163–65, the *Exordium Parvum* and the *Carta Caritatis Prior* to about 1170, and the newer *Carta Caritatis Posterior* to about 1175. Moreover, I shall contend that the Charter of Charity of the 1160s is the original Cistercian constitution by showing that the purported confirmation of an earlier constitution for the Order in 1119 by Calixtus II is a forged papal bull.

By analysis of their *Ecclesiastica Officia* the manuscripts may be placed in a chronological sequence as follows: Trent 1711 version 2; Ljubljana 31 (although it lacks its lay-brother treatise); and Paris manuscripts, B.N. Latin

TABLE 1. Sequencing the Liturgical Manuscripts

EO1:3	T and L < D, D adds <i>ieiuniorum</i> , and <i>quarum . . . sunt</i>
EO3:2	T < L; L and D have <i>presens defunctus</i>
EO3:18	T and L < D; T and L have same variant <i>omelia . . . terminantur</i>
EO4:9	T and L < D; because both T and L omit <i>Ad quam missam</i>
EO5:13–38	T < L, L and D have parallel added text
EO9:3–4	T and L < D; items 3–4 not in T and L
EO9:7–11	T < L, L and D have parallel texts not in T . . . etc. . . .
EO38:4	T and L < P1 = D; T does not have this chapter; not in L
EO39:7–9	T and L < P1 = D; items different in T, but not in L
EO41:10–13	P1 = D
EO41:14	P1 < D; last item under 41 is not in P1
EO42:7–10	P1 = D
EO46:18–28	P1 = D
EO48:2	T and L < P1 = D; “ <i>Nisi aliud festum celebretur</i> ” in P1 and D only
EO38:2	T < L; L and all later MSS have “ <i>et pentecostes</i> ”
EO51:3	T < L = P1 = P3 = P2 = D; T missing “ <i>Post Generale capitulum</i> ”
EO51:3	T has unique text concerning mothers, sisters
EO51:10	T omits; Exists in L = P1 = D, which all have <i>ordinis nostri defunctis</i>
EO51:12	Not in T, marginal in L, exists in P1 = P3 = D
EO51:13	Not in T or L or P1 or P2, marginal in P3, exists in D
EO60:21	<i>Sancti Bernardi abbatis</i> not in T, marginal addition in L
EO60:21	Interlineal in P1, exists in P3 and D
EO92:24	T < L
EO92:25	Missing in T or L; exists in P1 and D
EO92:26–28	Not in T or L or P1, exists in D
EO93:1–2	Not in T or L; stet in P3 and D
EO93:37	Not in T or L or P1, marginal in P3, exists in D
EO93:38	Not in T or L, exists in P3 (slight var.), P1, and D
EO98:52	Marginal in P3
EO98:55	Interlineal in P3
EO98:57	Not in T, exists in L, P3, P1, and D
EO102:1–4	Exists in M, T, L, P4 frag, P1, D
EO102:6	Not in M or T, exists in L, P1, P4, D
EO102:49	Not in L or in P1, marginal in P3, exists in D
EO110:25	Not in L; exists in L, P1, P2, and D
EO110:26	Not in T, L, P1, or P2, exists in D
EO111:19–21	Not in T; exists in L, P2, and D
EO112:13	Not in T or L; marginal in P2; exists in D
EO116:21–22	Not in T or L or P1 or P2, exists in D

Manuscripts are thus seen to be in the following sequence:

M = Montpellier H322 (dates to 1161 or later)

T = Trent 1711, version II

L = Ljubljana 31

P1 = Paris 4346B

P2 = Paris NA 430

P3 = Paris 4221

P4 = Paris 12169, 115v–124v (fragment)

D = Dijon 114 (dates to circa 1185)

EO = *Ecclesiastica Officia*, ed. Choisselet and Vernet

< indicates “earlier than”

4346B, Latin 4221, and Latin NA. 430, these last three very close together in date. All are earlier than Dijon 114. The sequencing of these manuscripts to before Dijon 114 is established by exploiting the presence of tiny changes from one to the next in their ecclesiastical *ordines*, the *Ecclesiastica Officia*. Such changes may appear negligible and unimportant — by and large they are slight elaborations on how to perform a particular liturgy on a specific feast-day — nonetheless such analysis makes it possible both to establish the sequence for all five manuscripts and then to assert which variants of texts like the Charter of Charity come first. Table 1 shows the method employed; its references (EO1, etc.) are to specific chapters of the *Ecclesiastica Officia* as numbered in the recent edition by Choiselet and Vernet.³⁶ The sequencing derived from the *Ecclesiastica Officia* is confirmed by the increasing articulation of regulations in the lay-brother treatises found in the same manuscripts.³⁷

Dating the Texts

Much of the debate about dating both manuscripts and texts has centered on the assumption by earlier scholars that the earliest of the texts, the *Exordium Cistercii*, *Summa Cartae Caritatis*, *Instituta*, and a lay-brother treatise, can be dated to 1135 because they are all found in version 1 of the Trent 1711 manuscript of that date. My conclusions about the dating of the "primitive documents" manuscripts and their texts to thirty years later is based on a reconsideration of how the "primitive" texts fit into Trent MS 1711. Close examination shows that they are not dated by the liturgical order-book to 1135; indeed, they are not dated by version 1 at all because they are part of version 2.

Trent MS 1711 contains the usual collection of related Cistercian texts, but it is in fact a manuscript that has existed in two different versions. As it exists today, Trent MS 1711 constitutes version 2 of that manuscript, which is a recycled liturgical manuscript to which other parts have been added. The underlying liturgical manuscript, Trent 1711, version 1, has been dated by Griesser and others to 1135.³⁸ The earlier version of Trent 1711 is thus a palimpsest, with its text (the earlier liturgical manuscript) occasionally apparent beneath the considerable emendations, scrapings, replacements, marginal balloons, interlineal corrections, renumbering of passages, and insertions of new sections, which were used to update Trent 1711 version 1, creating Trent 1711, version 2. I do not question the dating of the earlier version of the liturgical text of version 1 of Trent 1711 to 1135. Its date, however, is irrelevant to the dating of the *Exordium Cistercii*, *Summa Cartae Caritatis*, *Instituta*, and lay-brother treatise, which are part of version 2. The "primitive" texts have been incorrectly attributed to version 1.

Certain codicological complexities, found during my examination of Trent 1711 in May 1997, had apparently been missed by earlier scholars. They became clear to me as I traced how the rubricated Roman numerals used in numbering chapters in the liturgical parts of the manuscript had been transformed by a very few penstrokes into a different numbering system.³⁹ I found that, in addition to revisions of its liturgical text, the makers of version 2 of Trent 1711 had added all the accompanying materials, those which constitute the “primitive” texts, to the earlier liturgical order-book.

What makes this addition difficult to see is that the remade manuscript gathered together a new first quire containing the *Exordium Cistercii*, *Summa Cartae Caritatis*, and *Instituta* and added it to the older but recycled liturgical manuscript, to which the lay-brother treatise was added at the end. Thus texts of “primitive documents” were placed in what became their normal position and relationship to one another in the slightly later manuscripts in which such “primitive” texts also form a unit, such as Paris, B.N., Latin 4221, or Dijon 114. But the scribes making version 2 of Trent 1711 must have found that the new texts for Quire 1 did not quite fit into that added first quire, and they had to add a new sheet to the outside of Quire 2 in order to incorporate all the additions.⁴⁰ The subtle blending of earlier and later manuscript pages within that single second quire of version 2 of Trent 1711, intended to save effort in recopying, is an irregularity in the codicology of Trent MS 1711 that has caused earlier scholars to conclude that the “primitive documents” were part of the earlier version of the manuscript. But they are not.

In considering the entire series of manuscripts containing the “primitive” texts, we see an obvious break between version 2 of Trent 1711 and Ljubljana 31.⁴¹ I will argue below that this break reflects a reaction to specific criticism of the Cistercians, which led to the composition of the *Exordium Parvum* circa 1170 and to the eventual replacement of the *Exordium Cistercii* by the *Exordium Parvum*.⁴² Ljubljana 31 thus has a new configuration of materials that replace the older *Exordium Cistercii* and *Summa Cartae Caritatis*. In Ljubljana 31, the *Exordium Parvum* is followed by the *Carta Caritatis Prior* and then by the forged Calixtus II bull dated to 1119. This is the earliest appearance of this forgery. This configuration of texts in Ljubljana 31 is the beginning of a separate branch of later “primitive documents” manuscripts, including Metz 1247, that continue to include the *Carta Caritatis Prior* rather than the *Carta Caritatis Posterior*, but both branches after Ljubljana 31 do usually contain the forged Calixtus II bull. The more known branch is that found in the three Paris, B.N. Latin manuscripts and in Dijon 114, all of which include the *Carta Caritatis Posterior* (with its shift from three to four proto-abbots). The latter became the standard grouping of these texts until the twentieth century.⁴³

Several surviving fragments, also in libraries in Paris, add some details about changes from one text to the next. The earliest such fragment is one bound into another manuscript as folios 139r–140v of Paris, Bibliothèque Sainte-Geneviève, MS 1207.⁴⁴ It contains the *Exordium Cistercii* and the opening parts of the *Summa Cartae Caritatis*. This fragment cannot be dated by the manuscript into which it is bound. Given that the Paris, Sainte-Geneviève MS 1207 fragment is unusual in not having any chapter divisions and rubrication (see Figure 20), elements that are found in Trent 1711 version 2, we must conclude that Sainte-Geneviève 1207's fragment containing the *Exordium Cistercii* is earlier, but probably only slightly earlier, than the *Exordium Cistercii* found in Trent 1711.⁴⁵ That would make it roughly contemporary with Montpellier H322, the manuscript from Clairvaux discussed below.

A second manuscript fragment contains the earliest text we have of the *Exordium Parvum* bound as the first two quires of Paris, B.N. Latin 4346. These first two quires constitute a separate fragment later bound in with what is also a "primitive documents" manuscript. I refer to this fragment as Paris, B.N. Latin 4346A to distinguish it from the entire "primitive documents" codex, Paris, B.N. Latin 4346B, with which it has been bound. Again the fragment is undatable, but it can be placed in sequence with other manuscripts; see Figure 19.

