St. Ives - Advocate of the Poor

Raymond Scallen
ST. IVES—
ADVOCATE OF THE POOR

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WHAT MANNER OF MAN was St. Ives that, more than 700 years after his birth, his memory is as vivid as though he had made a triumphal entry but yesterday? How many men, statesmen, lawyers or judges are thus remembered? Why should he be held in such high regard by lawyers, not only by those of his own faith, but by those of other religious faiths? Why, centuries ago, was he honored from Louvain to Naples, from Budapest to Salamanca?

The answer is startling in its simplicity. He was the lawyer—able and resourceful—of the distressed, the poor, the widowed, the children. He served them without material reward and often gave them of his meager resources. He was a good man, a man of noble character, but he was even more. Soundly prepared, thoroughly educated, motivated by a love of justice and a burning zeal to represent those least likely to have a champion, he will always be remembered by the title “Advocate of the Poor and the Distressed.” This is his great legal accolade. His deeds of charity were unobtrusive but effective; the cheerful perfection of his life and his true humility inspired all who knew him or even heard of him, while the wonders that came about through his intercession are eloquent of his sanctity.

We are fortunate that after so many centuries we can refer with assurance to a record that tells us much about him, a record, moreover, of solemnity and credibility that lawyers particularly will recognize, for it contains the testimony under oath of over 200 persons relating to the life, virtues and miracles brought about by the intercession of Ives Haelori. This record is the “Processus,” the official record of the testimony taken by a commission appointed by Pope John XXII to ascertain the facts so as to determine whether they warranted including Ives in the official

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list of canonized saints. This was a thorough, painstaking process in the interest of the truth. The witnesses were either autoptic contemporaries of Ives or were familiar with events connected with him, such as miraculous deeds said to have been brought about by the power of God through his intercession. This record was made available through the research of the great Breton scholar, Arthur de la Borderie, who, with the assistance of many others, assembled authentic documents, established their genuineness, and caused them to be published in 1887 in the form of modern printing from the rolls of parchment and hand printing of the 14th century.

The work is entitled *Monuments originaux de l'histoire de Saint Yves*, and it is, of course, a compilation with an explanatory introductory text and not a biography. The introduction is, naturally,

1. Before the discovery of this historical treasure, the main writings with reference to the life of St. Ives, according to de la Borderie, were:

1. The decree or Bull of Canonization of Pope Clement VI in the Cathedral in Tréguier; in French, but the documentary material is in Latin; the character of the writing, as de la Borderie tells us, is that of the first half of the 14th century.

De la Borderie's compilation, in addition to his ably written and fascinating introduction, contains the testimony of the witnesses in narrative form; the Report of the Cardinals; a reference to the Bull of John XXII convening the Commission and appointing the Commissioners; the Bull of Canonization, *Almus siderum conditor*, issued and proclaimed by Clement VI; letters of the same pope to the Bishop of Tréguier and to the King of France; the will of St. Ives; two Masses in honor of St. Ives; the prayers of his "Officium"; a life of St. Ives from the ancient legendary of the Church of Tréguier; the "Officium" of his translation; and tables of witnesses and places. This book is even now exceedingly rare. Its significance to the

2. A life of Saint Ives by the Dominican Father Maurice Geffroi (circa 1466-1479, since it was dedicated to Bishop Chaster who occupied the See of Tréguier during those years), which work was incorporated into:

3. *Acta Sanctorum*, Tomus IV Maii, which was also based upon a partial transcript of the "Processus," though the complete text of the Report of the Cardinals was available to the compilers, the Bollandists (Jesuit Fathers in what is now Belgium), published in Antwerp in 1665. The persons given credit as the compilers were Godefridus Henschenius and Daniel Papebrochius, with the assistance of Franciscus Bactius and Conradus Ianningus;

4. Documents in the files of the Bibliothèque Nationale in Paris; and

5. *Histoire de Saint Yves* by a member of the French Bar, Maître Sigismond Ropartz (1856). This was the outstanding authority until the discovery of the "Processus."

