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# «Holding the Place of the lord Pope Celestine»: The Legations of Gregory, Cardinal-Deacon of Sant'Angelo (1192-4 / 1196-7)

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The 1190s were perhaps the lowest decade of the twelfth century in the Iberian Peninsula. The disaster of Alarcos, a crusade called against Alfonso IX of León, wars between peninsular powers, the death of an Aragonese king to a fever, and famines wracked the Iberian Peninsula within five years alone<sup>1</sup>. For more than a century since the Council of Burgos in 1080, the Spanish churches had been mostly in liturgical conformity with Rome<sup>2</sup>. By the mid-twelfth century the papacy was bringing to effect much of the ideology of the reform movement on the ground in Spain, and the vigorous legations of Cardinal Hyacinth Bobone in the preceding half-century had brought the papacy greater immediate influence in the Iberian Peninsula<sup>3</sup>. When Hyacinth took to the see of St. Peter as Celestine III, his peninsular work was continued by Gregory, Cardinal-Deacon of Sant'Angelo<sup>4</sup>. The 1190's saw Gregory

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<sup>1</sup> The narrative for the period is well-covered by a number of survey histories: Peter LINEHAN, *History and the Historians of Medieval Spain*, New York, 1993, pp. 245-312; Peter LINEHAN, *Spain, 1157-1300*, Malden, MA (USA), 2008, pp. 35-56; Joseph O'CALLAGHAN, *Reconquest and Crusade in Medieval Spain*, Philadelphia: Pennsylvania University Press, 2003, pp. 50-75; Stephen LAY, *The Reconquest Kings of Portugal: Political and Cultural Reorientation on the Medieval Frontier*, New York, 2009, pp. 103-142; Francisco GARCÍA FITZ, *Las Navas de Tolosa*, Barcelona, 2005, pp. 101-154; Gonzalo MARTÍNEZ DíEZ, *Alfonso VIII de Castilla: Rey de Castilla y Toledo*, Madrid, 2007, pp. 117-121; Carlos ESTEPA DíEZ, *Estudios sobre el reinado de Alfonso VIII (1158-1214)*, León, 2011, pp. 11-65; Adeline RUCQUOI, *L'Espagne Médiévale*, Paris, 1993, pp. 25-9.

<sup>2</sup> Teófilo F. RUIZ, *Burgos and the Council of 1080*, in Bernard F. Reilly (ed.) *Santiago, Saint-Denis and Saint Peter: the Reception of the Roman Liturgy in León-Castile in 1080*, New York, 1985, pp. 121-30; ID., *Burgos y el Concilio de 1080*, in *Boletín de la Institución Fernán González*, 59 (1980), pp. 73-84.

<sup>3</sup> Damian Smith has sketched both these trends: Damian SMITH, *Alexander III and Spain*, in Peter D. CLARKE and Anne J. DUGGAN (eds.), *Pope Alexander III (1159-1181): The Art of Survival*, Burlington, VT (USA), 2012, pp. 203-43; Damian SMITH, *The Iberian Legations of Cardinal Hyacinth Bobone*, in Damian SMITH and John DORAN (eds.), *Pope Celestine III (1191-8): Diplomat and Pastor*, Burlington, VT (USA), 2008, pp. 84-115.

<sup>4</sup> According to one Premonstratensian chronicler, Hyacinth was himself to undertake the same legation which Gregory later held, but it was cancelled and Hyacinth called to be Celestine III: *Burchardi Prae-*

undertake his two legations in the peninsula, and his work has left a considerable record of more than twenty surviving documents<sup>5</sup>. This study reconstructs those two legations; demonstrates what objectives the Cardinal-Deacon's work for Celestine III may have had; examines the extent and limitations of papal authority in the peninsula; and, lastly, what can be determined about legations to medieval Iberia as a whole.

Celestine III, in several letters, referred to Gregory as his nephew, and several German scholars have come to the conclusion that the specific relation between the two –maternal or paternal– is lost to history<sup>6</sup>. This relationship to Pope Celestine III links Gregory to the Bobone clan, of which Celestine was a prominent member. Thus, Gregory was not without kinsmen at the Curia<sup>7</sup>. We know that he was likely a Bobone, or linked to that prominent clan by marriage. Cardinal Gregory first appears in papal records on 7 December, 1190, but we cannot know when he was appointed since papal eschatocols do not preserve subscriptions of men appointed to the Cardinalate, although even this information would not reveal anything more about Gregory<sup>8</sup>.

In the case of both legations, we can plot Gregory's itinerary roughly. His first legation leaves a significantly more extensive record, with a total of nineteen documents (See Table 1). The second leaves only four documents, two of which can be dated with certainty and two more which are suspected to belong to the second legation but cannot be definitively dated (See Table 2). In both cases, the record is assuredly incomplete, but the itineraries themselves prove instructive and demonstrate the kinds of activities Gregory undertook while in the peninsula.

Rivera Recio postulated that the first legation of the Cardinal took place «with the double mission of shoring up the peace [between the kingdoms] and dissolving the marriage of the king of León»<sup>9</sup>. Julio González made Gregory's

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*positi Urspergensis Chronicon*, O. HOLDER-EGGER and B. von SIMSON (eds.) (Monumenta Germaniae Historica Scriptores Rerum Germanicarum, 16) (Hanover-Leipzig, 1916), 112-13, quoted in, SMITH, *The Iberian Legations of Cardinal Hyacinth Bobone*, pp. 81-2.

<sup>5</sup> Stefan WEISS, *Die Urkunden der päpstlichen Legaten von Leo IX. bis Coelestin III. (1049-1198)*, Wien, 1995, pp. 300-8. [Hereafter, UPL.]

<sup>6</sup> For example: Paul KEHR, ed., *Papsturkunden in Spanien*, Gottigen, 1970, pp. 2:588 [Hereafter, PUS.]. Confirming this observation: Werner MALECZEK, *Papst und Kardinalskolleg von 1191 bis 1216: die Kardinäle unter Coelestin III. und Innocenz III.*, Wien, 1984, pp. 98n.321; Gerhard SÄBEKOW, *Die päpstlichen Legationen nach Spanien und Portugal bis zum Ausgang des XIII. Jahrhunderts*, Ph.D. Diss., Berlin, 1930, pp. 55-61.

<sup>7</sup> Bobo Bobone, Pope Celestine III's brother, was Cardinal-deacon of S. Teodoro from 11193-1199. MALECZEK, *Papst und Kardinalskolleg*, 111; SMITH, *The Iberian Legations of Cardinal Hyacinth Bobone*, pp. 89, n. 67.

<sup>8</sup> MALECZEK, *Papst und Kardinalskolleg*, pp. 98.

<sup>9</sup> «con la doble misión de ajustar las paces y de disolver el matrimonio del rey de León». Juan Francisco RIVERA RECIO, *La Iglesia de Toledo en el siglo XII (1086-1208)*, Roma, 1966, pp. 229.

Table 1

**Cardinal Gregory's First Legation, 1192-4**

Date	Location	Kingdom	Cause
4 June 1192	Burgos	Castile	Privileges confirmed
September 1192	Santarém	Portugal	Privileges confirmed
September 1192	Alcobaça	Portugal	Privileges confirmed
October 1192	Túy	León	Privileges confirmed; Exemption conferred
October 1192	Túy	León	Privileges confirmed
Late 1192	Coimbra	Portugal	Privileges confirmed; Protection granted
January 1193	Toro	León	Privileges confirmed
January 1193	Toro	León	Reprimand of Braga
February 1193	Burgos	Castile	Reprimand of Porto; Privileges confirmed
29 March 1193	Sahagún	León	Property Settlement
July 1193	Lleida	Crown of Aragón	Property Settlement
July 1193	Lleida	Crown of Aragón	Confirmation of sentence given by judges-delegate
July 1193	Lleida	Crown of Aragón	Grant of Exemption
July 1193	Lleida?	Crown of Aragón	Creating a judge-delegate
August 1193	Girona	Crown of Aragón	Reform of Convent
September 1192	Lleida?	Crown of Aragón	Privileges confirmed
20 April 1194	Tordehumos	Castile	Peace of Tordehumos
May(?) 1194	Calahorra(?)	Castile (?)	Property Settlement
1-11 May 1194	Burgos?	Castile	Property Settlement

Table 2

**Cardinal Gregory's Second Legation, 1195-1196**

Date	Location	Kingdom	Cause
February 1196	Nájera	Castile	Property Settlement
15 October 1196	Huesca	Crown of Aragón	Property Settlement
Summer 1196(?)	Lugo(?)	León	Property Settlement
Summer 1196(?)	Lugo(?)	León	Property Settlement

legation the subject of only a few pages, and even these made peace to unite Spain against the Muslim South a strong theme, although his comments on Gregory were not the main focus of his larger study on Alfonso VIII<sup>10</sup>. I.S. Robinson gave Gregory's missions a very short summary, stating that «[Cardinal Hyacinth's] successor, Gregory of S. Angelo worked throughout 1191-4 to unite the Christian kings of Spain in crusade and resumed his efforts in 1196-7»<sup>11</sup>. Even if the records of his legations are only partial, the documents which do survive demonstrate that these summaries of the legation were essentially correct, but the goals of those legations were much more complicated. Peace between the kingdoms was important, but perhaps as important was the pacification and settlement of a number of ecclesiastical disputes in the kingdoms of Christian Iberia. His resolution of important monastic and ecclesiastical contests, his organization of church councils, efforts toward creating a lasting peace, and employment of judges-delegate are also of crucial interest for scholars of the medieval papacy. It will become clear that the settling of much business between powerful churchmen was an important task for papal legates and demonstrated the rights of the papacy as a court of highest appeal. Taken together, the political and ecclesiastical activities of Cardinal Gregory suggests that his legation demonstrated that the papacy was the chief earthly arbiter of a supranational judicial authority and that Gregory's legation demonstrated this in an itinerant fashion; a story this important requires more thorough analysis.

We can determine that Cardinal Gregory left Rome sometime before late May 1192. He appeared in Burgos by early June 1192 and remained in the Iberian Peninsula until May of 1194, a period spanning just under two years<sup>12</sup>. During that time, Gregory appears in every Christian Iberian kingdom<sup>13</sup>. The considerable length of his journey is suggestive of a significant network of supportive contacts<sup>14</sup>. In each phase of his legation, Gregory seems to have spent considerable energy resolving the internal disputes in each kingdom and settling major controversies between them. The legation is best understood through a more-strictly chronological investigation.

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<sup>10</sup> Julio GONZÁLEZ, *El Reino de Castilla en la época de Alfonso VIII*, Madrid, 1960, pp. 1:382-4. [Hereafter, *RdC*.]

<sup>11</sup> I.S. ROBINSON, *The Papacy 1073-1198: Continuity and Innovation*, New York, 1990, pp. 170.

<sup>12</sup> *UPL*, 300-2.