Paris, B.N. Latin 4346A contains what must be the earliest *Exordium Parvum*. This is so because the fragment is not followed by one of the two versions of the Charter of Charity usually accompanying the *Exordium Parvum* (either the *Carta Caritatis Prior* or the *Carta Caritatis Posterior*), but by the older *Summa Cartae Caritatis* along with its prologue, the *Exordium Cistercii*. The order of materials in this fragment, Paris, B.N. Latin 4346A, suggests that the *Carta Caritatis Prior* had not yet been written. Paris, B.N. Latin 4346A thus appears to mark the transformative moment just after the *Exordium Parvum* had been composed, but before a revised Charter of Charity had been added to it, and before the Calixtus II forgery had been made. This fragment is thus earlier than Ljubljana 31.⁴⁶

In order to date these manuscripts, as opposed to only sequencing them, I turn to a manuscript from the abbey of Clairvaux, now in Montpellier, Bibliothèque de l'école de médecine, MS H322. It is a slightly different type of manuscript, apparently one of a kind. This manuscript was probably taken to Montpellier in a division of manuscripts from Clairvaux in the nineteenth century because of its "scientific" content.⁴⁷ In addition to an Isagogus, a *Comptus* of Gerlandus, and a treatise on how accentuation of Latin was practiced at Cîteaux, all of little use to the discussion here, Montpellier H322 contains excerpts from an early liturgical customary or order-book described

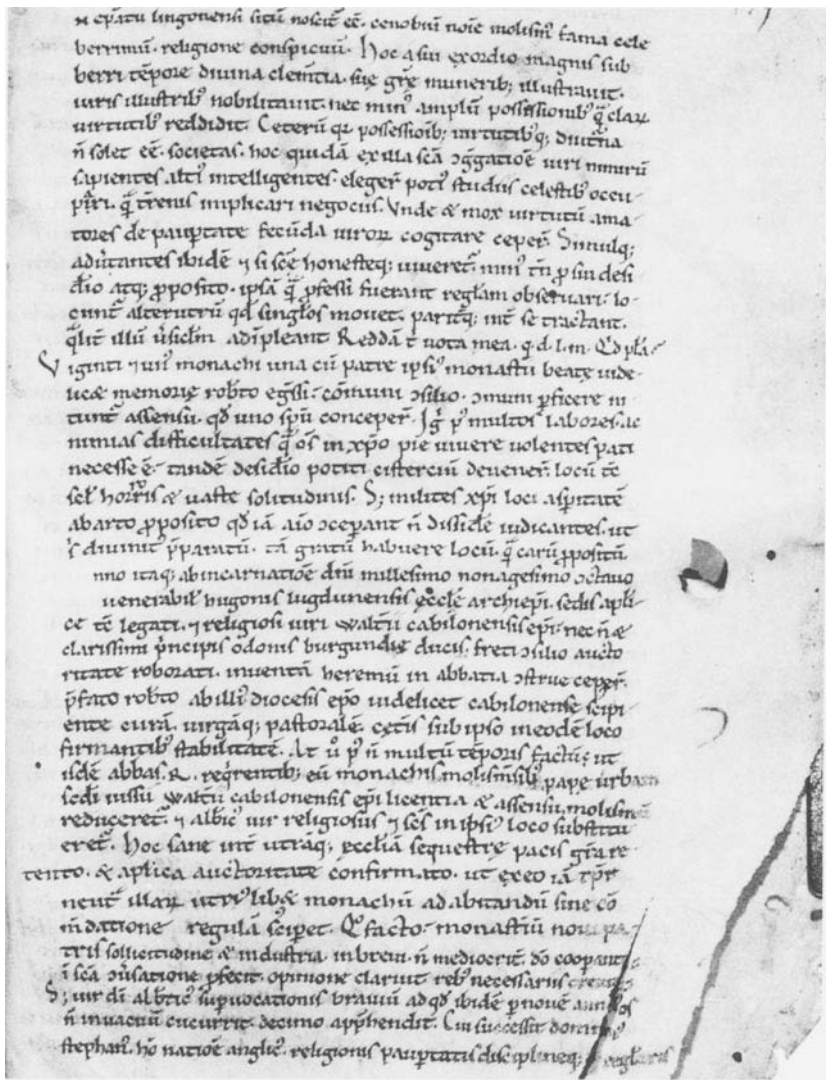


Figure 20. Earliest surviving *Exordium Cistercii* without rubricated titles. (Paris, Bibl. Sainte-Geneviève MS 1207. fol. 139r, by permission)

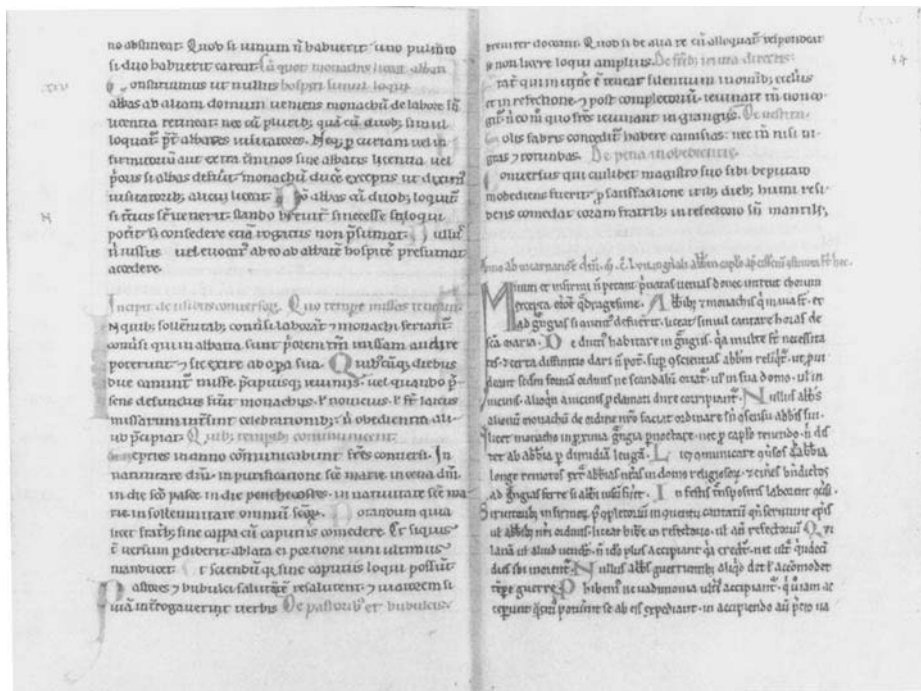


Figure 21. Earliest lay-brother treatise and earliest General Chapter statutes (1157–61). (Montpellier, Bibl. de l'Ecole de Médecine, MS H322, fol. 83v–84r, by permission)

in its rubrication as “abbreviated,” as well as a lay-brother treatise and the earliest series of dated statutes from the Cistercian General Chapter, those for the years 1157–61, which date it to 1161 or later. This manuscript is critical for the dating of the “primitive documents” manuscripts because it contains several components of the “primitive” texts in a form earlier than those of Trent 1711 version 2. Thus it provides an earliest possible date for the entire series of twelfth-century “primitive documents” manuscripts.

Montpellier H322 contains the simplest and earliest of all the surviving Cistercian lay-brother treatises; this was noted by Lefèvre in the 1950s.⁴⁸ Such treatises were among the Cistercian usages most attractive to those wishing to adopt the Cistercian way of life at this time, because the Rule of Saint Benedict provided no guidance on managing lay-brothers.⁴⁹

Montpellier H322 also contains excerpts from the Cistercian liturgical order-book, the *Ecclesiastica Officia*. These excerpts are described in its rubrications as “abbreviated,” a term that has allowed earlier scholars to argue that

these excerpts are only a summary of a late Cistercian order-book.⁵⁰ In fact, careful analysis of the contents of the liturgical sections of Montpellier H322 suggests that this is not a late abbreviation at all, but instead excerpts from a very early order-book. Comparison of passages published by Duval-Arnould to the edition of Choiselet and Vernet shows that those from Montpellier H322 are very like, but not quite identical to, passages on the same topics in Trent 1711 version 2. Montpellier H322 is not quite so elaborated and occasionally lacks first sentences or final phrases found in Trent version 2 — both things that are gradually attached to existing chapters. Clearly not as early as Trent 1711 version 1, which has been dated to 1135, the Clairvaux manuscript, Montpellier H322 has excerpts from a liturgical order-book, probably now lost, that falls somewhere between versions 1 and 2 of Trent 1711.

The statute material in Montpellier H322 is also less complex than are the *Instituta* found in Trent 1711 version 2. In the former, the rubrics only identify the year and are followed by very brief texts (all fewer than two dozen words), with no more than a handful of texts per year.⁵¹ There is no explanation for why a statute was discussed or decreed, and no elaborated title precedes the text of the statute. There is no particular ordering of material; it deals with everything from commemorating the dead to selling wool on advance contracts. It is clearly the most primitive statute material that has survived.

It has been suggested that there must have been a significant lapse in time between the copying of the lay-brother treatise that ends on the upper part of folio 84r and the insertion of the dated statutes, which begin almost immediately on the same folio.⁵² Examination of the manuscript, however, shows only minor variations in hand, suggesting that it was copied all at once. It appears that the scribe found himself running out of space and thus in a similar situation to that of the maker of Trent 1711 version 2. Rather than adding an additional sheet, as we see happening for the latter, the scribe of Montpellier H322 simply squeezed his letters on folio 84 into the available space, in order to include all the statute material. This in itself suggests that it was early and that there was not a clear, well-organized manuscript already in existence from which to work. As may be seen from Figure 21, which reproduces folios 83v and 84r of Montpellier H322, there was no change in the number of lines per page. More significant, since they extend into the inside margin of the page, is that the initials had to have been inserted before the manuscript was bound. This is not conclusive, for medieval manuscripts did circulate unbound, but it suggests that very little time elapsed before the statutes were copied onto folio 84r. If the last section, which contains the statutes for 1157–61, was copied immediately, this dates the entire manuscript to 1161 when the rubrication of those statutes was finished.⁵³

Montpellier H322, from Clairvaux's library, does not set a precedent. It is

a dead end in terms of manuscript type, because it contains neither an *exordium* nor any version of the Charter of Charity, perhaps not included because these texts had not yet been composed. We can be content, however, that those texts, the *Exordium Cistercii* and the *Summa Cartae Caritatis*, were composed shortly thereafter, thus at the earliest in 1161. Montpellier H322 thus provides an earliest possible date, 1161, for Trent 1711 version 2 and all the other "primitive documents" manuscripts that are earlier than Dijon 114.