2 There is an excellent symposium on St. Ives in 5 FORDHAM L. REV. 397 (1936). This includes a reprint of Wigmore's *Saint Ives, Patron Saint of Lawyers* and there are translations from original
lawyer and the historian, however, cannot be adequately measured. It is the source work, par excellence, of the life of St. Ives.3

Ives' Early Life and Studies

Ives Haelori was born on his father's farm, Kermartin, in 1253. His father was a member of the lesser nobility, "damoiseau" (dominicellus) being the designation. His mother, whose name was Azou, was touched by the boy's devotion to God when he was very young, and we are told of her prescience of his ultimate sanctity. He had three sisters and one brother. Primary instruction was given to him by a tutor, Jean de Kerhoz, some twelve or thirteen years older than he; at the age of fourteen, under the care of his tutor, he went to far-off Paris to engage in the studies that were to lead him into the profession of law and later into Holy Orders. With them went some other young Bretons, and great was their anticipation in leaving for this already famous seat of learning which had attained great stature in the minds of scholars, and which became the model for other universities. After long days of travel they reached Paris and that old part of Lutetia, as the Romans called it, on the Ile de la Cité where their legions had trod.

It was a thrilling and satisfying experience for them; the inspiration of the 13th century and its great achievements was a part of the very air they breathed. Ancient as roman Paris was, they found many things that were relatively new. While the University was about a hundred years old at that time, a contemporary of that superb edifice Notre Dame de Paris, built as a labor of love for the worship of Almighty God and dedicated to the Virgin Mother whom Wordsworth has called "our tainted nature's solitary boast," there were some things that were very new. Robert de Sorbon had only recently completed the outlines of the liberal arts division of the University that has been famous through the ages as the Sorbonne. Still on the island, not far away, was jewel-like Sainte Chapelle, just completed less than twenty years before Ives and his friends arrived. They marvelled at this beautiful miniature Cathedral which Louis IX, a truly saintly monarch, had built to house the sacred relics from the Holy Land — the Cross of Thorns and some nails from the True Cross. Not far away from this center of scholastic Paris was the church that surmounted the Hill of Sainte Geneviève and which bore her name. Close by was Saint Etienne du Mont, one of the most ancient churches in Paris, where the tomb of Geneviève remains to this day. The Church of St. Séverin was very near too, and the Couvent de Saint Jacques, where Dominic's sons had already contributed much to the learning of the University; the center of the Franciscans, where famous followers of the gentle Saint of Assisi had gathered.

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3 Since de la Borderie's compilation, which is the main source of information at this time, there have been many works in languages other than English (chiefly French), among them: Saint Yves by the Chevalier de la Roncière (1918); Histoire de la canonisation by Dom Yves Ricaud, Moine de Solesmes (1947); Saint Yves des Bretons à Rome by Chanoine Toussaint Lecoq (1947); Monsieur Saint Yves by the Abbé Louis Mahe (1949); Saint Yves by a former Bâtonnier of the Bar of Brest, Maître Alexandre Masseron (1952); and Les Armes de Saint Yves, Patron des Avocats in La Vie Judiciaire (an excellent Parisian law journal), October 24, 1955, by Philippe Carlier, reporting an interview with the sculptor Janine de la Personne. Nor should we overlook the interesting presentation in Fêtes et Saisons (February 1954), nor a delightful opusculum, Saint Yves by Jeanne Moret (1955).
Roger Bacon, after stirring up many a controversy by his blunt criticism, had gone back to his native England and Oxford by this time, but the famous Giovanni di Fidenza, later called Bonaventure, was there when Ives reached Paris and was later to become the head of his Order.

And they were near to other great men, as we shall see. Their first quarters were in what even today is called the Rue de Fouarre, Vicus Straminus in those days, "The Street of Straw," later referred to by Dante and said to have been visited by him; it was thus called because the students seated themselves on heaps of straw to keep warm during lectures for there were no chairs or benches and certainly no central heating as we understand it. Here they studied art and literature; later, when they studied theology and canon law, including the Decretals so ably compiled by Raymond of Pennafort not many years before, they moved to what today is known as Clos Bruneau, but then its Latin name was Clou Brunel.