<sup>13</sup> Sancho VII was not recognized as «King» of Navarre during Gregory's period of activity, and was acclaimed as «dux», thus Gregory's legatine itinerary took him through every papally-recognized kingdom.

<sup>14</sup> I would postulate that these contacts were likely either those developed by Cardinal Hyacinth on his later legation, or were connected to those same networks, although this cannot be confirmed. It is perhaps possible that a young Gregory accompanied the aging Cardinal Hyacinth on his latter legatine activities, but we have no way of knowing for certain.

The story of Cardinal Gregory's legations begins with a diploma from Burgos in June of 1192. The document is merely a routine confirmation of privileges held by the house of Trianos, and although it failed to list any of the specifics regarding the privileges themselves, the act of having privileges confirmed was a regular matter for any new superior in a religious community<sup>15</sup>. In the busy and competitive diocese of Burgos, obtaining royal and papal privileges was crucial: the establishment of Las Huelgas by King Alfonso VIII and Queen Eleanor of Castile in 1187 had only crowded the already-bustling exempt diocese of Burgos with a greater number of monasteries competing for the pilgrim-traffic on the road to Santiago<sup>16</sup>. Although its modern editors were unwilling to provide any firm date for the document, Julio González has suggested that the document belonged to 1192, and the formulas employed suggest that it belongs to Gregory's first legation, although such a conjecture is very difficult to prove<sup>17</sup>. In any case, the patronage of the monastery of Trianos complicated the diocesan politics of Burgalese ecclesiastics, and Gregory's confirmation assured Trianos of its position within the competitive diocesan milieu.

Three documents are extant from Gregory's Portuguese activities in 1192. The first, a confirmation of the privileges of the monastery of San Vicente de Fora was issued at Santarem in September, similar to that done for Trianos in June. The specifics of the document provide little information about the concerns of the Cardinal, save that his letters confirmed «the liberties, immunities, and reasonable customs» of the house of San Vicente under the usual provisos<sup>18</sup>. During the same September, Gregory also confirmed the privileges of the cathedral canons of Santa Cruz in Coimbra while he was at Alcobaça<sup>19</sup>. In these first two privileges issued in Portugal we can glimpse what appears to be evidence of the formulary employed by Gregory for the privileges issued on his legations<sup>20</sup>. The same vocabulary is used for the opening

<sup>15</sup> Guillermo CASTÁN LANASPA and Javier CASTÁN LANASPA (eds.), *Documentos del Monasterio de Santa María de Trianos (siglos XII-XIII)*, Salamanca, 1992, pp. 56. It was a commonplace to seek confirmation of privileges whenever a new occupant was found for a see. The example of the bishops of Burgos is illustrative in this regard. Don Pedro Perez, bishop from 1156-1181, received two separate confirmations from the papacy, each of which came after a new pontiff had taken to the throne of St. Peter. José Manuel GARRIDO GARRIDO, *Documentación de la Catedral de Burgos (803-1183)*, Fuentes Medievales Castellano-Leonesas, vol. 13, Burgos, 1983, pp. 239-40, 268. Although the house of Trianos properly lies within the diocese of León, its position in the diocese put it more frequently in competition with Burgalese houses.

<sup>16</sup> José Manuel CERDA, *Leonor Plantagenet y la Consolidación Castellana en el Reinado de Alfonso VIII*, in *Anuario de Estudios Medievales*, 42/2 (2012), pp. 633-6.

<sup>17</sup> *RdC*, pp. 1:421. The importance of these formulae are dealt with more below, p. 8-9, but it is clear from their language that the document belongs to Gregory's first legation.

<sup>18</sup> Carl ERDMANN, *Papsturkunden in Portugal*, Göttingen, 1970, pp. 352-3. [Hereafter, *PUP*.]

<sup>19</sup> *PUP*, 354, no. 132.

<sup>20</sup> The question of exactly how the privileges were confirmed: were they brought to Gregory awaiting only the legate's signature or was the notary waiting to simply plug in the details of the privileges?

passages in both letters, suggesting a common source from a formulary likely carried by the cardinal's retinue on the legation:

San Vicente Privilege	Santa Cruz Privilege
<p>Sacrosancta Romana ecclesia deuotos et humiles filios ex assuete pietatis officio diligere et in uisceribus karitatis habere propensius consuevit et, ne prauorum molestiis agitentur, tanquam pia mater sue protectionis munime confouere. Quoniam igitur nos in Hispanie partibus legationis officio fungimur, tenentes locum domni pape Celestini tercii, attendentes deuotionem et reuerentiam, quam erga Romanam ecclesiam et nos ipsos geritis, ...libertates, emunitates, et rationabiles consuetudines uobis... largitione regum siue principum, donatione pontificum, oblatione fidelium seu aliis iustis modis prestante Domino poterit adipisci, ...Si qua igitur in futurum ecclesiastica secularisue persona sciens contra eam temere uenire temptauerit, secundo, tertioe commonita, si non se satisfactione congrua emendauerit, indignationem omnipotentis Dei et beatorum apostolorum Petri et Pauli se nouerit incursurum<sup>1</sup>.</p>	<p>Sacrosancta Romana ecclesia deuotos et humiles filios ex assuete pietatis officio diligere propensius consuevit et, ne prauorum molestiis agitentur, tanquam pia mater sue protectionis munime confouere. Quia igitur nos in Hispanie partibus legationis officio fungimur, tenentes locum domni pape Celestini tercii, attendentes deuotionem et reuerentiam, quam erga Romanam ecclesiam et nos ipsos geritis, libertates et emunitates et rationabiles consuetudines uobis ...iuste et rationabiliter possideat aut in futurum concessione pontificum, largitione regum siue principum, oblatione fidelium seu aliis iustis modis prestante Domino poterit adipisci, firma uobis uestrisque successoribus et illibata permaneant. Si qua igitur in futurum ecclesiastica secularisue persona hanc nostre confirmationis et constitutionis paginam sciens contra eam temere uenire temptauerit, secundo tercioe commonita, si non satisfactione congrua emendauerit, indignationem omnipotentis Dei et beatorum apostolorum Petri et Pauli se nouerit incursurum<sup>2</sup>.</p>

1. pup, 352-3, no. 131.

2. pup, 354, no. 132.

Unfortunately, these two documents do not preserve any notation about which member of Gregory's retinue crafted the privileges<sup>21</sup>. It seems most likely that the formulary employed by the scribes in Gregory's retinue must have been consistent in the use of that formulary. It is doubtful that Gregory did any of the difficult scribal

Unfortunately, the details are not extant in a manner which suggests that the answer is even recoverable. On the formula of *Sacrosancta Romana Ecclesia*, see: Jane SAYERS, *Papal Government and England during the Pontificate of Honorius III*, New York, 1984, pp. 101-4. I am grateful to Dr. Damian Smith for this reference.

<sup>21</sup> Unfortunately, almost no information survives about Gregory's retinue – scribes, notaries, chaplains, etc. – during his legation. That information would have betrayed much about the expectations for the kind of work expected on the legation by Gregory and Celestine.

work himself, and Gregory's team likely knew the components of the formula intricately from constant use. The settling of disputes between monastic houses could place a considerable burden on regional bishops, and finding qualified churchmen to judge cases competently was difficult, even by the late twelfth century<sup>22</sup>. It seems likely that the privileges were presented to Cardinal Gregory and were related to local struggles for patronage and exemption, rather than as the result of any now-lost disputes. Unfortunately, it is unlikely that the formula used changed over the course of the legation, and so the privilege can only be dated to the first legation when the formula was used with some frequency, which supports –but *cannot* confirm– González' speculative dating.

Sometime in late –most likely, September– 1192, Cardinal Gregory travelled south to Coimbra and issued another diploma to the chapter of Santa Cruz de Coimbra's hospital prohibiting them from receiving or confiscating the property of the sick<sup>23</sup>. «If, having been affected by mercy, you should receive any cleric in your hospital, he ought not sell his benefice in perpetuity because of this fact, except if he should have been assigned the benefice by you»<sup>24</sup>. The preservation of properties for a hospital was certainly of importance, as was the preservation of the rights of the sick, but it seems more likely that the privilege was an *ad hoc* ruling, prompted by local circumstances, rather than any latent litigation. If the canons of the chapter of Santa Cruz were attempting to accrue more property for the chapter (and thereafter to subdivide that property amongst themselves), then the use of the hospital to absorb the prebends of other clerics in their last days would have been a likely tool. Having likely spent Christmas at the Portuguese *urbs regis* of Coimbra, Cardinal Gregory appears to have moved northeast to Toro, in the Kingdom of León, early in the new year.

Cardinal Gregory moved north in October to the diocese of Túj. Sometime in the month of October, Gregory issued a diploma for the Augustinian house of Grijò,

<sup>22</sup> The presence of masters of law at Palencia attests to the demand for educated clergy, and the expansion of the school at Palencia in the period prior to Gregory's legation demonstrates how that demand grew and became more diversified in the twelfth century: Adeline RUCQUOI, *Las dos vidas de la Universidad de Palencia* (c. 1180-1250), in *Rex, Sapientia, Nobilitas, Estudios sobre la Península Ibérica Medieval*, Granada, 2006, pp. 99. It seems likely that these clerics began to be cultivated during the episcopate of Raimundo de Palencia as part of the episcopal legal apparatus: Derek LOMAX, *Don Ramon, Bishop of Palencia (1148-1184)*, in Juan MALUQUER DE MOTES Y NICOLAU (ed.), *Homenaje a Jaime Vicens Vives*, Barcelona, 1965, 1:280-91. On judges-delegate in the peninsula, see below, n. 135.

<sup>23</sup> *PUP*, 356, no. 135. I would suggest that the privilege belongs to September, as with the Santarem and Alcobaca privileges, but it is not impossible that Gregory moved between Portugal and Leónese Galicia with some speed, but this seems, to me, less likely. The involvement of Braga and Porto in later Leónese cases suggests that this is plausible, but dating the privilege to November or December is a less preferable possibility.

<sup>24</sup> «si aliquem clericum in hospitali uestro misericordie intuitu receperitis, non ex hoc sibi possit beneficium in perpetuum uendicare, nisi et a uobis beneficium ei fuerit perpetuo assignatum» *PUP*, pp. 356, 135.

confirming the privileges of the monastery, but added an important but standard line to the privileges of the monastery: «we take you under our protection and under [that of] blessed Peter and we communicate this protection with the present document»<sup>25</sup>. Although papal exemption could bring considerable benefits to a monastic house, the formulaic language (congruent with Gregory's earlier usages) leaves few details for historical analysis<sup>26</sup>. No special mention of the devotion of Grijò to the papacy, no mention of Grijò's monastic way of life, nor are any other reasons for the exemption is presented in Gregory's diploma. A second privilege issued at Túy in October of 1192 demonstrates that Gregory likewise confirmed privileges granted to S. João de Tarouca, in the important city of Coimbra, by the bishop of Lamego<sup>27</sup>. Unfortunately the specifics of this second privilege were lost and Erdmann was unable to find any recoverable text of the privilege other than its notation by an unnamed eighteenth century Portuguese antiquarian; nothing further can be added to the narrative regarding Gregory's first stop at Túy<sup>28</sup>.