If version 2 of Trent 1711, with its *Exordium Cistercii*, *Summa Cartae Caritatis*, and *Instituta*, comes from the early to mid-1160s at the earliest, this suggests a reason for the composition of the new texts first included in it and in the Sainte-Geneviève 1207 manuscript, the *Exordium Cistercii* and the *Summa Cartae Caritatis*. It was probably these "primitive documents," possibly with the *Instituta* attached, that were the constitutional documents confirmed by Alexander III in 1163 or 1165.⁵⁴ This confirmation by Alexander of the Cistercian constitution of 1163–65 must therefore be considered the first papal confirmation of any Cistercian constitution. This corresponds with my findings from the charters discussed in the next section, that the Order appeared in the third quarter of the twelfth century.

Between the *Exordium Cistercii* and related texts of the 1160s found in Trent 1711 version 2, there must have been a rapid development of texts in manuscripts (before Dijon 114, circa 1185), starting with Paris, B.N. Latin 4346A, which contains the earliest text of the *Exordium Parvum*. The number of surviving texts between Trent 1711 version 2 and Dijon 114, if we date them respectively to circa 1165 and circa 1185, suggests that the innovation of the *Exordium Parvum* cannot have been much later than about 1170, for it is found in most of the manuscripts under discussion here.⁵⁵ If so, then the new text, the *Exordium Parvum*, was probably written in response to criticism of the Cistercians which is epitomized in a papal letter of that year.⁵⁶

The letter of 1170 from Alexander III was addressed to:

Venerabilibus fratribus archiepiscopis, episcopis, et dilectis filiis universis abbatibus *in cisterciensi Capitulo congregatis*. (my emphasis)

To the venerable brothers, archbishops, and bishops, and to the beloved sons, all abbots meeting *in the Cistercian Chapter*.

The letter (for which the entire Latin text is in Appendix 5) begins: "Inter innumeras mundani turbinis tempestates," that is, "Among the innumerable storms of this upsetting world." Its text casts considerable light on the issue of the Order's evolution. Often treated as a letter of wholehearted praise, it begins by thanking Cistercians for support during the schism. But parts of it were left out in most Cistercian compendia of documents, and were only

restored by Jean Leclercq in the early 1950s from early manuscripts containing the complete text. In the deleted sections, pope Alexander III denounced the Cistercians for having acquired churches and altars, vassals and tenants, and for spending too much of their time in litigation and law courts, all contrary to their avowed practices. According to the pope, the Cistercian General Chapter should be able to enforce more appropriate practices on its member abbots.⁵⁷

The response to Alexander III's letter was probably the *Exordium Parvum*, with its confection of a number of papal, apostolic, and episcopal texts praising the Cistercians, the writing of a new and more lengthy *Carta Caritatis* called *Prior*, and the forging of a confirmation of the Cistercian constitution in the purported 1119 bull of Calixtus II. That forgery is discussed in more detail at the end of this chapter. It is noticeable as well that Alexander III's 1170 letter nowhere mentions a General Chapter, but addresses abbots and monks gathered together, and specifically the abbots of Clairvaux and Cîteaux only (treating them as equals), and it uses *ordo* in the earlier sense discussed below.

Such findings suggest that the administrative Order which must have preceded the creation of an *Exordium Cistercii* or a *Summa Cartae Caritatis* or the more contentious *Exordium Parvum* appeared only after the mid-twelfth century. My conclusions about the date of the composition of the *Exordium Parvum* may be confirmed by recourse to other evidence as well. In the next section I show that local administrative records confirm that the concept of a religious order and the Cistercian Order itself were only beginning to appear by the mid-twelfth century.

From *Ordo Monasticus* to *Ordo Cisterciensis* in the Charters

At the beginning of the twelfth century, the term *ordo* to mean "a religious group" was not in regular usage.⁵⁸ Early twelfth-century reformers referred to themselves as belonging to congregations, but they did not refer to themselves as part of orders. While there is considerable discussion in pre-1150 documents, as well as in letters, treatises, and sermons from the early twelfth century, about the "*ordo monasticus*," there are few if any references to this word before the late 1140s to mean a specific group. A famous mortuary roll for Vidal of Savigny dated 1122–23 and published by Léopold Delisle, for instance, makes at least two references to the *ordo monasticus*.⁵⁹ We also see the term used in various discussions of the orders of society, of the *ordo clericus* and *ordo laicus*.⁶⁰ The anonymous treatise *On the Diverse Orders* or *Libellus de diversis ordinibus et professionibus qui sunt in aeclesia*, dated to circa 1140, is about the various "ways of monastic life" rather than about specific religious orders.

Praising religious groups, "laudo secundum ordinem uniuscuiusque monasterii viventes," it discusses "ways of life" specific to different monasteries. But these are still lifestyles, not groups to be joined.⁶¹

Documents for the first half of the twelfth century show the Cistercians or other reformers referring to themselves as *fratres* of a particular place or as members of a congregation following the Rule of Saint Benedict. They usually follow as well the customs or institutes of a particular abbey, not as part of a larger religious Order but as a way of life, an *ordo*. For monks and nuns alike, references to Cistercian practices from mid-century on speak at first only of abbeys *secundum formum cisterciensium fratrum*.⁶² References to an *ordo cisterciensis* or phrases such as being admitted *in nostro ordine*, or to its benefits, begin to appear in the charters only circa 1150. Similarly, a number of early references that appear to be about the Cistercian Order turn out to be about the monastery of Cîteaux or Clairvaux alone. William of Malmesbury, writing about Cîteaux circa 1130, talks not of an Order but of the *religio cistellensis*, that of the abbey of Cîteaux alone.⁶³ Orderic Vitalis speaks of the foundation at Cîteaux, but not of an order.⁶⁴ Herman of Tournai writing at mid-century is ambiguous about the *ordo cistellensis*, which he mentions; it is not clear that it is anything other than a way of life to be professed.⁶⁵ By running searches through CD-ROM data bases such as that prepared from the *Corpus Christianorum*, I have found only a single place in Bernard of Clairvaux's collected writings where *ordo* and any form of the place name Cîteaux are even found in proximity; similar results are obtained from the *Patrologiae Latina* database.⁶⁶ I can only conclude that *ordo* was not a word used frequently by early twelfth-century Cistercians. In contrast, a Goliardic text from the 1180s cited in a recent textbook of medieval Latin uses *ordo* to distinguish different groups — White Monks from Grandmontines or Gilbertines and so on.⁶⁷

A more systematic sifting of the charters produced by the early Cistercians provides an apt means for tracing the evolution of concepts of an Order among the Cistercians outside the vexed context of the "primitive Cistercian documents." As a source for tracing such usage, the charters are a fairly reliable index of peripheral references, although rhetorical aspects of such charters exist and are discussed further in Chapter 4. Tracing the meanings of the term *ordo* through such documents reveals that the invention of a religious Order by the Cistercians appears to have occurred only from the late 1150s or 1160s. That is considerably later than once thought.⁶⁸

The local administrative evidence I have consulted for this purpose consists primarily of the Cistercian charters surviving for southern France, Burgundy, Britain, and elsewhere. These documents were created to record real-estate transactions, not to tell the history of the Cistercian Order. Consequently

they provide fairly unbiased evidence as to the date of the introduction of a centralized government, the General Chapter, and a system of internal visitation and correction, as well as for the promulgation of written legislation about Cistercian practices. Such charters for individual houses of Cistercians are abundant. Yet their uniform lack of references to Cistercian administrative institutions before mid-century suggests that the Cistercians did not invent a religious Order until at least 1150.

This shift in the use of the terms to describe the reform movement over the course of the twelfth century is shown clearly by my review of approximately 8,000 southern-French charters dated from the 1130s to the 1250s. Notable first is that in the twelfth century there is a total absence of the words *ordo cisterciensis* to identify religious houses. There is nothing comparable to references found from the mid-thirteenth century to “the abbey of Maubuisson near Pontoise, *ordo cisterciensis*, diocese of Paris.” This absence is not just apparent in twelfth-century Cistercian records; it is paralleled in the evidence for other reform groups as well. Authentic twelfth-century documents *do not* use the terms *ordo praemonstratensis* or *ordo cartusiensis* as modifiers to the name of an abbey; the same seems to be the case for documents produced by the military-religious orders.⁶⁹ Foundation accounts or foundation charters that do make reference to such abbeys as belonging to an *ordo cisterciensis* turn out to be retrospective, not authentic charters.⁷⁰ Such systematic analysis confirms that the word *ordo* changed its meaning, or at least added a new meaning, after circa 1150. From that time *ordo* began sometimes to mean a group, rather than a way of life, although the earlier meaning remained. This shift signals the events leading to the invention of the religious order as a new type of institution by the Cistercians and other reformers in the later parts of the century.

Twelfth-century southern-French Cistercian charters use the term *ordo* almost entirely in clauses about entry into monastic communities or their prayers. References to such religious benefits are frequent, but those that mention the Cistercians are limited almost entirely to after 1150.⁷¹ Thus, in Chevalier’s edition of the cartulary for the monks of Léoncel, an abbey said to be founded by Bonnevaux in the 1130s, the term *ordo* appears only three times among forty twelfth-century acts, and not before the 1170s. Thus, a confirmation by pope Alexander III circa 1176 for Léoncel includes *secundum formam ordinis cisterciensis*. In another charter, dated 1178, Léoncel was promised freedom from the competition of other *ordines*. A donor whose gift is bracketed between 1178 and 1182 was promised “part in life and death of the benefits of the Cistercian Order.”⁷² There are no other references to *ordo* or the Cistercians in Léoncel’s twelfth-century charters. After the year 1200, when documents for Léoncel increased substantially, there is still only one reference to the Cister-

cians for 1202, and others in 1204, 1209, 1212, and 1213 in which patrons were promised participation "in all the benefits of the whole Cistercian Order." A charter for 1204 was addressed to Léoncel and to all the Cistercians. One for 1214 mentioning Cistercians was made by a female donor who was received as a sister "in all the benefits of the Cistercian Order" and promised burial "as if a *fundatrix*."⁷³

In the Gimont cartulary, there are no references to a Cistercian Order earlier than one each for 1147 and 1158; in both cases the term *ordo* remains ambiguous as an indicator of the articulation of an administrative order. In these contexts, particularly in the 1147 charter, it could still mean "the way of life of the Cistercians," a specific form of the *ordo monasticus*.⁷⁴ This is also true in the charter from 1158 in which a donor was admitted to the "congregation" of Gimont and "vestitum habitum cisterciensis ordinis."⁷⁵ For the 1160s, there are seven more references to the benefits or customs of the Cistercians; there are seven for the 1170s, eight for the 1180s, one for the 1190s, and two for the first decade of the thirteenth century.⁷⁶ Nonetheless, among the nearly 800 charters preserved in this cartulary for Gimont containing acts dating from the 1140s to the early thirteenth century, the word "Cistercian" occurs in only a tiny number of cases. In such examples from Gimont and Léoncel, the evidence for the transformation of individual houses into members of a religious Order is most evident only in the 1160s and later.