In either location they were close neighbors to the Rue Saint Jacques and the convent bearing that Saint's name, that had sheltered and would again shelter the master mind of education, Albert the Great, then teaching at Cologne. Here had been the amazing Vincent de Beauvais, the one-man encyclopedist, who had only recently finished his eighty volumes under the all-inclusive title of Studium Maius; one of its three main divisions, we are told, was the Studium Doctrinale, which among many other teachings included instruction on the proper conduct of judicial office. The recent completion of this monumental work could hardly have escaped young Ives, industrious, devout and eager to learn everything pertaining to his chosen profession of the law.

The brilliant pupil of Albertus Magnus, the man later to be called the Angelic Doctor, Thomas Aquinas, whose everyday prayer sought "method and facility in learning, subtlety in interpreting and elegance in speech," was at the height of his fame as a professor, and while there is no documentary proof offered in evidence up to this time, there is strong circumstantial evidence that Ives heard much about him and the book that he was then completing, the Summa Theologica, that bulwark of Christian doctrine and philosophy which has endured and has enlightened men of all ages.

And since Ives was interested in justice, in his nearness to the example of Louis IX, the knowledge of his administering justice beneath the oak tree in the Forest of Vincennes, there were also those quodlibetales at the University itself where the great masters of education responded to questions from the floor after their lectures. Now, whether Ives heard Thomas discourse on this special subject or whether he heard about it from other Bretons close to that powerful mind, the law, after all, was Ives' great concern. He could hardly have missed Thomas' exposition on the Judicial Precepts and the citations from Holy Scripture used by Thomas to illustrate his argument, such as Deuteronomy:

4 *Summa Theologica*, I-II, q. 105, art. 2.

5 Deut. 16:18.
blind the eyes of the wise and change the words of the just . . . .⁶

and Deuteronomy, Chapter 1:

And I commanded them, saying: Hear them, and judge that which is just: whether he be one of your country or a stranger.

There shall be no difference of persons; you shall hear the little as well as the great; neither shall you respect any man’s person, because it is the judgment of God. And if anything seem hard to you, refer it to me, and I will hear it.⁷

Certainly Ives’ later life showed an ideal application of these principles and it is not difficult to believe that he had learned them at Paris and had treasured them in his mind and in his heart.

He had before him the good example of the beautiful friendship between Bonaventure and Thomas — deep, strong, spiritual, intellectual; he could easily have heard that they had to wait together while their recognition as full professors was unduly delayed; the strength and power and lofty scope of their teachings were as boundless as the waves of the sea. And since Ives was still at the University of Paris in 1274, when the earthly companionship of these unsurpassed teachers ended, each on a separate mission, he undoubtedly shared in the grief of mortal men that Thomas and Bonaventure would teach no more in the lecture halls of Paris. Yet almost at once the voice of his strong faith told him that their friendship was really now eternal and that their teachings would build a bulwark of philosophy that never would be overthrown but would be the rallying point for all men of good will in their search for an education that does not ignore the soul of man.

⁶ Deut. 16:19.
⁷ Deut. 1:16, 17.
some authors have said, but while he was at Rennes, for he had to go to Tours, which was the seat of the Metropolitain (the Archbishop) to whose court appeals were taken from other courts, including that of Ives. Undoubtedly he went there, too, to argue appeals in cases he had tried as an advocate. It was hardly likely that he went from Orleans to Tours while he was a student, because, in addition to the time element, Tours was at least 70 miles from Orleans, and that would have been a long distance for a student to go in those days.