Whereas Sancho I of Portugal had been leading a strong defense against the Almohads for much of the late 1180s and early 1190s, Alfonso IX was mired in a number of disputes in early 1193<sup>29</sup>. The Cardinal had travelled into a hotbed of activity in León, and at Toro he issued at least two documents in favor of the church of Porto. The two privileges issued by Gregory at Toro are not extant in their original, but were fully copied in two confirmations of his decisions which were issued by Innocent IV<sup>30</sup>. One of the privileges demonstrates the employment of the same formulae found elsewhere in the legatine privileges issued by Cardinal Gregory<sup>31</sup>.

<sup>25</sup> «sub beati petri et nostra protectione suscipimus et presertim scripti patrocinio communimus». *PUP*, 355.

<sup>26</sup> No dedicated study of the exemption has yet appeared for Spain, but Falkenstein has devoted a hefty monograph to the study of the exemption in France, which illustrates well the power and breadth of these privileges in medieval France. Ludwig FALKENSTEIN, *Le Papauté et les abbayes françaises aux XIe et XIIe siècles. Exemption et protection apostolique*, Paris, 1997.

<sup>27</sup> *PUP*, 356, no. 134. Although Erdmann lists this document as having been registered by an eighteenth century Portuguese historian, the document itself, to which the Portuguese text refers, has yet to be edited or rediscovered to my knowledge.

<sup>28</sup> The details of the privilege were given an uncharacteristically short description by Erdmann, suggesting that Erdmann himself was unable to recover any details which would give him any clues as to where the privilege was preserved. The non-descript title ascribed by Erdmann to the volume in which the document was referenced and the absence of any details about the privilege suggests that he was only able to locate a reference to the document in a secondary source and not an extant copy of the text.

<sup>29</sup> On Sancho I's conquests: LAY, *Reconquest Kings of Portugal*, pp. 154-60. On the problems faced by Alfonso IX in the early 1190's: Julio GONZÁLEZ, *Alfonso IX*, Madrid, 1944, pp. 60-73.

<sup>30</sup> Augusto QUINTANA PRIETO, *La documentación pontificia de Inocencio IV, 1243-1254*, Roma, 1987, pp. 2: 705-7.

<sup>31</sup> The first document, no. 798, employs the same «quam erga Romanam» and the «in Yspanie partibus legationis officio fungimur, tenentes...» formula at the end of the *narratio* and the beginning of the *sanctio*, cfr. above, p. 8-9.

The second privilege presents an interesting insight into the internal concerns of the Spanish Churches. Specifically, the archbishop of Braga was reprimanded for having usurped properties from the bishop of Porto, but the reprimand took place «when we were in a council celebrated at Salamanca»<sup>32</sup>. The presence of Braga and Porto suggests the likelihood of a significant Portuguese delegation; the bishop and clergy of Salamanca would certainly not miss a legatine council in their own city, and it seems further unlikely that the bishops of León and Galicia would likewise miss such an opportunity. In any case, the importance of Gregory's legations to the business of the church in Spain is demonstrable, even if the full agenda is not as well preserved as it would be for the Council of Lleida later in 1193<sup>33</sup>.

Having spent perhaps the rest of the month in Toro, Cardinal Gregory returned to the Castilian royal city of Burgos in February, 1193. We have only one document which survives definitively from that time period in Burgos, and the only available edition is from the 1762 antiquarian compendium of the Portuguese historian Thomas da Encarnação<sup>34</sup>. The document aimed to settle the disputes between the church of Porto and several nearby monasteries in order to best define the limits of Porto's episcopal jurisdiction. It seems most likely that this diploma was a last residual effort of some now-lost investigation by judges-delegate appointed by Gregory into the relations between Porto and nearby monasteries dating from the Council of Salamanca<sup>35</sup>. At the heart of the matter was the question of whether the monasteries near to Porto were exempt and whether their particular exemptions entitled them to be free from the interference of the bishop of Porto, Don Martín Rodríguez. Gregory's privilege includes language that establishes the cardinal as a judicious fact-finder: he made his decision «having seen the privileges of the monastery, and heard the allegations of the other party, [and having seen] how the matter stood from the tenor of the privileges»<sup>36</sup>. Gregory's confirmation of the exemptions of the monasteries concerned –São Martinho do Dragão, São Salvador do Petrosino, São Mamede do Serzedo– was in line with the general maintenance of privileges already granted –it was a greater headache to strip privileges– and tried to uphold the rights of bishops where possible; the

<sup>32</sup> «cum in concilio celebrato Salamitice essemus». QUINTANA PRIETO, *La documentación pontificia de Inocencio IV*, pp. 2:706-7.

<sup>33</sup> It seems possible that the archbishops of Santiago and Toledo may have been present, but this cannot be confirmed. For the Council of Lleida in 1193, see below.

<sup>34</sup> THOMAS AB INCARNATIONE, *Historiae Ecclesiae Lusitanae: per singula saecula ab Euangelio promulgato*, Coimbra, 1762, pp. 3:74-5. I have appended this document (Appendix A) because of its rarity: both Weiss and Erdmann were unable to locate reliable editions. Cfr.: UPL, pp. 302; PUP, pp. 45, pp. 94.

<sup>35</sup> For Gregory's usage of sub-delegates, see below, pp. 16-8, and pp. 17 n. 62 for modern scholarship on the phenomenon.

<sup>36</sup> «visis privilegiis Monasterii, & auditis alterius partium allegationibus, quoniam ex tenore privilegiorum constituit.» ab Incarnatione, *Historiae Ecclesiae Lusitanae*, pp. 3:74. See also, below, Appendix A.

acceptance of the papacy's right to decide on these matters was an indicator of the acceptance of papal supremacy. Already Braga (Porto's metropolitan) had been reprimanded number of times by Cardinal Hyacinth, and it seems a similar process seems was underway with his nephew and the prelate of Porto<sup>37</sup>.

At Sahagún in late March, Gregory settled a complicated property dispute between the bishop of Pamplona and the prior of the collegiate chapter church of Tudela<sup>38</sup>. The dispute concerned the division of the properties, revenues and rights of the church of Santa María Magdalena in Tudela. Gregory's document divided the revenues of Santa María Magdalena between Pamplona and Tudela, but placed the chaplain of Santa María Magdalena under the rule of the prior of the important house of Augustinian canons regular in Tudela at the church of Santa María la Mayor<sup>39</sup>. Pamplona's importance as a center of power for the leaders and rulers of Navarra cannot be overstated<sup>40</sup>. Given that the current bishop of Pamplona was the former bishop of Osma and had lent Sancho VII much money; thus, the bishop of Pamplona had a powerful backer, which seems to have assured at least a partial victory for Pamplona<sup>41</sup>. The creation of an equitable division of the revenues of Santa María Magdalena allowed Pamplona to maintain its episcopal dignity and Santa María la Mayor of Tudela to hold her exempt status intact.

By mid-1193, Cardinal Gregory's arrival in the Crown of Aragón must have been well-anticipated. At Lleida in July of that year, a council was celebrated from which we have three decisions for important cases in the Church in the Crown of Aragón. The dating of the council is suspect, but Fita estimated «that the council was in the year 1193, and not in the last days, but in the first days of July» and his editions of the documents are still the standard<sup>42</sup>. The council must have lasted at

<sup>37</sup> On the battles between Hyacinth and João of Braga: SMITH, *The Iberian Legations of Cardinal Hyacinth Bobone*, pp. 91-3.

<sup>38</sup> *PUS*, pp. 2:549-550.

<sup>39</sup> *PUS*, pp. 2:549-550.

<sup>40</sup> Even though Pamplona had ceased to be the eponymous capital of the Kingdom of Pamplona, its place as the *urbs regis* for the Kingdom of Navarra afterward is assured, and it is important to note that the kings of Navarra, including the then-ruling Sancho VI, were still to be typically interred in Pamplona. Ángel J. MARTÍN DUQUE, *Del Reino de Pamplona al Reino de Navarra*, reprinted in *Príncipe de Viana*, 63, pp. 848; Luis Javier FORTÚN PÉREZ DE CIRIZA, *Sancho VII el Fuerte (1194-1234)*, Iruña, 1987, p. 93.

<sup>41</sup> Ángel J. MARTÍN DUQUE, *El Señorío Episcopal de Pamplona hasta 1276*, reprinted in *Príncipe de Viana*, 63/227 (2003), p. 804; José GOÑI GAZTAMBIDE, *Historia de los obispos de Pamplona. I: Siglos IV-XIII*, Pamplona, 1979, pp. 509-14.

<sup>42</sup> «Mas yo estimo que el concilio es del año 1193, y no de los últimos, sino de los primeros días de Julio». Fidel FITA, *Concilio de Lérida en 1193 y Santa María la Real de Nájera. Bulas Inéditas de Celestino III, Inocencio III y Honorio III*, in *Boletín de la Real Academia de la Historia*, 26:5 (May, 1895), pp. 335. Kehr's editions of the documents are verbatim reprints of Fita's editions and contain no substantive changes: cfr. *PUS*, pp. 1:545; *PUS*, pp. 2:551-553; *PUS*, pp. 2:553-554. For ease of reference, I will refer to Fita's editions only when he preserved documents not reprinted by Kehr.

least several days, perhaps even a week, given the complicated cases that we know took place. We have four documents dated to July 1193<sup>43</sup>. Those which survive do not include any sort of call to a council nor do they preserve any items from the agenda of the Council<sup>44</sup>. Documents from the council only preserve the dates as «mense Iulii»; lacking any fair estimation of the length of the council, it is impossible to estimate the amount of business handled at Lleida<sup>45</sup>. In any case, the three decisions which can be definitively tied to the Council of Lleida shed some light on the kinds of business conducted by Cardinal Gregory in the middle portion of his first legation to Spain, and may reflect the business handled by the earlier Council of Salamanca.

The first document from the Council of Lleida, recording a decision made by Cardinal Gregory, was the adjudication of property-rights between the Hospital and the bishop of Lleida, in the bishop's favor<sup>46</sup>. The second confirmed a decision made by the bishop of Tarazona and the prior of Tudela regarding the possession of the properties of the church of Calahorra<sup>47</sup>. The third act of which we have record is Cardinal Gregory taking the collegiate church of Tudela under papal protection<sup>48</sup>. Although the contests underlying each of these decisions are interesting, the first and the last illustrate Gregory at the height of his legatine powers.

In the first, we can observe Cardinal Gregory investigating the intricate interactions of the Churches in Iberia. The facts of the case are difficult to discern, but it appears that the Hospital had been claiming the rights to several mills, in apparent violation of the rights of Lleida. «Having had the council of our venerable brother the archbishop of Tarragona, the bishops and other prudent men», Gregory wrote, «we decide the possession of the half of the tithe of those same mills for the [bishop of Lleida]»<sup>49</sup>. Contests between diocesan bishops and the military orders were to be

<sup>43</sup> *PUS*, pp. 1:545; *PUS*, pp. 2:550-1; *PUS*, pp. 2:551-553; *PUS*, pp. 2:553-554.