A similarly thorough search through charters for the four houses of Berdoues, Valmagne, Silvanès, and Grandselve is presented here in tabulated form. Table 2 notes all dated occurrences of such phrases as "secundum formam ordinis nostri," as well as references to the Cistercians and to a General Chapter for these four abbeys individually, and with combined totals.⁷⁷ It shows that earliest references to Cistercians, to the General Chapter, and to the *ordo cisterciensis* begin only in 1149. Many of these early references, moreover, come from slightly later cartulary copies, which may have introduced errors or interpolations, and are thus not totally secure references for the dates that are on the charters themselves.

Only starting in the late 1150s does the evidence unambiguously suggest that Cistercian administrative institutions were coming to fruition. Although there were many entrances of monks and conversi to these houses, not until mid-century do charters refer to entrances as *secundum formam* or *secundum morem*, or *secundum instituta ordinis nostri*. The last of these phrases only appears late in the twelfth century. Then suddenly such references become the normal promise granted by monks in charters to donors seeking privileges to enter these communities. The summaries in Table 2 show that for these four houses of monks — chosen partly because their documentation was most complete, but

TABLE 2. References to "Cistercians" or *ordo* for Silvanès, Valmagne, Grandselve, Berdoues

<i>Mentions Cistercian Order</i> (or its benefits)		<i>Promises entrance</i> secundum formam ordinis nostri	
<i>Silvanès (from SL: 451 documents examined)</i>			
1140s	2	0	
1150s	1	12	
1160s	0	8	
1170s	1	0	
1180s	0	2	
1190s	0	0	
totals	4 (<1% of total docs.)	22 (5 % of total docs.)	
<i>Valmagne (from "VM": 515 documents examined)</i>			
1140s	0	0	
1150s	4	0	
1160s	8	0	
1170s	4	1	
1180s	10	3	
1190s	3	5	
totals	29 (6% of total docs.)	9 (2% of total docs.)	
<i>Grandselve (see Paris BN: 1295 documents examined)</i>			
1140s	0	0	
1150s	0	0	
1160s	8	10	
1170s	0	15	
1180s	0	42	
1190s	0	6	
totals	8 (<1% of total docs.)	73 (6% of total docs.)	
<i>Berdoues (from BD, 254 documents examined)</i>			
1140s	0	0	
1150s	0	0	
1160s	0	0	
1170s	2	0	
1180s	1	6	
1190s	0	2	
totals	3 (1% of total docs.)	8 (3 % of total docs.)	
<i>Combined totals</i>		(3rd column = total of both indicators)	
1140s	2	0	2
1150s	5	12	17
1160s	16	18	34
1170s	7	16	23
1180s	11	53	64
1190s	3	13	16
totals	44 (2% of total docs.)	112 (4% of total docs.)	156 (6% of total docs.)

Appearances of variants of the word "Cistercian" or references to "our order" from four representative abbeys for monks in the Midi, for which all 2515 charters dating to before 1200 AD were examined. 1st column = references to Cistercians; 2nd column = references to "customs of our order" that do not also mention Cistercians.

also because they represent a cross-section of all possible men's abbeys to be considered — admission to abbeys "following the customs of our Order" had become frequent by the 1160s but had never occurred earlier than 1149.

The Valmagne cartulary's charters include some of the earliest references to the Cistercians. Already in the 1150s charters for the grange of Canvern express worries about whether the monks of Valmagne would continue to practice the Cistercian *ordo*; otherwise donors want their gifts to revert to Silvanès. This concern about whether Valmagne will remain Cistercian is also the occasion for references to an *ordo* and to the General Chapter in a pair of charters from 1161, which establish a hospice outside the gates of Montpellier for Cistercian monks and brothers traveling to General Chapter meetings.⁷⁸ These properties at Canvern and in Montpellier were confirmed to Valmagne in the papal confirmation by Alexander III made in 1162 when he was in Montpellier, and are discussed in Chapter 4.⁷⁹

Charters from Grandselve probably exhibit most clearly the growing trends toward mentioning the Order as a group, but they are confusing about the moment of Grandselve's actual adoption of the *ordo cisterciensis*. The introduction of Cistercian practices at Grandselve may have been first as a daughter of Clairvaux in about 1150, but at a moment when a Cistercian Order was not yet in existence. Among the Grandselve documents, we see gifts made to this house at mid-century, which include, for instance, an 1151 charter for abbot Alexander (1150–58) that does not mention Cistercians.⁸⁰ But the abbey's charters only mention the Cistercians a few times under abbot Pons (1158–65). During Pons's rule at Grandselve, Cistercians are mentioned in charters only once in 1161, twice in 1162, twice in 1163, once in 1164, and once in 1165.⁸¹ These references to the Cistercians in the Grandselve charters began to increase in the 1160s at the same moment that there was a burgeoning of references to *ordo* and to the General Chapter elsewhere. The bulk of the references in the Grandselve documents in Table 2 are for the 1160s in both the column counting references to the Cistercians and in that counting references to an *ordo*. References indicating a Cistercian Order peak in the Grandselve documents in the 1180s.

Charters for Berdoues share trends with those for other abbeys included in Table 2, but suggest as well that Cistercian influence came somewhat later than Berdoues's traditional foundation date in the 1130s or 1140s. Berdoues's ties to the Cistercians have been associated with an abbot Walter of Morimond, said to have attached the hermitage there as a daughter-house.⁸² Given that charters for Berdoues mention the Cistercians only beginning in the 1170s and 1180s, it is likely that the Walter of Morimond who did so was Walter II (1161–62), as discussed in Chapter 3. The evidence for Gimont and its "congregation" indeed suggests that although that abbey is later treated as a daughter-

house of Berdoues, Gimont itself may have adopted Cistercian practices earlier than did Berdoues.

In the Silvanès data, two charters from 1149 are found that not only mention an *ordo* but in identical terms grant entrance into the abbey to the donors, who can enter: “Si tamen secundum consuetudinem cisterciensis ordinis venire poterimus,” that is, if they wished to enter according to the customs of the Cistercian *ordo*.⁸³ But does this really mean an Order, or only Silvanès’s adoption of certain customs from the Cistercians? Such evidence for the early use of the phrase *secundum consuetudinem cisterciensis ordinis*, whatever it meant exactly, is not absolutely firmly dated to 1149, moreover, in that it comes from the Silvanès cartulary, the book of charters produced by the abbey’s monks circa 1170. Such phrases redolent of the practices of an emerging Order become abundant in the 1160s and 1170s. They may have been inadvertently inserted into the text of these two charters when these charters were copied into the Silvanès cartulary in the 1170s.⁸⁴

It is worth noting that the only other reference in the Silvanès documents to the Cistercians from so early is that for the 1150s found in a part of an undated papal bull of Eugenius III that was copied into the pages of the Silvanès cartulary considerably after it was made. This reference to Cistercians (if it is authentic) must date to no later than the year of Eugenius’s death in 1153, but it also probably dates to not long before then.⁸⁵ Thus, barring the three documents just mentioned, the Silvanès evidence is similar to that found for the other three abbeys for which I have provided tabulated data. It also matches evidence for Léoncel and Gimont, described above, which both had references to “our Order” concentrated in the 1150s and 1160s. As discussed in the next chapter, the chronicle from Silvanès does introduce discussion of orders as groups at about the same time, for it was written circa 1170.⁸⁶

The only other reference to the Cistercians I have found in southern-French charters dating to the 1140s comes from the family cartulary for the Williams of Montpellier, the untitled rulers of that city. There a reference to the Cistercians is found in the testament of William VI, which is attributed to 1146. It survives only in an early thirteenth-century cartulary copy. William VI, in fact, did not die until 1161 or 1162, but he retired from Montpellier’s rulership before 1150, and soon entered the house of Cistercian or proto-Cistercian monks at Grandselve near Toulouse. There is a possibility that the terminology of William VI’s will had been updated when it was copied into the cartulary, or sometime before his death in 1161–62, because William VI’s gift is repeated in virtually the same words in the will of his son, William VII, who in 1172 also gave market and passage privileges to the *ordo de Cistel*. Even if these references from the late 1140s are genuine ones to the Cistercians, the charter evidence cannot be pushed back any farther than 1146.⁸⁷

Such trends are seen beyond southern France as well. In charters from Burgundy, for instance, circumlocutions rather than references to an Order are found in documents from before 1150. A charter from 1135 for Cîteaux records that Louis VI, his son, and the queen granted exemption from customary levies to "religiosis cisterciensi, pontiniacensi, clarevallensi ceterisque omnibus ex omnibus prodeuntibus."⁸⁸ A charter addressed to Clairvaux in 1154 by Henry, count of Troyes, refers to its community as "servis Dei in Claravalle et in abbatiis pertinentibus ad eam."⁸⁹ In contrast, in 1172 for the first time Cîteaux granted to donors "fraternitate et beneficiis *cisterciensis ordinis*."⁹⁰ These suggest that new meanings for *ordo* in fact may appear later in Burgundy than in southern France.