While in Tours in a legal capacity Ives stayed at a little inn. One morning the landlady came to him in tears and told him of her trouble. It seems that two men had come to the inn some days previously and left with her a heavy chest or “bougeote,” telling her that it was very valuable and not to turn it over to anyone but the two of them. A few days later the two went away, and one of them returning told her that his partner had sent him back for the chest and would she please give it to him so that he could catch up with the partner. She did so, and in a short time the other partner appeared and asked for the chest. When told of its delivery to the first partner he stormed in anger and took the matter to court. The landlady told Ives that this would ruin her, for the man claimed that the chest contained 1200 crowns of gold, and that was a fortune in those days. Worse, the matter had been partially heard in court and the judge was about to enter judgment against her as she could not deny the agreement. She was desperate. “Have no fear,” said Ives. “If you are in the right (bon droit) I shall defend you, and with God’s help we will prevail.” On the next day they went to court. The judge announced: “If there is no further evidence for the defense, I shall have to order judgment for the plaintiff.” Suddenly, before the bar of the court, appeared the dignified figure of Ives. “May it please the Court,” he said, “I enter an appearance on behalf of this good lady.” “Do you dispute the agreement, Counsel?” asked the Court. “No, Messire, this was indeed a bailment of locatio custodiae. There is no denial of that.” “Then I am willing to hear you, Counsel, but you will have to present convincing evidence to overcome the plaintiff’s case. If not, I shall have to order judgment for him.” “That is just the point, Your Honor, there is no need for me to offer evidence. The agreement is clear. But I respectfully move the Court for judgment of dismissal on plaintiff’s own case. The agreement was that my client should turn over the chest to this man and his partner, to both of them. But it is clear that plaintiff here has not made out a case, for he has not complied with a condition precedent and therefore his action is premature. Very well, the chest was to be turned over to the man and his partner. And where is the partner? By their very agreement one man is not entitled to possession without the other, and clearly this plaintiff has no cause of action against my client.” At this statement the plaintiff turned pale, and the Judge observing this and being impressed with Ives’ argument began to question the plaintiff. He soon confessed that this was a conspiracy to defraud the innkeeper, that the chest had only junk in it, and he and his partner were severely punished.

After serving with distinction in the Ecclesiastical Court at Rennes, he was invited by the Bishop of Tréguier to come home and he would appoint him his official
or judge of his court. This was really a pro-
motion for Ives, but most of all it brought
him back home again after an absence of
almost eighteen years, and it was an honor
to serve in such a position for these courts
were among the most enlightened in Europe
at that time. Ives accepted, and he was
back home again.

After his return to Tréguier, the Bishop,
knowing of Ives' devout life at both univer-
sities, ordained him a priest, although Ives
from a sense of deep humility protested his
unworthiness to be chosen for Holy Orders.
But the choice was indeed a wise one. Ives
was assigned to the small parish of Tredrez
with the understanding that he was to con-
tinue the duties of a judge and those of an
advocate. This he did without slighting any
of his duties of his priestly office or those of
the profession of the law. Regrettably there
is no real documentation of the details of
his cases, whether as a judge or as an advo-
cate, only the substance of some of them.

But the "Processus" makes the following
general statement (page 312): "He con-
ducted the causes of the poor, minors,
widows, orphans and other distressed per-
sons without fee and that he has accord-
ingly been called the Advocate of the
Poor." To this there is a host of witnesses
who saw and heard him try these cases, and
some of the witnesses heard from those
whom Ives helped, how kind and generous
he was to them. For instance, Yves de
Tregordel, forty-sixth witness, remembered
particularly the case of a widow named
Alicie against the son of Prigencius de
Ployal. When the opposition used abusive
language towards him Ives said, "Do not
say opprobrious things to me, because I am
conducting a just cause," and then he smiled
kindly at his opponent. Yves Sueti, third

witness, remembered specifically the case
of the Widow Levenez against a certain
usurer. Ives conducted this case to a finish
and Sueti assisted him, for he was a relative
of the widow. Yves Haloici, thirty-seventh
witness, testified how ably and fairly Ives
conducted a case against the father of the
witness on behalf of a certain man named
Costrici, and that his father never held it
against him, for Ives believed his client's
cause was just. Father Peter, Abbot of the
Cistercian Monastery, nineteenth witness,
recalled the case of the woman who sought
in marriage a young man who had made
his promise to marry her. The young man
and his counsel spoke abusively to Ives,
who refused to be drawn into personalities
and smilingly told them not to speak abu-
sively to him, for his client was entitled to
justice, and then kept on with his case. Two
witnesses, Alanus Thome, thirty-first and
Gaufridus Jubiter, Rector of the Church of
Tréguier, thirtieth witness, told of the case
of Richard de Rous, of noble birth but in
poor financial circumstances, who got into
litigation with the Abbot of Relec because
the worldly-minded Abbot desired to take
de Rous' land away from him. After having
his client meet the test of swearing that his
case was just, Ives went into court for him
against the Abbot and apparently won the
case for the penniless nobleman.