<sup>44</sup> I.S. ROBINSON, *The Papacy 1073-1198*, pp. 131, notes the prevalence of the term «concilium» as the favored term for papal assemblies, and there is little doubt in my mind that Gregory wished to convoke the very same category of council in his own legatine activities.

<sup>45</sup> Not one of the three documents preserves an indication of the day, but all note that the month was July and that the acts took place in the council or in Lleida: *PUS*, pp. 1:545; *PUS*, pp. 2:551-553; *PUS*, pp. 2:553-554.

<sup>46</sup> *PUS*, pp. 1:545-6.

<sup>47</sup> *PUS*, pp. 1:551-3. Juan Frontín of Tarazona and Prior Guillermo of Tudela had issued their sentence in January of the same year, cfr. FITA, *Concilio de Lérida*, pp. 357-9. The sentence was later witnessed by Bishop Ramon of Girona, apparently so that his presence could add legitimacy and force to the decision, cfr. *PUS*, pp. 2:553-554.

<sup>48</sup> FITA, *Concilio de Lérida*, pp. 360-2

<sup>49</sup> «habito consilio uenerabilium fratrum nostrorum Terraconensis archiepiscopi, episcoporum et aliorum uirorum prudentum, possessionem medietatis decimarum eorundem molendinorum episcopo memorato adiudicauimus». *PUS*, pp. 1:545-6.

expected in the Crown of Aragón, given the complex aftermath of the will of Alfonso *el Batallador*<sup>50</sup>. Gregory provided an escape clause for his ruling allowing the Hospital to retake possession of the mills, should they find the necessary documents, says much about the pragmatism and fairness of the papal appellate system<sup>51</sup>. The Hospital was an important player in the lands of the Crown of Aragón and the cooperation of the Hospital was an important source of royal power. The Hospitallers could not be treated lightly by the Cardinal in his dealings in the Crown of Aragón. Further complicating this process was the importance of the diocese of Lleida within the landscape of the expanding Crown of Aragón and the episcopal power which dominated the city itself and its territory<sup>52</sup>. However, Gregory's solution to this complicated case demonstrates his intricate knowledge of eastern Iberian politics and his considerable diplomatic skill.

The second of Cardinal Gregory's acts from the Council of Lleida concerned a dispute between the dioceses of Calahorra and Nájera over more than a dozen possessions of the Church of Calahorra<sup>53</sup>. The continued expansion of Calahorra in the twelfth century, especially in the period directly preceding Cardinal Gregory's legations, is indicative of how decidedly in favor of Calahorra the momentum was;

<sup>50</sup> José Ángel LEMA PUEYO, *Colección diplomática de Alfonso I de Aragón y Pamplona: (1104-1134)*, San Sebastián, 1990, #241; Elena LOURIE, *The Will of Alfonso I, «El Batallador», King of Aragon and Navarre: A Reassessment*, in *Speculum*, 50/4 (Oct., 1975), pp. 635-651; Alan FOREY, *The Will of Alfonso I of Aragon and Navarre*, in *Durham University Journal*, 73 (1980), pp. 59-65. On the role of the Military Orders in the reclaiming of the kingdom of Navarra by García Ramírez, see: Ángel J. MARTÍN DUQUE, *La restauración de la monarquía navarra y las Órdenes Militares (1134-1194)*, in *Anuario de Estudios Medievales*, 11 (1981), pp. 59-81.

<sup>51</sup> «ita quod si iam dicti hospitalarii infra annum uenerint et suscipiende litis prestiterint cautionem ydoneam, ipsi hospitalarii, sicut iustum est, restituantur possessio». *PUS*, pp. 1:545-6. Paul Freedman has noted the important transition of *fideles* of the Military Orders in Old Catalonia from free dependence and affiliation to peasant servitude: Paul FREEDMAN, *Military Orders and Peasant Servitude in Catalonia: Twelfth and Thirteenth Centuries*, in *The Hispanic American Historical Review*, 65/1 (Feb., 1985), pp. 91-110.

<sup>52</sup> A recent series of essays in the *Journal of Medieval History* are representative of the importance of the territory of Lleida, and the bibliography on this question could be increased *ad infinitum*: Thomas W. BARTON, *Constructing a diocese in a post-conquest landscape: a comparative approach to the lay possession of tithes*, in *Journal of Medieval History*, 35/1 (2009), pp. 1-33; Thomas W. BARTON, *Lords, settlers and shifting frontiers in medieval Catalonia*, in *Journal of Medieval History*, 36/3 (2010), pp. 204-252; Jordi BOLÒS, *Changes and Survival: the territory of Lleida (Catalonia) after the twelfth-century conquest*, in *Journal of Medieval History*, 27/4 (2001), pp. 313-329.

<sup>53</sup> «Nomina autem ipsarum ecclesiarum hec sunt: capellania sancte Crucis de sancta Maria de Naiara cum decimis et parrochianis suis, ecclesia sancti Michaelis in eadem uilla cum decimis et parrochianis suis, Sotomalo, Villa Meschina, Villa frigida, Alason, Cyronia, Arenzana de Susu, Vezares, Sancta Columba, Villoria, Oriemo, Leza, Triuijano, Montaluo, Trenguaientes, Torramunna, Torrezella, Soliola, Medrano, hec cytra Yberum; ultra Yberum uero Asçolo, Aras, Longar, Petrafitta, Ohoro, Ouecuri. Hec sunt et multe alie, super quibus episcopus et Calagoritana ecclesia conqueruntur». *PUS*, pp. 2:552.

it was a period in which one scholar has acclaimed Calahorra was ‘coming of age’<sup>54</sup>. Calahorra had, prior to its spat with Nájera, made significant strides northward into the Basque counties around Nájera, suggests that Calahorra’s territorial ambitions, and its ability to achieve those ambitions were considerable<sup>55</sup>. The decision fell in Calahorra’s favor and awarded many locations’ revenues to Calahorra<sup>56</sup>. As other scholars have noted, Calahorra had amassed considerable territory by the 1190s and was capable of fielding a formidable legal apparatus to argue for its rights, which likely contributed to their victory<sup>57</sup>.

Prior Guillermo of Tudela figures largely in the legations of Cardinal Gregory, on several occasions serving as Gregory’s investigator, and it should come as no surprise that the final act preserved from the Council of Lleida is a conferral of exemption on the collegiate church of Santa María Mayor in Tudela<sup>58</sup>. Also, the properties of Tudela, nearly two dozen of them, were confirmed, and Tudela’s claims on the revenues from the same properties in the future were guaranteed. It seems likely that the considerable influence of Pamplona, Calahorra, and Zaragoza would have made Tudela an important intermediary, because it was prone to the predations of all three bishops. A grant of exemption meant Tudela was immune from the direct actions of bishops and that cases involving Tudela immediately went to the Roman Curia. An exemption, therefore, established a buffer zone between these three powerful bishops and could secure, at least for some time, a border region more directly subject to papal authority and checking the claims of powerful bishops for temporal hegemony.

One act contemporaneous with the council is the commission of Diego, archdeacon of San Esteban, to investigate two disputes: the first between the archbishop of Zaragoza and the prior of Tudela; and the second, between the same prior of Tudela and the bishop of Tarazona<sup>59</sup>. It seems likely that these claims were made during the business of the Council of Lleida, given that the presence of the officials in question at the Council of Lleida is near-certain. Unfortunately, the document is not preserved with any internal dating, but Fita dated it to July 1193, and subsequent scholars have accepted that dating<sup>60</sup>. The nature of the document raises several questions about the internal squabbling of Navarrese and Aragonese ecclesi-

<sup>54</sup> Carolina CARL, *A Bishopric Between Three Kingdoms, 1045-1190*, Leiden, 2011, pp. 262-3.

<sup>55</sup> Carolina CARL, *The bishop and the Basques: The diocese of Calahorra and the Basque provinces of Alava and Vizcaya under Bishop Rodrigo Cascante, 1147-1190*, in *Journal of Medieval History*, 34/3 (2008), pp. 229-244.

<sup>56</sup> For these properties, see above, n. 49.

<sup>57</sup> Carolina CARL, *A Bishopric Between Three Kingdoms*, pp. 206-64.

<sup>58</sup> For Guillermo’s other activities, see, below, p. 19-20, 23-4, 28. FITA, *Concilio de Lérida*, pp. 360-2.

<sup>59</sup> This is the same Prior Guillermo, mentioned above, and it seems likely that the prior’s influence with the Cardinal secured an investigation of claims made by the Prior. *PUS*, pp. 2:550-1.

<sup>60</sup> FITA, *Concilio de Lérida*, pp. 332-5; *UPL*, pp. 303.

astics, but what it is particularly interesting for the study of the legatine activities of Cardinal Gregory is the power implied by the act itself. Gregory commissioned his own judge-delegate:

To our beloved son D[iego] archdeacon of San Esteban [we wish and send] health and affection. The controversies, which are at issue between both our venerable brother the Calahorran bishop and our beloved son W[illiam] Tudelan prior over the church of Cortes and also between our venerable brother the Tarazonan bishop and the aforementioned Tudelan prior over the Church of Varellas, we command you to examine those things being committed and order that, having called whomever from whatever parts before your presence, you hear those things which they will have decided to propose. You should discern what is just, and the judgment, which you will make, we shall order to be firmly observed with the support of our authority through ecclesiastical censure<sup>61</sup>.

Although Gregory's commission may appear insignificant at first, the ordering of a dispute to be resolved by a proxy of his own choosing is remarkable<sup>62</sup>. A judge-delegate was an important resource for the medieval papacy, and the cases handled by judge-delegate or a delegation of several judges named by the Pope could vary widely, but were consistent in that decisions made by judges-delegate carried with them the implicit approval of the papacy<sup>63</sup>. It is most likely that the commission of Diego as a judge-delegate took place during or soon after the Council of Lleida. That Gregory felt comfortable enough to name his own judge-delegate says much about his understanding of his own legatine powers and his knowledge of trustworthy ecclesiastical

<sup>61</sup> «Dilecto filio D. archidiacono sancti Stephani salutem et dilectionem. Controuersias, que uertuntur inter uenerabilem fratrem nostrum Caesaraugustanum episcopum et dilectum filium nostrum W. Tutelanum priorem super ecclesiam de Cortes et inter uenerabilem fratrem nostrum Tirasonensem episcopum et iamdictum Tutelanum priorem super ecclesiam de Barellas, tuo duximus examini committendas tibi mandantes atque precipientes, quatinus partibus ante tuam presentiam conuocatis, auditis que hinc inde duxerint proponenda, quod iustum fuerit decernas, et iudicium, quod tuleris, facias nostra fretus auctoritate per censuram ecclesiasticam firmiter obseruari». *PUS*, pp. 2:55

<sup>62</sup> Robert C. Figueira's analysis of the legal situation regarding legates and their rights to sub-delegate allows much of the murky process to be better understood, but sub-delegation was not unprecedented: Robert C. FIGUEIRA, *Subdelegation by Papal Legates in Thirteenth-Century Canon Law: Powers and Limitations*, in Steven B. BOWMAN and Blanche E. CODY (eds.), *In Iure Veritas: Studies in Canon Law in Memory of Schafer Williams*, Cincinnati, 1991, pp. 56-79; ID., *Papal Reserved Powers and the Limitations on Legatine Authority*, in James Ross SWEENEY and Stanley CHODOROW (eds.), *Popes, Teachers, and Canon Law in the Middle Ages*, Ithaca, 1987, pp. 191-211.