For these same Burgundian abbeys, there are also only three references to a General Chapter before the 1170s. Each is from the 1150s, and each is open to question. The first, from circa 1156, is found in a retrospective foundation account for the abbey of Ré included in the Pontigny cartulary.⁹¹ The counter-evidence in that same cartulary to such an early reference to the General Chapter is an arbitrated settlement between Vauluisant and Pontigny dated to 1155, which was resolved by the abbot of Cîteaux without recourse to a General Chapter.⁹² A second early reference to a General Chapter is found among charters for Cîteaux published by Marilier, in a testament that he extracted from the published cartulary of Sainte-Croix d'Orléans, dated by its editors of the latter to 1153 or earlier. It may refer to a General Chapter meeting, saying that the donor is conveying

[unam?] marcam argenti monachis de Cistello ad emendum pisces toti conventui, quando tenebunt capitulum.

a mark of silver for the monks of Cîteaux to use to buy fish for the entire assembly, when they hold the chapter.⁹³

But such extraordinary bequests for General Chapter meetings only became common in the 1180s, as is discussed in the next chapter.

A third possible early reference to the Cistercian General Chapter in the Burgundian documents is in an act found among the la Ferté pancartes, which includes the extravagant concession:

Sepulturam ibi haberent et quicquid agitur pro monachis ageretur pro illis per totum cisterciensem ordinem, quo et consecuti sunt in capitulo generali Cistercii, laudantibus abbatibus tocius ordinis Cistercii.

They will be buried there and have done for them whatever is done for a monk throughout the Cistercian *ordo*, and this will be confirmed by the abbots of the entire Cistercian *ordo* at the next General Chapter.⁹⁴

While it retrospectively relates events of a gift of circa 1140, the text itself could be as late as this specific pancarte, dated by Duby to circa 1158.⁹⁵ The latter date is not at odds with other trends, but the act is still suspect because the concession seems unusually generous. In comparison a transaction done in the chapter of la Ferté circa 1175 granted only entrance as a lay-brother, not burial:

Pro hoc concesserunt mihi societatem ordinis in morte et in vita et si ordinate ad conversionem venire voluero et potero ut me recipiant.

For this they conceded to me the fellowship of the *ordo* in death and in life. If it happens that I wish to and can come *ad conversionem*, they will receive me.⁹⁶

The confirmation by all the abbots of the Cistercian Order at a General Chapter meeting, asserted in the earlier text for la Ferté, although possible in the late 1150s, seems unlikely. It could not have happened in the 1140s.

For Cîteaux itself we find in Marilier's collection a similar gift to the General Chapter by the count of Macon, but only for the 1170s:

Cupiens fieri particeps orationum et spiritualium benefitiorum fratrum ordinis Cistercii, pro remedio anime mee et parentum meorum in generali capitulo abbatum ordinis Cistercii, dedi et concessi.

Wishing to be made a participant in the prayers and spiritual benefits of the brothers of the *ordo* of Cîteaux, for the relief of my soul and those of my parents, I gave and conceded this at the General Chapter of abbots of the Cistercian *ordo*.

This document is dated to before 1173.⁹⁷ Another Cîteaux document, for 1175, refers to the "command" of the General Chapter.⁹⁸

The published Clairvaux documents (which appear in print only up to 1173) contain no references to the General Chapter for the years before 1173. Tithe confirmations from Alexander III in 1163 and 1165 found among documents published for Clairvaux contain references to an *ordo monasticus* of Cîteaux and to the *universus ordo cisterciensis*.⁹⁹ In the Preuilly documents the first reference to the General Chapter appears in 1201.¹⁰⁰ Among the earliest charters for Vauluisant is one for 1176 that provides the first instance I have found of an abbot of Morimond acting in the General Chapter as a "proto-abbot."¹⁰¹ All these documents point to a date no earlier than the 1150s for a Cistercian General Chapter, and to the 1170s as the decade when the earliest genuine references to a Cistercian Order appear in Burgundy. This evidence basically parallels that for southern France.

A survey of published charters and cartularies from Cistercian abbeys in Normandy and Britain also shows that genuine acts or confirmations men-

tioning Cistercians come at the earliest only from the late 1140s or 1150s.¹⁰² Anglo-Norman charters for what would become Cistercian houses are much less likely to be dated than those from the Continent, and the dates assigned to such confirmations must be established by lists of witnesses. Most of the earliest references to the Cistercians are found in cartulary copies and are confirmations made by king Henry II (1154–89). These are confirmations of earlier foundations, which may not yet have been Cistercian at the earlier dates, and suggest a certain anxiety among reform religious houses in Britain at the mid-twelfth century to be associated with the Cistercians rather than with the Savigniacs. Such worries would arise at these houses as Stephen's claims deteriorated, particularly because his family, that of Mortain, had concentrated its patronage on the Savigniacs.¹⁰³ There is also a certain amount of evidence of rivalry between Stephen's and Matilda's parties (hers including her husband Geoffrey of Anjou and their son Henry) in granting safeguards and freedom from tolls to both Cistercians and Savigniacs in these years.¹⁰⁴ Such grants to monastic houses were as important for asserting who was in control of royal rights as they are evidence of growing interest in the Cistercians among reform houses not necessarily founded from Cîteaux or Clairvaux.¹⁰⁵

This is not to discount some genuine interest by Matilda, her spouse, her son, and her siblings in Bernard and Clairvaux. Matilda seems to have founded the abbey of Margam in 1147 with Bernard's assistance, and her monastic endowments may have been a major concern for her after 1154.¹⁰⁶ Similarly, her husband, Geoffrey of Anjou, made gifts for the foundation of what would become the Cistercian house of Mortemer for the soul of his father, Fulk of Anjou:

Sciatis quod ego dedi ecclesie Beate Marie Virginis de Mortuomari et fratribus ordinis Cisterciensis ibidem deo servientibus in ipsa valle Mortuimaris XXX acras terre pro salute anime Fulchonis regis Jerusalem patris mei et Erkenburgis comitis matris mee, et pro salute anime mee et Matildis uxoris mee filiorumque meorum, et pro anima regis Henrici atque omnium amicorum meorum, ad libitum suum excolendas.

You know that I gave to the church of the Blessed Virgin Mary of Mortemer and to the brothers of the *ordo cisterciensis* serving God there in that valley of Mortemer 30 acres of land for the health of the soul of Fulk, king of Jerusalem my father and Erkenburgis countess my mother, for myself and Matilda my wife and my sons, and for the soul of king Henry and all my friends, to be freely cultivated.¹⁰⁷

Geoffrey's gift is paralleled by an act by Duke Henry, which must be dated to 1151–53.¹⁰⁸ If this gift for Fulk is indeed an authentic charter dating to October 11, 1147, the Anjou charters parallel those from southern France, insofar as their references to an *ordo cisterciensis* are slightly earlier than such references in

charters from Burgundy. In contrast, an earlier act by Stephen, assigned to 1137 by when Stephen was in Normandy, does not mention Cistercians.¹⁰⁹

In general, what appear to be original royal or quasi-royal charters for the Anglo-Normans pose a different problem. A few original charters with dates assigned to them for the early 1140s mention either an *ordo* or that of the Cistercians.¹¹⁰ These charters come from the hands of only one or two royal scribes — men who are suspected by the editors of the Anglo-Norman charter collections to have lost employment as Stephen's powers declined, but, having royal seal matrices still in their possession, were able to create forgeries. The hands of several of them have also been identified as making both some probably authentic charters and some forgeries from as early as the late reign of Henry I.¹¹¹ Among the suspect charters must probably be placed one from Stephen attributed to 1136 granting Buckfast in Devon to Savigny: “ad ponendum in ea abbatem secundum ordinem suum,” that is, for Savigny to found an abbey following its *ordo*.¹¹² Suspect as well is one also dated 1136 for Rievaulx using Stephen's name, in which the same scribe says:

Sciatis me concessisse deo et ecclesie Sancte Marie et abbati et monachis de Rievallibus pro dei amore et salute anime mee et antecessorum meorum, et pro statu regni mei novem carrucatas terre quas Walterus Espec eis dedit et concessit in elemosinam perpetuam.

You know that I have conceded to God and the church of Saint Mary and the abbot and monks of Rievaulx for love of God and the health of my soul and of my ancestors and for the good of my kingdom, nine carrucates of land which Walter Espec gave and conceded to you in perpetual alms.

This charter, however, does not mention an order.¹¹³ Also suspect is a charter from a Fountains cartulary dated February 1136 at York:

Sciatis me concessisse deo et ecclesie Sancte Marie et abbati et monachis de Fontibus qui sunt de ordine Cisterciensi pro dei amore et salute anime mee.

You know that I have conceded to God and to the church of Saint Mary and to the abbot and monks of Fountains who are of the *ordo cisterciensis* for the love of God and the health of my soul.¹¹⁴

This cartulary copy is dated by the identity of its witnesses to those for an original from Beverly Minster, but the latter was one of the charters made by a suspect scribe, thus casting some doubt on the authenticity of both “original” and cartulary copy.¹¹⁵

Such forged acts may explain copies of royal acts deriving from late medieval monastic cartularies claiming to be grants to the Cistercians from Henry I.

That granted to the entire Cistercian Order and assigned to 1128–33 and comes from a Fountains cartulary now in the Bodleian Library, on the other hand, is likely to be an authentic act from very early in the reign of Henry II, which has been interpolated into one for Henry I.¹¹⁶ If such interpolation is what is going on here, the copying of royal charters in such a way as to make them appear to be from Henry I rather than Henry II may parallel the phenomenon of seeking ever-earlier Carolingian kings as founders, as has been described by Amy Remensnyder for foundation charters of rival Benedictine houses in southern France.¹¹⁷

Changing meanings of the word *ordo* over the twelfth century trace the gradual invention of a new meaning and a new institution. They also mean that words must be translated with great care. Thus a papal letter from Alexander III to the abbots of Swineshead and Furness (bracketed to 1166–79) saying "Relatum est nobis quod vos religionis intuitu Cisterciensium fratrum ordinem suscepistis" must be construed as "We are informed that you have adopted the way of life inspired by the brothers at Cîteaux," rather than as it has earlier been translated: "We have heard that you have joined the Cistercian Order"¹¹⁸ Although at this late date "joining" the Order may have been an option, that is not what the document says.