As a judge, the "Processus" (page 311)
lists several witnesses who saw him presid-
ing in the courts of the Bishop of Rennes
and later in the courts of Bishops Alanus
and Gaufridus at Tréguier. "... [H]e was
very wise and learned and conducted the
post of Judge in a holy and just manner
and brought justice to one and all without
delay and with perfect impartiality. And
litigants and others who were in dissension,
he restored to peace and harmony." (Gaufridus de Insula, Geoffroi de l'Isle, thirteenth witness.)

There could be no greater tribute to a judicial career.

**Illustrative Miracles from those Attributed to Saint Ives' Intercession**

Our presentation would not be complete without some mention of at least a few of the one hundred miracles testified to at the hearing before the Commissioners.

Margilia Lanmeur was the daughter of a law professor. After an illness she developed a spot on one of her eyes about the size of a pea or a bean; "unius grani pisorum" is the description set forth in the narrative of her father's testimony. The professor and his wife vowed their daughter to Ives, they visited his tomb, and the girl was miraculously cured the next day. The spot had been present for several days before the cure and afterwards there was no mark or sign of it. The professor said that his wife, the girl's nurse Mahauta, and several others, saw the girl before and after. The questions of the Commissioners were searching indeed but the professor answered them all satisfactorily.

But the Case of the Restoration of the Widow's Property and the Miracle of the Stricken Thief are inseparable, and implicit is the illustration of an important principle of the effect of admissions against interest.

Blezvenna Gasqueder came home after a short absence and discovered that all she owned of any value had been stolen. Heartbroken, weeping and distressed, she went to the tomb of Ives and there made a vow, praying that she obtain justice. As she stood there she said there seemed to come within her something like an inspiration that told her that if she went to certain houses in Tréguiier she would recover her property. The Commissioners asked her whether she had already suspected these people and she swore that she had not. She went to these houses, found most of her property, and with the assistance of the Bishop's servants had this portion returned to her. But one-fourth was still missing, and so was the thief when she went to his house. The thief's wife, dismayed, sent her brother (a monk at the time of the hearing) to find her fleeing husband and urge him to return the loot. But the testimony showed this striking turn of events: The 131st witness stated under oath on the Gospels that the thief, while making good his escape reached a field named Parcus when he was suddenly struck blind. Overcome with remorse, he repented, made a vow to Ives promising restitution, sending word by his brother-in-law who soon reached him telling the widow where to find her property. When restitution was made a day and a night later, the repentant thief miraculously recovered his eyesight. The testimony of this witness made a profound impression on the Commissioners, because the witness was the thief himself, Yves Ponteur!

**The Canonization**

When Ives died in 1303 every Breton knew that he was a saint, but official recognition took a long time.

While almost immediately steps were taken in Brittany and even by the King, there was hardly time to make a formal presentation before 1305 when Bertrand de Got, Archbishop of Bordeaux, was elected Pope, took the name of Clement V, and in 1308 installed the Papacy at Avignon. A presentation to him was made, but he died in 1314. There was an interim of over two years before the next Pope was elected, and
he was John XXII. During his Pontificate the cause of Ives made much headway, and finally in 1330 he appointed a fact-finding Commission of Inquiry consisting of two Bishops and an Abbot. This Commission began its sessions June 23, 1330, and ended them August 4, 1330. Then the long parchment rolls of testimony, sewed end to end and sealed, were sent on to Avignon to the Pope. He appointed a Board of Cardinals to study the record, which had to be recopied for the Cardinals so that each could study it carefully, and then John died in 1334. Benedict XII, who succeeded him, did not receive the report of the Cardinals, or else did not expedite it. But when Pierre Roger was elected in 1342 and took the name of Clement VI, the cause moved forward.