<sup>63</sup> On the importance of judges-delegate and their role within the settling of disputes, see: Charles DUGGAN, *Papal Judges Delegate and the Making of the «New Law» in the Twelfth Century*, in Thomas N. BISSON (ed.), *Cultures of Power: Lordship, Status, and Process in Twelfth-Century Europe*, Philadelphia, 1995, pp. 172-202. There is considerable literature on the roles played by judges-delegate in the British Isles, and the breadth of their activities is instructive of the importance of judges-delegate: Jane E. SAYERS, *Papal judges delegate in the Province of Canterbury, 1198-1254: a study in ecclesiastical jurisdiction and administration*, London, 1971; Paul C. FERGUSON, *Medieval papal representatives in Scotland: legates, nuncios, and judges-delegate, 1125-1286*, Edinburgh, 1997.

officials in the Crown of Aragón<sup>64</sup>. It is also worthy of note that in both cases for which Diego was commissioned as a judge-delegate, Tudela was one of the plaintiffs against episcopal claimants, one of whom was Tudela's direct superior<sup>65</sup>.

By August 1193, Gregory had moved northeast to Girona. Girona was an important locus of royal power, and was the site of a session of the *Corts* in 1188<sup>66</sup>. The document issued by Gregory at Girona is a confirmation of the privileges held by the women's religious house of Sant Pere de Barcelona, under the condition that the nuns of Sant Pere conceded their needs for the *cura animarum* to the bishop of Barcelona and priests designated by him<sup>67</sup>. The privilege demonstrates that Gregory's legatine activities were suffused with the ideals of the Alexandrine-era reform papacy. By establishing an agreement between the women's house and the bishop, Gregory was able to enforce a disciplined reliance on episcopal control and the regulation of sacramental activities<sup>68</sup>. The enforcement of the structures on women's religious life were important components of the religious reform movements of the twelfth century, and Gregory's legatine demonstration of the papal right to determine matters of doctrine and to impose those decisions was part and parcel of the same trends.

Sometime in September 1193, Cardinal Gregory handled a dispute between the bishop of Lleida and the Templars in Aragón<sup>69</sup>. Although the document lacks any location preserved in the *datum* clause, it seems most likely that the privilege originated from the Crown of Aragón, since Gregory had spent most of the summer in the lands of the Crown of Aragón<sup>70</sup>. Unfortunately, the *datum* clause is absent in

<sup>64</sup> A lengthier discussion of the phenomenon of Gregory naming his own judges-delegate appears below, p. 33-4.

<sup>65</sup> It is interesting that Tudela's prior, a certain Guillermo (but likely not to be confused with the famous troubadour chronicler of the Albigensian Crusade), was tasked with judicial assignments, and that, ostensibly in thanks for Guillermo's service to the papacy, Tudela's subsequent petition for exemption was later granted. It seems likely that the source of these disputes was the untangling of Tudela's allegiances after its exemption had been conferred. See above.

<sup>66</sup> Fidel FITA and Bienvenido OLIVIER (eds.), *Cortes de los Antiguos Reinos de Aragón y de Valencia y Principado de Cataluña (1064-1327): Cortes de Cataluña I*, Madrid, 1896, pp. 68-71. The importance of these *Corts*, as assemblies of magnates, was so great that James I, Alfonso's grandson, refused to go to war without the consent of the *Corts*, for example: James I of Aragon, *The Book of Deeds of James I of Aragon: a translation of the medieval Catalan Llibre dels fets*, Damian J. SMITH and Helena BUFFERY (trans.), Burlington, VT, 2003, pp. 26-7, 70-8.

<sup>67</sup> *PUS*, pp. 1:546-8.

<sup>68</sup> The organization of the reform movement around the proper administration of the sacraments, the *cura animarum*, and the affairs of the church is beyond doubt at this juncture.

<sup>69</sup> Rudolf HIESTAND (ed.), *Papsturkunden für Templer und Johanniter*, Göttingen, 1972, pp. 419-22. [Hereafter, *PVO*.]

<sup>70</sup> The subscription of Master Ponç de Rigaldo (the head of the Temple «in Prouincia et in partibus Hispanie») and of Arnau de Clermont prior of the important house of Monzon, where James I of Aragon was kept safe/hostage during his minority, suggests that the document has its origin in the Crown of Aragón. *PVO*, 422, no. 244; BISSON, *The Medieval Crown of Aragon: A Short History*, 58. On the itinerary of the Cardinal's legation, see Table 1, above.

the document as it is preserved, and is supplanted by a the scribe's notation that the decisions recorded in the document were made in the month of September in 1193 by Cardinal Gregory who was then legate in Spain<sup>71</sup>. The document required the parties involved to dismiss several of their respective claims, essentially exchanging legal claims as one would hostages or prisoners of war. The spirit of compromise and mutual concession led to a lengthy document, but given the presence of an earlier attempt at compromise at the hands of Cardinal Hyacinth in 1154, it seems likely that the need for a workable compromise was more pressing after nearly 50 years of uneasy settlement<sup>72</sup>. The document was a net victory for the Temple, whose rights to more than two dozen properties were confirmed, but the bishop of Lleida were still granted the rights to collect some of the revenues from the lands, as the direct overlords of the territory<sup>73</sup>.

Gregory must have made his way to Castile by late 1193 and we find him next presiding over one of the more important acts of his first legation. The Treaty of Tordehumos, between Castile and León, was solemnized by Gregory on April 20, 1194, the first Wednesday after Easter of that year<sup>74</sup>. Wars between Castile and León were numerous and a major civil war between the heirs of Alfonso VII in the 1150's had only been stopped by the untimely deaths of both the king and queen of Castile. Significant territory of the Castilian monarchy had been threatened by the old king of León, Fernando II, until his death in 1188, and the Castilian king worked quickly to dominate his young Leonese rival<sup>75</sup>. The new king of León, Alfonso IX, and the reigning king of Castile, Alfonso VIII, were on quite unfriendly

<sup>71</sup> «Facte autem fuerunt hec compositiones siue transactiones iussu et assensu domini Gregorii sancti Angeli diac(oni) card(inalis) tunc temporis Romane ecclesie in Yspania legati anno uerbi incarnationis M<sup>o</sup>C<sup>o</sup>LXXX<sup>o</sup>II<sup>o</sup>, mense septembris». *PUO*, pp. 422. It seems more likely that the document was simply miscopied by the scribe, given that, if the dating of 1192 were correct, Gregory would have had to move more than 1100 kilometers from Lleida to Santarem in a very short time-span. That a dispute was handled between the Bishop of Lleida and the Hospitallers at the Council of Lleida, would likewise suggest that the military orders were at the Council of Lleida. It seems highly unlikely that Gregory would not have handled the claims of both the Temple and the Hospital against the Bishop of Lleida while the Cardinal was in Lleida.

<sup>72</sup> *PUO*, pp. 229-231.

<sup>73</sup> *PUO*, pp. 420-1.

<sup>74</sup> *RdC*, pp. 3:105-8.

<sup>75</sup> The *Anales Toledanos* narrate the early deaths of Sancho III and the *Anales Compostellani* narrate the death of Blanca de Navarra, although they date her death exactly a decade too early: Enrique FLOREZ, *España Sagrada, theatro geographico-historico de la iglesia de España*, Madrid, 1767, XXIII, pp. 322, 391. The Leonese aristocracy presented numerous challenges to Alfonso IX in his first *cortes*, and Alfonso VIII moved quickly to establish Plasencia as a check against any southward Leonese expansion: Charles GARCÍA, *Alphonse IX de León et les cives du royaume (XII<sup>e</sup>-XIII<sup>e</sup> siècle)*, in *Cahiers d'Études hispaniques Médiévales*, 27 (2004), pp. 183-215; Bonifacio PALACIOS MARTÍN, *Alfonso VIII y su política de frontera en Extremadura*, in *Anuario de estudios medievales*, 19 (1989), pp. 154-68; PALACIOS MARTÍN, *Alfonso VIII y su política de frontera en Extremadura: la creación de la diócesis de Plasencia*, in *En la España Medieval*, 15 (1992), pp. 77-96.

terms<sup>76</sup>. The scheme proposed by the Treaty of Tordehumos was a complex measure designed to ensure that the wars of the past were not repeated amidst the bitter climate of the royal rivalry. Basically, the treaty established a system of ransomed cities, held as peace hostages by figures from rivals on the other side of treaty; the cities were to be distributed to whichever king did not break the peace. The cities in question were held in surety by the Master of Calatrava for the Castilians and the Master of the Temple in León for the Leónese<sup>77</sup>. The cities were awarded to whichever monarch broke the peace last. The importance of the Military Orders' Masters as the parties responsible for ensuring the treaty cannot be overstated, given their larger role in the campaigns against the Muslim south<sup>78</sup>. Such an award suggests that Gregory expected the Treaty of Tordehumos to be broken, and that his peace was meant to be a temporary inducement toward the conquest of Almodhad territory<sup>79</sup>.

One of the important prerequisites of the treaty was the neutralization of (potentially threatening) alliances on both sides of the treaty. Alfonso IX of León was married to Theresa of Portugal, daughter of Sancho I of Portugal, until late 1193 or early 1194, and Theresa had already borne him two daughters<sup>80</sup>. The *Infanta* Berenguela, eldest daughter and heir of King Alfonso VIII of Castile, was married

<sup>76</sup> Both Rodrigo Jiménez de Rada and Juan of Osma report that the king of León was forced to kneel and kiss the hand of his Castilian cousin, a fact which both authors made a centerpiece of the Leonese monarch's resentment: Rodrigo XIMENEZ DE RADA, *Historia de Rebus Hispanie sive Historia Gothica (Corpus Christianorum Continuatio Medieualis, LXXII)*, Juan FERNÁNDEZ VALVERDE (ed.), Turnhout, 1987, pp. 246-247; ANONYMOUS [Juan of Osma], *Chronicon Latina Regum Castellae (Corpus Christianorum Continuatio Medieualis, LXXIII)*, Lucio Charlo BREA (ed.), Turnhout, 1997, pp. 43-4.