This reconsideration of terminology shows that in the earliest years, Cistercian *ordo* had more to do with how people lived within communities and with regulating social conditions within monasteries than with conformity to the administrative decrees of a larger group.¹¹⁹ Early Cistercian ideals about monastic *ordo* centered on notions of charity with little concern for administrative conformity or unanimity. Such evidence, which is drawn from a variety of sources, shows that up to at least the middle of the twelfth century Cistercians rarely employed language describing themselves as a religious order. References to the *ordo cisterciensis* as a group to which they belong come into common usage only in the thirteenth century. They are never found in the 1110s and 1120s, and only occasionally in the late 1140s and 1150s. They become much more frequent in the 1160s and 1170s, but even at that time they do not altogether replace older usages.¹²⁰ Indeed, even in the 1215 Lateran IV canons, in the chapter decreeing that no new religious groups were to be formed, the text uses the word *religio*, not *ordo*.¹²¹

Exceptional Cases

If we turn to the "primitive documents" and associated liturgical *ordines*, or to several other very famous charters often cited to document the early invention

of the Order, the same evolution in the use of the word *ordo* is uncovered once those documents are correctly dated and authenticated. But at first glance several cases appear to be exceptions to the general trends regarding the term *ordo* or references to the General Chapter. All these, in fact, turn out to date after 1150 and *not* to the early twelfth century. In the earliest liturgical texts, those that date to the early twelfth century, or even those from Montpellier and Ljubljana, there are almost no references even to the practices of “our Order.” Such references had become frequent by the time of the liturgical *ordines* in Dijon 1114, which is dated to the 1180s. An examination of the texts of these liturgical manuscripts, or even their printed editions, also reveals that only late in the twelfth century were references to the General Chapter introduced.¹²²

Yet the language of *ordo* and references to a General Chapter are found both in the papal bull of tithe exemption for Cîteaux, *Habitantes in Domo*, dated to 1132, and in the Charter of Peace with the Praemonstratensians usually dated to 1142. Reference to an Order in these two exceptional cases seems inappropriate to those dates, given all the other evidence cited here. In fact, neither text stands up to any scrutiny as evidence for the early introduction of those terms. Neither provides proof of the existence of either an Order or General Chapter at such early dates.

The tithe privilege for Cîteaux dated 1132, *Habitantes in Domo*, is possibly the most frequently cited papal bull of the twelfth century. Its references to “our Order,” when read in context, clearly refer to an *ordo* in the sense of a group to which Cistercian houses belonged. But this privilege for Cîteaux in 1132 is a forgery. In it, Innocent II in 1132 was purported to grant tithe exemption to the entire Cistercian Order.¹²³ It attempts to make the case that Innocent II granted to Cîteaux and to the entire Order a privilege parallel to the authentic privilege issued by Innocent II to Bernard of Clairvaux and all abbeys subject to him in 1132 that marked the end of the Anacletian schism. Such a forgery reflects the thinking of a later era, however, one in which it would have been inconceivable that Clairvaux could have been granted a privilege which had not also been granted to Cîteaux.

The purported tithe exemption by Innocent II to Cîteaux in 1132 and “its order” is dated to a week earlier than that for Clairvaux. Both exist only in late medieval copies. The earliest surviving single copy of the Cîteaux privilege is from the sixteenth century. It is found in Dijon in the Côte-d’Or archives in liasse 11H4, where accompanying notes from the time indicate that it was already questioned by abbots within the Order in the late Middle Ages. This privilege for Cîteaux is also found in a collection of Cistercian papal bulls, the

Liber Privilegiorum Cistercii created by Jean of Cirey, abbot of Cîteaux (1476–1501), where it may in fact have appeared for the first time. This copy of the purported papal privilege for Cîteaux, which mentions "our Order," is a forgery that was probably based on a genuine privilege for Cîteaux from Lucius III (1181–85).¹²⁴ This does not mean that the forgery was made in the 1180s (it may well date to the late fifteenth century) but only that the forgery used a privilege from the 1180s as a model.

The text of this forged version, which is published by Marilier, includes early references to an order, such as "Ceteris vero vestri Ordinis abbatibus" and "Prohibemus ne aliquis archiepiscopus aut episcopus et vel successores tuos seu aliquem abbatem cisterciensis ordinis," appropriate to the 1180s. These are interspersed with circumlocutions which might have been used earlier: "De sibi subjectis abbatibus vel quemlibet monachum de omnibus congregationibus cisterciensibus," or "Quemlibet monachum de omnibus prefate religionis congregationibus cum consilio et deliberatione cisterciensis abbatis." Its tithe privilege, "Statuimus ut de laboribus vos et totius vestre congregationis fratres propriis manibus et sumptibus colitis et de animalibus vestris, a vobis decimas expetere vel recipere nemo presumat," is clearly one which more nearly parallels 1180s examples than those from the 1130s. Finally, as may be seen on the page from the *Liber Privilegiorum Cistercii* reproduced in Figure 22, this purported copy of an 1132 document bears the rota inscription not for Innocent II, or even for his successor Lucius II, but that for Lucius III (1181–85).

The genuine Clairvaux privilege contains no such language of "our Order," is more limited in scope, and provides a forthright explanation for its issuance, the fervent support by Bernard of Clairvaux for Innocent II at the time of the Anacletian schism (when Innocent II's rival was a member of the Pierleoni family):

Ceterum quam firma perservantique constantia causam beati Petri et sancte matris tue Romane Ecclesie dilecte in Domino filii Bernarde abbas, incandescente Petri Leonis scismate, fervor tue religionis et discretionis suscepit defensandam.

Also because of the firmness, constancy, and perseverance in the cause of blessed Peter and your holy mother the Roman church, by which our dear in the Lord son Bernard abbot, in the conflagration of the schism of the Pierleoni, took up the defense of religion and discretion.

This authentic papal privilege is directed to Bernard of Clairvaux himself, not to a Cistercian Order — an issue to which I shall return in Chapter 3. It was this group of houses subject to Clairvaux that received the tithe exemption:

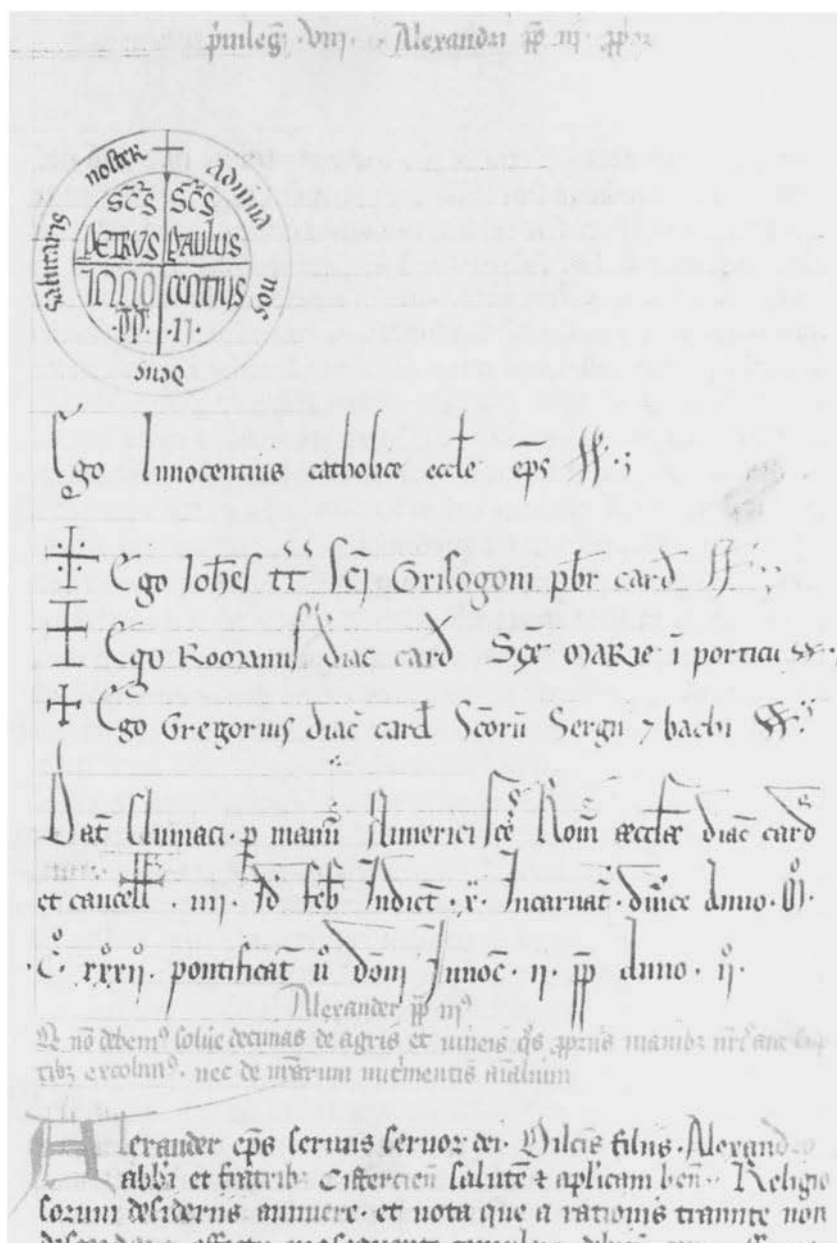


Figure 22. Rota for Lucius III found on copy of Innocent II bull for Cîteaux in *Liber Privilegiorum Cistercii*. (Dijon, Bibl. Mun. MS 69 [598], fol. 138, by permission)

Porro laborum vestrorum decimas quos propriis manibus aut sumptibus colitis, seu etiam de animalibus vestris, a vobis vel ab aliquo monasterio clarevallensi subjecto exigere vel suscipere nemo presumat.

Hereafter, no one should presume to extract or collect from you or from any monastery subject to Clairvaux, the tithes on what you cultivate by the your labor with your own hands or at your expense, or those over your animals.¹²⁵

Only Clairvaux's privilege is authentic, and the fact that the 1132 papal privilege for Cîteaux is first found preserved in Jean of Cirey's *Liber privilegiorum Cistercii* casts further question on the authenticity of other papal privileges found nowhere else but there and with the *Exordium Parvum*.

There are similar issues with regard to the Charter of Peace between Cistercians and Praemonstratensians, which is dated to 1142 in Canivez's edition of the *Statuta* but similarly cannot be attributed to that date. It provides evidence neither for a Cistercian Order nor for a General Chapter in 1142. This Peace Charter, which has been central in arguments for the early emergence of the General Chapters of both the Praemonstratensians and Cîteaux, exists only as a subtle interpolation of what may possibly have been an authentic agreement of circa 1150, but one for which we have a surviving text only from a later date. The earliest surviving copy of this Peace Charter must date to between 1165 and 1175, a significant difference in date when we are tracing the twelfth-century emergence of religious orders.¹²⁶ Unfortunately, we cannot tell anything about an earlier Charter of Peace out of which this copy grew or the precise contents of such an agreement. It is clear that there are problems about the existing copy that make attribution to 1142 of this "chirograph" implausible.