Knowing the thoroughness of the Commissioners, the conscientious and able work they had done and the scrupulous examination of each of the witnesses, Pope Clement VI took steps to complete the work of report and review. This was a serious step not lightly to be taken. But determined as Clement VI was, he was given a reminder that "justice delayed is justice denied." In an allocution he himself related that Ives appeared to him in his sleep, whether in person or in a dream he could not say for certain. Ives had a sceptre in his hand and he told Clement that his cause had been unjustly delayed and told him to proceed with it. Clement immediately brought this occurrence to the attention of the Procurator of the Commission, and the cause moved to a conclusion.

With great ceremony the Consistory took place on the 18th of May, 1347, at which time the Pope made his allocution, and ten prelates, members of religious orders, and others, spoke with a Biblical text as the theme presenting the reasons for canonization.

One of these was a Bishop of Wexford, Ireland, designated as a special compliment to the Celtic race and showing the kinship of the Bretons with the Irish.

Finally, on May 19, 1347, in an elaborate and impressive ceremony before the High Altar, just five years to the day that Clement had assumed the duties of the Papacy, he formally proclaimed that:

... [W]e have ordered blessed Ivo [Haelori] inscribed on the Roll of Saints, among the Confessors, effective XIII Kal. Junii [May 19] in his proper sequence, decreeing that he is to be venerated as a Saint by all.

Given at Avignon XIII Kal. Junii [May 19] in the sixth year of our Pontificate. [1347]

The bells rang out, there was great joy in Brittany, and in all France, and in the far places where his fame had reached. The long delay was over, and now Saint Ives, who was so just himself, received at last a full measure of justice.

Summation

The pattern of his life is clear cut, easily discernible. It is an outline of perfection of the personal and professional life of a man who loved the people with whom he lived in close communion with their troubles and heartaches — and who sought justice for them, justice that could not be denied, for his preparation for the law was thorough and he was close to the loftiness of thought of the great minds of the University. Edified by their example and inspired by their doctrines, he grew up as a student to become a scholar in the center of learning of one of the great ages in the world’s history. Upon
this well-grounded foundation, with the skill and resourcefulness acquired through study, learned, devout and clean of heart, a saint indeed, but a cheerful saint, industrious and indefatigable in his thirst for a learning that would school him in the law of God and of man, he illustrated the lawyer of great ideals: character, learning, love of the law and of justice, a burning desire to be of help to those who would be helpless without his aid, who would be inarticulate without his knowledge and forensic skill; of unquestioned integrity; strong in his belief that if conciliation could not be effected, then prompt should be the presentation in court and the judgment; who sought conciliation not only of issues, but of persons, so as to bring the peace of God to their hearts. Living these principles and making justice available to those who had no other champion in the courts, his great reputation over the ages is that he achieved justice for his chosen clientele. As father of the French “assistance judiciaire,” he is also the prototype of our Legal Aid and the various activities of Bar Associations to provide counsel for those who otherwise would have had no day in court. He was thus an early advocate of the right and the dignity of the individual. His meager income from his post as judge and his modest resources when his father’s farm became his were used up in deeds of charity; he even sold his last horse to provide food for a group of poor people. A man of peace, he had the courage to defy the servants of the King when they attempted to seize Church property for taxes, with eyes blazing and with righteous wrath, strong in his knowledge that he was resisting injustice, for a sense of justice was a part of his very being. His professional competence was recognized far and wide, before the Parliament of Paris as well as the Parliament of Brittany at Rennes. On the level of the trial court he could settle cases even when people had declared their irreconcilability; he was courteous to adverse counsel, though the provocation to retaliate was strong. He reached heights of perfection that perhaps few can attain, but the challenging pinnacle remains an inspiration, the conquest of a spiritual Everest, showing that it is within the possibilities of human achievement.