<sup>77</sup> «ex parte regis Castelle ista: Couellas de Dorio, Billanoua, Sanctus Iohannes de Risoua, Sanctus Romanus de Pennis, Tramaia, que debet tenere in fidelitate magister de Calatraua in regno Castelle. Ex parte regis Legionis ponuntur ista, scilicet: Castrum terra, Ferrera de Rianio, Almallanca, Penna Ramir, Colle, que debet tenere in fidelitate magister Temple in regno Legionis». *RdC*, pp. 3:106.

<sup>78</sup> The example of Las Navas is striking, since the Military Orders were in command of the first into the fray, as modern scholarship has amply demonstrated: Francisco GARCÍA FITZ, *Las Navas de Tolosa*, pp. 186-8; Martín ALVIRA CABRER, *Las Navas de Tolosa: idea, liturgia, y memoria*, Madrid, 2013, pp. 233-5; Manuel GONZÁLEZ JIMÉNEZ, *Las Navas de Tolosa (1212): La Batalla de los Tres Reyes*, in Miguel Ángel LADERO QUESADA (ed.), *La Edad Media hispánica: en torno a cuatro centenarios*, Madrid, 2012, pp. 59-68. Beyond even Las Navas, the role of the Military Orders in Spain was considerable, as Ayala Martínez has masterfully demonstrated: Carlos DE AYALA MARTÍNEZ, *Las Ordenes Militares Hispánicas en la Edad Media*, Madrid, 2001.

<sup>79</sup> The creation of various truces and treaties organized by during the legations of Cardinal Hyacinth alone suggests that the papacy put a premium on peace as an incentive for the Christian kingdoms' making war on the Muslim south: SMITH, *The Iberian Legations of Cardinal Hyacinth Bobone*, pp. 100. Although we have no way of knowing whether the Peace was explicitly intended to guarantee Alfonso VIII's rearguard for the campaigns leading up to Alarcos, it seems entirely possible that the campaigns were discussed and that Gregory's preparations were for a campaign like Alarcos if not for that campaign itself.

<sup>80</sup> For this marriage, see: GONZÁLEZ, *Alfonso IX*, pp. 60-3; Miriam SHADIS, *Berenguela of Castile (1180-1246) and Political Women in the High Middle Ages*, New York, 2009, pp. 61.

(by contract) to Duke Conrad II of Swabia, an important magnate from the Holy Roman Empire and younger brother of the reigning Emperor Henry VI<sup>81</sup>. In both cases, the allies on either side were potent, and may have represented a threat to the opposite party; the only palatable solution to make the peace between the kingdoms last was the dissolution of both marriages. That Alfonso IX divorced from Theresa of Portugal<sup>82</sup>, that Berenguela and Conrad's marriage was dissolved<sup>83</sup>, and the Treaty of Tordehumos was confirmed –all in early 1194, during an eight month gap in Gregory's activities<sup>84</sup>– is coincidental, but understandable given the circumstance. Unfortunately, there are two points which complicate the picture. First, Alfonso IX's marriage to Theresa of Portugal was consanguineous and therefore illegal<sup>85</sup>. Second, the birth of the *Infante* Fernando of Castile in late-1189 meant that Alfonso VIII had a viable male heir, who had lived longer than any of his previous male heirs<sup>86</sup>. Both of these facts added further incentive toward the elimination of alliances on both sides of the treaty, and likely made the difficult terms of the agreement easier for both kings to accept<sup>87</sup>.

The treaty is made even more important because of the events it preceded: with the surety of the treaty, Alfonso VIII of Castile pressed forward to his (unforeseeable) defeat at Alarcos in the following year<sup>88</sup>. Alfonso IX had broken the treaty after his Castilian cousin's defeat at Alarcos and allied himself with the Almohads,

<sup>81</sup> *RdC*, pp. 2:857-63; Juan of Osma noted that Conrad had been acclaimed as Alfonso's heir in the late 1180's: ANONYMOUS [Juan of Osma], *Chronicon Latina Regum Castellae*, pp. 44.

<sup>82</sup> RIVERA RECIO, *La Iglesia de Toledo*, pp. 237-8; SHADIS, *Berenguela of Castile*, pp. 61. Damian Smith has noted that the ensuing fallout between Sancho I of Portugal, Theresa's father, and Alfonso IX was worked out sometime in the immediate aftermath of the Treaty of Tordehumos: SMITH, *The Iberian Legations of Cardinal Hyacinth Bobone*, pp. 102, n. 154.

<sup>83</sup> XIMENEZ DE RADA, *Historia de Rebus Hispanie sive Historia Gothica*, pp. 246; SHADIS, *Berenguela of Castile*, pp. 60; H. Salvador MARTÍNEZ, *Berenguela la Grande y su época (1180-1246)*, Madrid, 2012, pp. 85-148.

<sup>84</sup> Gregory's last known stop was in Girona in August 1193, cfr. above, p. 19.

<sup>85</sup> The two shared numerous common ancestors, but their closest relation was their mutual grandfather, King Afonso I Henriques of Portugal: LAY, *Reconquest Kings of Portugal*, 272.

<sup>86</sup> Enrique FLOREZ (ed.), *Los Anales Toledanos I*, in *España Sagrada*, vol. 23, Madrid, 1787, pp. 393. I have surveyed the evidence for the precarious nature of the Castilian succession in the 1180's as part of the larger dynastic picture in Castile: Kyle LINCOLN, *Una cum uxore mea: Alfonso VIII, Leonor Plantagenet, and Marriage Alliances at the Court of Castile*, in *Revista Chilena de Estudios Medievales*, 5 (2014) 15-16.

<sup>87</sup> Given the energetic promotion of Castilian hegemony which seems to have pervaded the court of Alfonso VIII, it seems unlikely that the neutralization of alliances was merely done *pro forma*: LINCOLN, *Una cum uxore mea: Alfonso VIII, Leonor Plantagenet, and Marriage Alliances at the Court of Castile*, 14-33.

<sup>88</sup> Alfonso VIII's coalition at Alarcos was smaller compared to that of the Crusade of Las Navas, but was nevertheless assured that, even if León did not march with him, it was not supposed to be vulnerable to any attack by the Leonese or Navarrese: SMITH, *The Iberian Legations of Cardinal Hyacinth Bobone*, pp. 105; Francisco RUIZ GÓMEZ, *La guerra y los pactos a propósito de la batalla de Alarcos*, in Ricardo IZQUIERDO BENITO and Francisco RUIZ GÓMEZ (eds.), *Alarcos 1195: actas del Congreso Internacional Conmemorativo del VIII Centenario de la Batalla de Alarcos*, Cuenca, 1996, pp. 147-67.

leading Celestine III to call for a crusade against the king of León in late 1196 and early 1197<sup>89</sup>. Gregory's proposals for the peace were organized, therefore, around the principle of restoring peace between the Christian kingdoms, most certainly in order to promote the Christian offensive against the Almohads<sup>90</sup>. Gregory's later efforts to promote peace between the kingdoms of Iberia were just as frustrated as the Treaty of Tordehumos, but contemporaries were certainly optimistic about the potential of Gregory's efforts. The peace must have been viewed as an achievement of considerable note and ingenuity, given that a later Castilian monastic agreement signed in 1194 listed the date as being «in the year, in which the lord G[regory] car(dinalis) left Spain, when a truce between the kings had been agreed to for ten years»<sup>91</sup>. In hindsight, it is clear that the Treaty of Tordehumos was a necessary component for ensuring the peace between the kingdoms, even if the strength of the treaty's provisions was not enough to prevent latent resentments from erupting into full-blown war. Gregory's legatine activities, while they were often more complicated, were certainly concerned with peace between the kingdoms; that peace was a demonstration of the papacy's ability to influence secular political powers.

At some point in early 1194, Gregory appointed the bishop of Tarazona and Prior Guillermo of Tudela his judges-delegate for a case between the bishop of Calahorra and the church of Santa María in Nájera<sup>92</sup>. The judgment made by the two men and a deacon of Burgos was confirmed by a later document drawn up in the Cardinal's presence<sup>93</sup>. The decision was confirmed by Cardinal Gregory, and commanded that Calahorra receive obedience from the house of Santa María la Real of Nájera, regarding the usual episcopal rights of calling councils, pronouncing interdicts and excommunications, and appointing of parish priests<sup>94</sup>. The history between Santa María of Nájera and Calahorra was complicated<sup>95</sup>, and had already consumed some of Gregory's attentions at the Council of Lleida<sup>96</sup>, but the decision

<sup>89</sup> For the bulls offering the indulgence to Sancho I of Portugal if he would take up arms against Alfonso IX: SMITH, *The Iberian Legations of Cardinal Hyacinth Bobone*, pp. 110-1. Recent comments of some length on this (attempted) crusade against Alfonso IX are those found in: Joseph O'CALLAGHAN, *Reconquest and Crusade in Medieval Spain*, pp. 62-4; RUIZ GÓMEZ, *La guerra y los pactos a propósito de la batalla de Alarcos*, pp. 152. I intend to treat this crusade more comprehensively in a future study, but that a crusade was called against Alfonso IX is surely an indicator of the height of Celestine III's displeasure with the young Leónese king.

<sup>90</sup> Damian Smith has already noted a similar desire in Gregory's pontifical uncle: SMITH, *The Iberian Legations of Cardinal Hyacinth Bobone*, pp. 100.

<sup>91</sup> «in anno, quo dominus G. car(dinalis) exiuit de Hispania, pace inter reges per X annorum treguas constituta». PUS, pp. 2:562.

<sup>92</sup> PUS, pp. 2:562-4.

<sup>93</sup> PUS, pp. 2:564-5.

<sup>94</sup> *Ibidem*.

<sup>95</sup> Carolina CARL, *A Diocese Between Three Kingdoms*, pp. 255-6.

<sup>96</sup> See above, p. 16-17.

is particularly curious because of Santa María's importance as «one of the two chief Cluniac centers in all Spain»<sup>97</sup>. As a result, the privileges of the house of Santa María la Real of Nájera, although maintained in the decision, did not extend to the usually episcopal prerogatives that Santa María had apparently usurped. Fundamentally, the dispute resulted in the favor of the bishops of Calahorra, but the monastic house of Santa María la Real was still, in the end, an exempt priory of Cluniac persuasion, meaning that total subordination to the bishops of Calahorra was out of the question.

The last act of Gregory's first legation which can be definitively dated is a commission of the abbot of Bujedo and the archdeacon of Salas as judges-delegate to investigate a case between two important monasteries<sup>98</sup>. Sometime before 11 May, 1194<sup>99</sup>, Cardinal Gregory charged his judges-delegate to investigate a dispute between the houses of Oña and San Millán de la Cogolla, two of the most important monastic houses in the kingdom of Castile<sup>100</sup>. The resolution of the case survives and demonstrates the skill of the two judges-delegate. A meaningful and efficient compromise was devised and was guaranteed by the subscription of many witnesses including: two men with the title «magister», two archpriests, the chaplain of San Millán, the sacristan of Oña, and «many others who saw and heard» the agreement between the two houses<sup>101</sup>. The agreement further suggests that Cardinal Gregory wanted to put a permanent solution into place, but apparently he could not stay to see such a solution sorted out, and so delegated the case to two trustworthy and competent clerics. The use of his own judges-delegate was a potent demonstration of the continuity of papal authority in the person of the legate and evinces the employment of papal supremacy in ecclesiastical matters at work in the itinerant activity of Gregory's legations.