First, neither the surviving manuscript of this text from Chaumont (see Figure 23) nor any document in Paris is the original Canivez claimed in his edition.¹²⁷ The Paris "parchment" discussed by Gerits is a *vidimus* copy of 1259 found there along with notes made by the archivist who organized the liasse. The Paris text is identical to that published in Canivez with the exception of the obvious clauses describing the copying done at the time the *vidimus* was made, so it is of little use to the discussion here.¹²⁸ Moreover, the original described by Canivez as found in the archives in Chaumont describes itself as a chirograph, but it is clearly not one in this copy. It lacks the characteristic *alphabetum* or *chirographum* written in large letters down the middle of the document to divide it into two parts, which would have defined it as an original copy. That the copy we have has two distinct attestation clauses, of which only the second is dated, suggests that the earlier document, a now-lost chirograph, had only the first attestation clause, which is not dated.

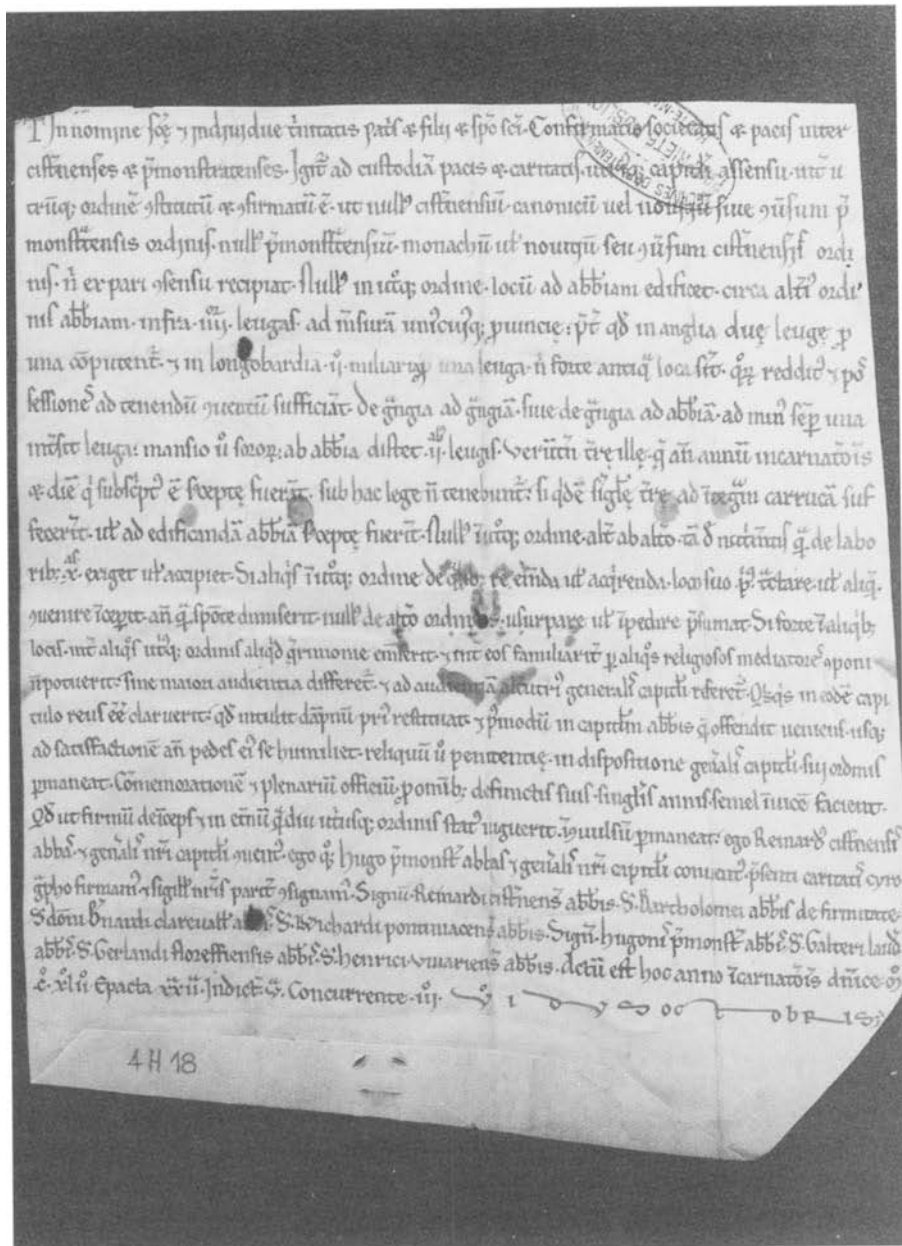


Figure 23. Peace Charter between Praemonstratensians and Cistercians. (Chaumont, A.D. Haute-Marne, 4H18, by permission)

The first attestation clause from the Chaumont Charter of Peace describes the text as a "Chirograph of Charity" and lists two abbots, one for each group, acting with the respective chapters of their communities. But those chapters are called general (possibly an interpolation at the time of copying):

Quod ut firmum deinceps, et in aeternum quamdiu utriusque ordinis status vigerit, inconvulsum permaneat, ego Rainardus Cisterciensis abbas et generalis nostri capituli conventus, et ego quoque Hugo Praemonstratensis abbas et generalis nostri capituli conventus praesenti charitatis chirographo firmamus, et sigillis nostris pariter consignamus.

So that this be firm in the future and through eternity and that it remain unchanged as long as either of these *ordines* remains strong, I, Rainard, abbot and the assembly of our general chapter, and I, Hugh abbot of Prémontrée and the assembly of our general chapter, confirm this chirograph of charity. We both affix our seals.¹²⁹

This document must be dated by the reference to abbot Raynard of Cîteaux (1134–51) and the Praemonstratensian, Hugh of Fosse (1128–64) and if it had only this first attestation clause it would be dated to not later than 1151, but probably somewhat later than 1134, its earliest possible date. It would contain the very earliest references to general chapters and to the two orders becoming administrative units.

The second attestation clause, which includes the date 1142, is obviously archaizing, and is incorrect in its details. The dating clause attributes this text to the fifth ides of October (October 9), the feast of Saint-Denis, the day on which the general chapter of the Praemonstratensians would eventually meet. It was probably not written in 1142 because the scribes got the indiction incorrect for an October date, although correct for earlier in the year.¹³⁰ Such a calendar error is more likely in any year other than the current one. Moreover, the list of four abbots in this Charter of Peace for Cîteaux that correspond to Cîteaux and the three eldest daughters that were its "proto-abbots," as listed in the *Carta Caritatis Prior*, suggest that it was written before 1176 or so when Morimond's abbot was added to the oversight of Cîteaux by "proto-abbots."¹³¹ References to Bernard of Clairvaux as *Dominus* but not yet as *Sanctus*, on the other hand, suggest a certain respect for him that would be most likely found after Bernard's death in 1153, but before 1174 when he was canonized.¹³² The parchment from Chaumont is a copy of the chirograph with components that date it to circa 1170, but it also has archaizing features, including its attribution to 1142.

The topics covered in this Charter of Peace are also more appropriate to circa 1170. Complex issues about "Order-building" and "Order-differenti-

ation” for both groups are included. This Charter of Peace records that the Cistercians and the Praemonstratensians will commemorate one another’s dead annually. Moreover, it is agreed that the two should respect one another’s tithe privileges of exemption for the work of their lay-brothers and on their animal husbandry — a privilege which also suggests a date after mid-century when grange agriculture was underway. Even more revealing is the recognition that disputes may have to be arbitrated; infringements of the agreement were to be adjudicated by either General Chapter: “Ad audientiam alterutrius generalis capituli referentur” (They will be referred to the hearing of either General Chapter).

But such referral of disputes among the Cistercians to a General Chapter did not usually happen before the 1170s, as is discussed in Chapter 3. Penance was imposed on the guilty person by his own chapter: “Reliquum vero poenitentiae in dispositione generalis capituli sui ordinis permaneat” (The punishment will be left to the decision of the General Chapter of his own Order). The charter further promised that abbots of one group would not accept members from the other’s abbeys; this is something found among the Cistercians from the time of their *Summa Cartae Caritatis* of circa 1165.

The Charter of Peace also established minimum distances to be maintained between abbeys and granges, as well as between abbeys and houses for sisters: “Mansio vero sororum ab abbazia distet duabus leucis” (Houses of sisters ought to be distanced two leagues from abbeys [presumably for men]). This may reflect efforts by both Cistercians and Praemonstratensians to eliminate remaining double houses. That the topic is not one exclusively applied to houses of Praemonstratensian sisters is perhaps deserving of further investigation.

Similar promises were made in the emerging Cistercian Order; see the *Instituta* of the 1160s. Limits on foundations in proximity to established houses, or in which abbeys or groups of abbeys promise one another exclusive rights within certain territories, are increasingly present from the late twelfth century.¹³³ Thus findings on examination of these two exceptional cases, which appear at first glance to show an early use of terms like “our Order” but turn out not to do so at all, are similar to what can be learned about the incidence of the term *ordo* in the charters.

Papal Confirmations of the Cistercian Constitution

A reconsideration of several other papal privileges for Cîteaux with early dates reveals both archaizing of authentic documents and outright forgery. Such a

finding cannot be altogether surprising, since I have already shown that the purported papal tithe privilege for Cîteaux for 1132 is a forgery.

The precocity of the papal confirmation of the Cistercian constitution by Calixtus II that implies an exemption and protection by the papacy for the Cistercians from 1119, much earlier than that for other monastic groups, has been remarked on recently by Ludwig Falkenstein. In his survey of all such privileges dating to the eleventh and twelfth centuries for all French abbeys, he states that Calixtus II's bull for 1119, *Ad hoc in Apostolicae*, predated by some decades anything comparable.¹³⁴ His observations suggest the need to investigate *Ad hoc in Apostolicae* more closely. So do its contents, which refer to institutions not otherwise documented for the Cistercians at such an early date.