Having appeared in his last extant Spanish document only six months earlier Gregory was back in the witness lists of papal chancery documents by 10 November 1194<sup>102</sup>. The intervening years provide us with little detail, beyond the narrative of the larger historical events, but by late 1195, Cardinal Gregory was again absent from the subscription lists and on his way to Spain, likely arriving sometime in late

<sup>97</sup> Charles Julian BISHKO, *PeBter the Venerable's Journey to Spain*, in *Studia Anselmiana*, 40 (1956), pp. 166.

<sup>98</sup> *PUS*, pp. 2:558. The delegation order by Gregory displays similar language to his earlier commission of Diego, archdeacon of San Esteban, as judge-delegate, see above.

<sup>99</sup> *UPL*, pp. 304. Weiss based his dating from the resolution of the cases, as evidenced by the agreement signed between the two houses on May 11, 1194: *PUS*, pp. 2:561-2.

<sup>100</sup> Bernard Reilly called these two of the «seven great monasteries» in the kingdom of Castile-León ruled by the emperor Alfonso VII: Bernard REILLY, *The Kingdom of León-Castilla under Alfonso VII, 1126-1157*, Philadelphia, 1998, pp. 270.

<sup>101</sup> These men are only listed by their first initial, and, with the exception of the prior of San Millán de la Cogolla's prior and Oña's abbot, they are mostly obscure within the larger record. *PUS*, pp. 2:562.

<sup>102</sup> MALECZEK, *Papst und Kardinalskolleg*, pp. 99.

1195<sup>103</sup>. The end of Cardinal Gregory's first legation had been more than a year past, and the disaster at Alarcos must have prompted Celestine III to dispatch Cardinal Gregory on a second legation, much as he had sent his nephew at the beginning of his pontificate to replace his own legation<sup>104</sup>.

The political changes in the Christian kingdoms of Spain itself during Gregory's absence was remarkable. There were new rulers in Navarre and the Crown of Aragón<sup>105</sup>. The Castilian offensive backstopped by Gregory's Treaty of Tordehumos had nearly cost Alfonso his life<sup>106</sup>. Alfonso IX of León had been excommunicated again after invading Castile in the wake of Alarcos<sup>107</sup>. Even the oft-victorious Portuguese had suffered setbacks in their repopulation and colonization efforts<sup>108</sup>. As a result, the difficult work performed on his first legation may have appeared fruitless by the time Cardinal Gregory returned to the peninsula. Unfortunately, we know so much less about Gregory's second legation than his first, with far fewer surviving documents, and even dating the legation itself is relatively uncertain work. Only four documents survive from Gregory's second legation, and these can only help us to determine that Gregory was in Castile in February, the Crown of Aragón in October, and León sometime during the year<sup>109</sup>. The four documents have all been edited, but they raise more questions than they can reliably answer on their own.

We know for certain that by February 1196, Cardinal Gregory was in Nájera, recently under the control of the Castilian king, and that he was already sorting out the disputes of the local clergy. In a document dated to February of 1196, Gregory ordered the prior of Nájera to cease holding several properties which he had usurped from the abbot of Santa María de Valvanera<sup>110</sup>. Gregory's decision was made only after an investigation into the matter had been conducted by the abbot of San Millán de la Cogolla and Sancho, archdeacon of Calahorra, although no record of Gregory commissioning the two men to investigate the case survives<sup>111</sup>. The results

<sup>103</sup> *Ibidem*.

<sup>104</sup> It was in response to the Castilian's loss at Alarcos that Alfonso II of the Crown of Aragón, at Celestine III's request, went on pilgrimage to Santiago: Antonio UBIETO ARTETA, *La peregrinación de Alfonso II de Aragón a Santiago de Compostela*, in *Estudios de Edad Media de la Corona de Aragón*, 5 (1952): pp. 438-52.

<sup>105</sup> Sancho VII ascended to the throne of Navarre in mid-summer of 1194: FORTÚN PÉREZ DE CIRIZA, *Sancho VII el Fuerte*, pp. 93-98. Pedro II of Aragon took the throne of Aragon in the spring of 1196: Thomas N. BISSON, *The Medieval Crown of Aragon*, pp. 38.

<sup>106</sup> ANONYMOUS [Juan of Osma], *Chronicon Latina Regum Castellae*, Brea (ed.), pp. 46.

<sup>107</sup> For the excommunications of Alfonso IX in 1195/6: SMITH, *The Iberian Legations of Cardinal Hyacinth*, pp. 101. and Appendix 1, pp. 109; FLETCHER, *Episcopate in the Kingdom of León*, pp. 219.

<sup>108</sup> Even Sancho I of Portugal was struggling to encourage the population efforts which had previously been successful: LAY, *Reconquest Kings*, 178-81.

<sup>109</sup> *UPL*, pp. 304-5.

<sup>110</sup> *PUS*, pp. 2:571-2.

<sup>111</sup> «de mandato nostro per dilectos filios abbatem sancti Emiliani et Sancium Calagurritanum archidiaconum super hoc inquisitio fieret». *PUS*, pp. 2:572.

were presented to Gregory at Nájera, «in the presence of our venerable brother the archbishop of Toledo [Martín López de Pisuerga]»<sup>112</sup>, and the possession of the properties by the abbot of Santa María de Valvanera was to be confirmed and protected by the «perpetual silence of the prior of Nájera»<sup>113</sup>. It seems possible that this document further suggests that Gregory may have been in the peninsula since late 1195, given that the case itself must have been investigated at least by sometime in early February or late January, and Gregory would not have been able to handle it until he had already arrived in the peninsula<sup>114</sup>. Further, the check of Nájera's ambitious claims was in concord with Gregory's earlier attempts to create a fair balance between the two clerics: Nájera's power had already been tempered in 1194, when Cardinal Gregory confirmed the rights of the bishops of Calahorra<sup>115</sup>.

A letter written to the Cardinal Gregory by Celestine III, from late May 1196 suggests that the Cardinal had been quite busy, although much of the letter was a repetition of earlier letters from March written to Sancho VII of Navarra, Alfonso VIII of Castile, and Pedro II of the Crown of Aragón<sup>116</sup>. While there are several inconvenient lacuna in the letter as it survives, the epistle still indicates the importance Celestine placed on the creation of a lasting peace between the Christian kingdoms in order to better prosecute a war against the Almohads. The letter to Gregory further notes that the pope understood that Sancho VII, acclaimed only as *dux*, had thrown his lot in with the Almohads, noting that he had «contracted a friendship with enemies of the catholic faith or even rather of our very own lord

<sup>112</sup> «in presencia uenerabilis fratris nostri Toletani archiepiscopi». *PUS*, pp. 2:572. The archbishop of Toledo in this period was the venerable Martín López de Pisuerga, who served more than a decade and navigated the see during the turbulent years of the aftermath of Alarcos: RIVERA RECIO, *La Iglesia de Toledo*, 202-3. The tenure of Archbishop Martín has been, recently, the subject of a short study by Carlos de Ayala Martínez, where Ayala makes clear the participation of Archbishop Martín in the vigorous action of the Castilians in the 1190's: CARLOS DE AYALA MARTÍNEZ, *Breve semblanza de un arzobispo de Toledo en tiempos de cruzada: Martín López de Pisuerga*, in Beatriz ARIZAGA BOLUMBURU, Dolores MARINO VEIRAS, Carmen DIEZ HERRERA *et al.* (eds.), *Mundos Medievales. Espacios, Sociedades y Poder. Homenaje al Profesor José Ángel García de Cortázar y Ruiz de Aguirre*, Santander, 2012, pp. 355-62.

<sup>113</sup> «priori Naiarensi perpetuum silencium ratione previa duximus imponendum nec de cetero presumat eam super iamdictis possessionibus amplius molestare». *PUS*, pp. 2:572.

<sup>114</sup> Unfortunately, we have no real metric to determine the timetable that the two men must have been working under. In the earlier case investigated by the abbot of Bujedo and the archdeacon of Salas, even the months of the documents are not preserved and therefore present considerable problems for the study of these cases. Nevertheless, my suspicion is that Gregory ordered the investigation sometime in late December or early January and the abbot of San Millán and archdeacon of Calahorra handled it in the early part of January, although such a supposition confronts the busy liturgical nature of the season.

<sup>115</sup> See above.

<sup>116</sup> *PUS*, pp. 2:574-6; *PUS*, pp. 2:576-8; *PUS*, pp. 2:588-90.

Jesus Christ»<sup>117</sup> (That there are no records of Gregory stopping in the territory which Sancho VII actually held, and that no decisions in favor of Sancho's subjects are known, would appear to be a condemnation *ex silentio* of the Navarrese «*dux*» by the pontifical legate<sup>118</sup>). Gregory's involvement in the peace-process between the Christian kings had borne fruit at Tordehumos years earlier. It seems very probable that preliminary efforts paralleling those of early 1194 were ongoing, although we have no way of knowing whether this was the case.

By 15 October 1196, Gregory had moved southeast to Huesca. Given the time and distance travelled by the Cardinal in his first legation, it seems likely that several stops in Castile or León were lost from the historical record, but nevertheless some business occurred in the interim<sup>119</sup>. Nevertheless, the Cardinal's business at Huesca managed to settle a dispute between a number of parties, righting an injustice done to the see of Pamplona over the properties of the archidiaconate of Val d'Onsella in Zaragoza. The bishop of Lleida, the abbot of Veruela, and prior Guillermo of Tudela were charged with enforcing an earlier papal mandate<sup>120</sup>, and the bishop of Tarazona was required to stop pestering Pamplona about its possession of the archidiaconate of Val d'Onsella<sup>121</sup>. Given that no further correspondence has yet been found regarding Pamplona's possession of the archidiaconate of Val d'Onsella, it appears that Gregory's mandate was able to achieve its desired end.

<sup>117</sup> «illustris rex Nauarr(orum) cum inimicis catholicae fidei immo ipsius domini nostri Iesu Christi am-  
icicium contraxerit». *PUS*, pp. 2:589. Celestine's information was correct, and although the alliance was  
nothing new to the history of medieval Iberia, Sancho VII appears to have even served with Almohad  
forces in Morocco and Libya from 1196-98. Cfr., FORTÚN PÉREZ DE CIRIZA, *Sancho VII el Fuerte*,  
pp. 130-174. Unfortunately, the legendary nature of Sancho VII's «service with the Almohads» is a  
complicated historical question, and Sancho's history with the crusades generally has only recently  
received its due attention. Fermín MIRANDA GARCÍA, *Intereses cruzados de la monarquía Navarra en el  
siglo XIII (1194-1270)*, in Carlos DE AYALA MARTÍNEZ, Martín RÍOS SALOMA (eds.), *Fernando III tiempo  
de cruzada*, Madrid, 2012, pp. 325-49, esp. 331-2.