Ad hoc in Apostolicae has been in many senses the lynch-pin in the whole argument for an early Cistercian Order. This purported confirmation from Calixtus II for 1119 is frequently cited not only as a confirmation of the early Cistercian constitution, but as the sole evidence that such a constitution existed at that date. That it is a forgery produced circa 1170, soon after the first appearance of the *Exordium Parvum*, is suggested by a number of internal inconsistencies. These are seen quite easily by comparison of its text to a genuine confirmation by Calixtus II from 1120 for the abbey of Bonnevaux, the house of Cistercian monks in the diocese of Vienne that was founded by Calixtus II in 1118 while he was still archbishop of that province. Both are found in Robert's collection of Calixtus II's bulls, but both are listed there as papal bulls for which we have only copies and no originals; Robert does not attempt to authenticate any but the small number of "originals" he collected for the *Bullaire* that he published.¹³⁵

As may be seen by comparison of the texts included in Appendix 4, it is likely that it was the Bonnevaux document on which the forgery *Ad hoc in Apostolicae* was based. A number of errors in diplomatic formulae in this Cîteaux document show it to be faulty, while that for Bonnevaux is more often correct on such points.¹³⁶ The dating clause of the Cîteaux document is incorrect. Also it is said to have been done at Sediloci or Saulier, but this place is not otherwise found on the papal itinerary for that year.¹³⁷ According to Robert's collation of information from the collected original bulls of Calixtus II, papal bulls at this time did not address abbots as "venerable"; only bishops or abbeys or other institutions were so addressed. The salutation of the Cîteaux bull to the abbot of Cîteaux (who would be more properly called "beloved son") is therefore also incorrect, suggesting an interpolation from the Bonnevaux document in which a different type of institution was being addressed.¹³⁸ Similarly, *confirmamus* is a term used to protect property, as it is in the Bonnevaux privilege; it is nowhere else among Calixtus's privileges used to confirm a set of

customs. *Constitutio* is not used elsewhere at this time with our sense of constitution as a law code; the more likely term in 1120 or even later would have been *forma*, *norma*, *mos*, *consuetudo*, *instituta*, or even *carta*. Only in this forgery is a Cistercian *constitutio* mentioned for this date.¹³⁹ The Bonnevaux document never uses the term *ordo*, but refers only to the *fratres* of Cîteaux sent there to found a new house; *Ad hoc in Apostolicae* refers to an *ordo* approximately thirty years before the term is used elsewhere.¹⁴⁰ Yet even the fact that this papal privilege, although not technically part of the *Exordium Parvum*, only appears in its context has been missed by earlier scholars.¹⁴¹ All this confirms that the Calixtus II *Ad hoc in Apostolicae* is a forgery.

It is likely that this forged Calixtus II privilege is related in date to an early foundation narrative for Pontigny that has been cited as one more piece of evidence for an early foundation of an Order. This account of Pontigny's foundation, which mentions the Charter of Charity, has been dated on the basis of its witnesses to after 1147. This is an earliest date; there is no reason that it could not be several decades later.¹⁴² It begins:

Cum Dei misericordia sua gratuita bonitate *novum monasterium*, id est Cistercium, in Burgundia constructum et regulari disciplina dotaret et copiosa monachorum multitudine adaugeret.

When by the mercy of God and the grace of his goodness the *new monastery*, that is Cîteaux, was built in Burgundy and endowed by the discipline of the Rule and it increased by an overflowing multitude of monks. (my emphasis)¹⁴³

Because of its references to a "new monastery," which are characteristic of the *Carta Caritatis Prior* text, it most likely dates to the years from 1170 to 1175 when the *Carta Caritatis Prior* was first written. After describing the founding of Pontigny, it goes on to say that Stephen Harding then gave the Charter of Charity to that abbey:

Cartam vero caritatis et unanimatis inter *novum monasterium* et abbatias ab eo propagatas compositam et corroboratam idem pontifex et canonicorum conventus ratam per omnia habuerunt.

The Charter of Charity and unanimity between the *new monastery* and the abbeys derived from it having been written and having been confirmed in all its contents by the bishop and his assembled canons (my emphasis).¹⁴⁴

This text has been used to argue that the Charter of Charity must date to Pontigny's foundation in 1113, but obviously it shows no such thing. It is a text composed between 1147 and 1170 that can do no more than assert that

Pontigny had received such a Charter of Charity at the time of its foundation. Such an account provides no proof.

As for later papal confirmations, the assumption that the 1119 Calixtus II confirmation *Ad hoc in Apostolicae* is authentic has meant that Cistercian historians have given only limited attention to later papal confirmations of the Charter of Charity. But since the Calixtus II privilege turns out to be a forgery, there is no reason to believe that the Charter of Charity was confirmed in 1119. Hence it is worth investigating later papal confirmations of the Cistercian constitution, the Charter of Charity. Certainly the constitution was confirmed in 1165 by Alexander III's issuing of *Sacrosancta*; that confirmation may possibly even date to 1163. But could earlier popes have confirmed a version of the Cistercian Charter of Charity earlier than the *Summa Cartae Caritatis* text that I date to circa 1165?

Unfortunately, there are no published collections of all the copies and originals of papal bulls for later twelfth-century popes like the compendium for Calixtus II made by Robert. Within the morass of papal privileges needing further examination and investigations, Cistercian scholars have pointed to earlier versions of *Sacrosancta* by Eugenius III (1145–53) in 1152, Anastasius (1153–54) in 1153, and Adrian IV (1154–59) in 1157, as well as those by Alexander III (1159–81) in 1163 or 1165. These purported confirmations of the Charter of Charity cannot be checked against an entire corpus of papal privileges for any of these popes. At present they may only be verified by locating the earliest manuscript versions and checking them for such things as consistency of dating clauses. This turns out to be very difficult.

Although parts of *Sacrosancta* are attributed to Eugenius III, the earliest complete text of *Sacrosancta* I have found in any manuscript appears to be that dated to 1163 for Alexander III, found as an addition in a later hand to a partially blank page of Dijon, B.M. MS 87; see Figure 24.¹⁴⁵ There may be a problem with the date in this copy. The text is that usually attributed to 1165, and for this copy the indiction is certainly incorrect. It would have changed after September 1163 from 11 to 12. While this may not be sufficient evidence to discount the text of this Alexander III bull, the attribution to 1163 is questionable. Dijon 87 contains both this copy of *Sacrosancta* dated 1163 and a partial copy of one for Adrian IV, but that copy refers to the 1163 text rather than providing a complete text for the year 1157. Finally, dating just when the copies of the 1157 and 1163 documents were copied into this manuscript is impossible except to say that it must be later than the first quarter of the thirteenth century because that is the date of the manuscript in which they are found as obvious insertions.¹⁴⁶

A conservative reading of the evidence about *Sacrosancta* is that Eugenius

III may have confirmed something in a bull called *Sacrosancta*, but if he did we have no authentic manuscript evidence from which to tell what it said.¹⁴⁷ Eugenius III's name is sometimes attached in rubrication to later versions of *Sacrosancta*, for instance in Metz 1247, possibly because Cistercians assumed that Eugenius must have been the pope to have issued a confirmation of the Cistercian constitution that Calixtus II had already confirmed. But even if Eugenius did issue a bull *Sacrosancta* for Cîteaux, it is absurd to argue that the *Sacrosancta* confirmed by Alexander III in 1165 is identical to one issued by Eugenius III; clear changes can be seen from one pope to the next, as we see in the 1157 and 1163 texts found in Dijon 87.¹⁴⁸ If Eugenius issued a bull called *Sacrosancta* for Cîteaux, we do not know what it said or whether it confirmed a Cistercian constitution.¹⁴⁹

What can be reported is that the text of *Sacrosancta* as it has been published for Alexander III has been carefully analyzed by Van Damme, who shows by citing parallel passages that it has significant parallels to the Cistercian Charter of Charity in its earliest extant form, the *Summa Cartae Caritatis*. Parallels are found, for instance, about the Order disallowing exactions by one house of another, about life in imitation of the apostles, and about oversight of the mother abbey.¹⁵⁰ The two must be close in date.

Sacrosancta in its 1165 version has references to a General Chapter and to the practice of the *ordo cisterciensis* that are just beginning to suggest a group to which one belonged. It should be noted, moreover, that the 1170 letter from this same pope (reproduced in Appendix 5), used *ordo* in a more conservative way and does not mention the General Chapter at all. In its addressing clause, Alexander's *Sacrosancta* says:

Alexander episcopus, servus servorum Dei, dilectis filiis Gisleberto Cisterciensi, et caeteris abbatibus et monachis, tam praesentibus quam futuris regularem vitam et instituta cisterciensis ordinis professis in perpetuum

Alexander, bishop, servant of God's servants, to my dear son Gilbert of Cîteaux and all the other abbots and monks, who now or in the future profess the regular life and institutes of the *ordo cisterciensis* perpetually.¹⁵¹

Van Damme has argued that the close parallels with Alexander III's 1165 version of *Sacrosancta* confirm "the primordial clause about equality among abbeys found in the opening of the Charter of Charity." In its words:

Quia vero singula, quae ad religionis profectum et animarum salutem regulariter ordinastis, praesenti abbreviationi nequiverunt annecti, nos cum his quae praescripta sunt, omnia quae continentur in charta vestra, quae appellatur charitatis, et quaecunque inter vos religionis intuitu regulariter statuistis, auctoritate apostolica roboramus.

Because each one of you, having chosen to practice the religious life and because the health of souls is assured by such regular practice, but because this letter [that is the papal one] is only an abstract of everything contained in your charter that is called a Charter of Charity, whatever you establish by it among you who have adopted that religious practice, we confirm by apostolic authority.¹⁵²

But despite the fact that what Alexander III seems to have before his eyes is the earliest extant version of the Charter of Charity (the *Summa Cartae Caritatis*), Van Damme insists that Alexander III is here confirming a “revised constitution.” It seems more likely that Alexander III’s scribes used the text of the *Summa Cartae Caritatis* in composing the 1165 papal privilege *Sacrosancta*. The 1165 privilege is most likely to be the original papal confirmation of the Cistercian constitution. No wonder Alexander III in 1170 should have been so concerned that the Cistercian constitution, written and confirmed only within the last decade, was not being upheld; see Appendix 5.

In my view, the similarity of language between the *Summa Cartae Caritatis* and the 1165 confirmation of the Cistercian constitution issued in *Sacrosancta* by Alexander III suggests that this is the initial confirmation of regulations for the new Order. If so, Alexander’s confirmation may be the closest we can come to dating the original creation of a Cistercian Order.