<sup>118</sup> Alfonso VIII had advanced deep into former Navarrese territory in the third year after his defeat at Alar-  
cos: Luis Javier FORTÚN PÉREZ DE CIRIZA, *La quiebra de la soberanía Navarra en Álava, Guipúzcoa y el  
Duranguesado (1199-1200)*, in *Revista Internacional Estudios Vascos*, 45/2 (2000), pp. 471-89; MARTÍNEZ  
DÍEZ, *Alfonso VIII*, pp.82-6. A visual comparison of the regions occupied by Alfonso VIII and those ter-  
ritories taken by the Navarrese King on the borderlands between Navarra and Aragon is instructive of  
how much the reversal of fortune in the 1190's had harmed Sancho VII: Pascal BURESI, *La Frontière entre  
Chrétienté et Islam dans la Péninsule Ibérique. Du Tage a la Sierra Morena (fin XIe-milieu XIIIe siècle)*, Paris,  
2004, pp. 242, carte 14. For the itinerary of Cardinal Gregory, see Tables 1 & 2 above. For the list of his  
decisions, see Table 3 below.

<sup>119</sup> In a comparable seven-month span during his first legation, Gregory travelled from Toro to Girona,  
a distance of more than 900 km. It seems unlikely that, unless a considerable quantity of now-lost  
business occurred in the intervening months in Aragon alone, Gregory would not have travelled the  
other kingdoms of the peninsula. It may well be that the later privileges from Lugo (about which, see  
below) date to this very intervening period.

<sup>120</sup> *PUS*, pp. 2:581-2.

<sup>121</sup> *PUS*, pp. 2:590-1.

Two privileges survive from Lugo, in Leónese Galicia, which bear the Cardinal's name, but cannot be definitively dated<sup>122</sup>. The conditions of the two documents suggests that they may have been preserved separately, and perhaps belong to separate legations, but most scholars group the two fragments together because of their preservation<sup>123</sup>. The formulae employed within the extant fragments of the texts do little to definitively locate the language of the texts into either legation. Even the documents themselves preserve very little information of any note, save that there appears to have been a dispute between the dioceses of Astorga and Lugo over some properties in the archidiaconate of Triacastela<sup>124</sup>. The dispute seems to have been decided in Astorga's favor, but any details of the dispute are lost in the otherwise fragmentary documentation<sup>125</sup>. The very same dispute had been handled in many ways by Celestine III forty years earlier, while he was Cardinal-legate, and the dispute was still ongoing by the time of Gregory's legation<sup>126</sup>.

Although there are many fewer documents, Cardinal Gregory's second journey to Iberia shows that it appears to have borne many of the same traits as his first legation. There were efforts at achieving peace treaties between the kingdoms, settling disputes between important ecclesiastics, and grappling with complicated geo-political realities. Unfortunately, where the Councils of Salamanca and Lleida survive from his first legation, we have no such precious traces of activities for Gregory's second legation. These absences and gaps, it will be argued below, are much smaller problems than they might appear to be.

Unfortunately, there are no surviving «marching orders» for most medieval legations which would divulge the direct purpose of a legation, and we have, as yet, no extant letters of introduction for Cardinal Gregory from his legations which would have explained some of the causes of his journey<sup>127</sup>. As such, a thematic recon-

<sup>122</sup> Weiss was unable to date the documents beyond that of any of the sources on which he drew. My suspicion is that the documents either belong to the period between Gregory's stops in Tuy and Toro in 1192-3 or this later period of 1196, between his time in Najera in February and Huesca in October. *UPL*, pp. 301-2, 304-5.

<sup>123</sup> Fernández Catón's editions of the documents treat them as being impossible to date definitively («La fecha no es posible concretarla») but that he numbers them in line with documents from late 1192 and early 1193 suggests that he believed them to be from the first legation. Further, the preservation of the two documents in different codices makes the text's dating less linked than they would at first appear: José María FERNÁNDEZ CATÓN (ed.), *Colección documental del archivo de la Catedral de León, tomo VI*, León, 1987, pp. 37-9. Unless and until better preserved copies may be found in either of the diocesan archives (or their dispersed records), it seems unlikely that any further dating can be achieved, beyond my modest postulate in the previous note.

<sup>124</sup> FERNÁNDEZ CATÓN, ed., *Colección documental del archivo de la Catedral de León, tomo VI*, pp. 37-8.

<sup>125</sup> *Ibid.*, pp. 38-9.

<sup>126</sup> SMITH, *The Iberian Legations of Cardinal Hyacinth Bobone*, pp. 85.

<sup>127</sup> Similar letters existed for Cardinal Hyacinth and Rainier of Ponza, and John of Abbeville received letters of thanks during his legation from Gregory IX: SMITH, *The Iberian Legations of Cardinal Hyacinth Bobone*, pp. 83; Demetrio MANSILLA (ed.), *La documentación pontificia hasta Inocencio III (965-1216)*,

struction of his legatine activities will demonstrate what concerns Gregory, and by extension, the papacy had for the Spain during the 1190's. A thematic examination of Gregory's legations also presents numerous important topics for the studies of the medieval cardinalate and their legatine activities. Four themes emerge from Gregory's legations. His resolution of important monastic and ecclesiastical disputes, his organization of church councils, efforts toward creating a lasting peace, and employment of judges-delegate are all of crucial interest for scholars of the medieval papacy.

From even the most basic perspective, the resolution of disputes between the leading ecclesiastics –monastic and episcopal– of the kingdoms of medieval Iberia meant that more resources could be directed to the very causes that the papacy put at a premium. The papacy had put the Church's resources toward supporting Christian campaigns of conquest; their agenda were not created *ex nihilo* but based on the necessity of the campaign and the influence of the Crusades<sup>128</sup>. The crusaders in the Holy Land perennially suffered from lacking resources and military support. In contrast, medieval Spain has been characterized as «a society organized for war», suggesting the massive level of support for the campaigns of the Restoration<sup>129</sup>. The participation of bishops in the Restoration offensives of this period is likewise not in question<sup>130</sup>. The settling, therefore, of intra-ecclesiastical disputes represented a

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Rome, 1955, pp. 177; Santiago DOMÍNGUEZ SÁNCHEZ (ed.), *Documentos de Gregorio IX (1227-1241) Referentes a España*, León, 2004, pp. 112-113.

<sup>128</sup> A number of scholars have recently noted the organization of Spanish religious life around the issue of the Restoration Campaigns and the role of the Military Orders particularly: Sam Zeno CONEDERA, *Ecclesiastical Chivalry: The Military-Religious Life in León-Castile, 1150-1350*, doctoral dissertation, UCLA, 2009, pp. 170-266; Miguel Dolan GOMÉZ, *The Battle of Las Navas de Tolosa: The culture and Practice of Crusading in Medieval Iberia*, doctoral dissertation, The University of Tennessee-Knoxville, 2011, pp. 55-99; SMITH, *The Iberian Legations of Cardinal Hyacinth Bobone*, pp. 97-109; ID., *Alexander III and Spain*, in *Alexander III (1159-1179): The Art of Survival*, Peter CLARKE and Anne J. DUGGAN (eds.), Burlington, VT, 2012, pp. 203-242; O'CALLAGHAN, *Reconquest and Crusade in Medieval Spain*, pp. 23-76; William PURKIS, *Crusading Spirituality in the Holy Land and Iberia, c. 1095-c. 1187*, Rochester, NY, 2008, pp. 120-84; Carlos DE AYALA MARTÍNEZ, *Las órdenes militares castellano-leonesas y la acción de frontera en el siglo XIII*, in Carlos DE AYALA MARTÍNEZ, Pascal BURESI, and Phillipe JOSSEAND (eds.), *Identidad y representación de la frontera en la España medieval (siglos XI-XIII)*, Madrid, 2001, pp. 123-57; Manuel GONZÁLEZ JIMÉNEZ, *Las Navas de Tolos (1212): La Batalla de los Tres Reyes*, pp. 49-69; Iluminado SANZ SANCHE, *Iglesia y religiosidad*, in José Manuel NIETO SORIA, Iluminado Sanz Sancho (eds.), *Historia de España X. La época medieval: Iglesia y cultura*, Madrid, 2002, 151-4; Ángel J. MARTÍN DUQUE, *La restauración de la monarquía Navarra y las Ordenes Militares (1134-1194)*, in *Anuario de Estudios Medievales*, 11 (1981), pp. 59-71;

<sup>129</sup> This phrase was famously used by Elena Lourie in her now-dated, but still very important, essay: Elena LOURIE, *A Society Organized for War: Medieval Spain*, in *Past & Present*, 35 (December, 1966), pp. 54-76.

<sup>130</sup> Unfortunately, no comprehensive monograph has been done of the importance of the medieval Iberian episcopacy to the reconquest, but several profiles of individual bishops and groups of bishops have been admirably completed: Bernard F. REILLY, *Alfonso VIII, The Castilian Episcopate, and the Accession of Rodrigo Jiménez de Rada as the Archbishop of Toledo in 1210*, in *Catholic Historical Review*, XCIX, 3 (2013), pp. 437-54; Carlos DE AYALA MARTÍNEZ, *Alfonso VII y la Cruzada. Participación de los obispos en la ofen-*

windfall for the church: every ounce of energy or gold not spent on the litigations between institutions could be spent furthering the goals of the restoration. In many ways, the settling of disputes may be seen as the Roman Curia's *raison d'être*. The disputes settled by Cardinal Gregory (Table 3) were numerous, and the frequent gaps in the preserved documents suggest that this is just a fractional list of contests decided by the Cardinal.

Table 3

**Disputes Decided by Cardinal Gregory**

Date	Litigant	vs	Litigant	Kingdom
September 1192	Bishop of Lleida		The Templars	Crown of Aragón
February 1193	Bishop of Porto		Three Monasteries	Portugal
March 1193	Bishop of Pamplona		Santa María la Mayor of Tudela	Navarra
July 1193	Bishop of Lleida		The Hospital	Crown of Aragón
July 1193	Bishop of Calahorra		Santa María la Real of Nájera	Castile
Early 1194	Bishop of Calahorra		Santa María la Real of Nájera	Castile
1196/7?	Bishop of Lugo		Bishop of Astorga	León

The litigations handled by Gregory during his legations, as Table 3 aptly demonstrates, covered a wide swath of Iberian territory. The demonstration that, as the ultimate earthly arbiter of Church business, the papacy was on top of the ecclesiastical hierarchy was clear in the handling of disputes by the Cardinal, who in many privileges cited his right to settle affairs because he was «holding the place of the Lord Pope Celestine».

The Councils of Salamanca and Lleida were likely not the only gatherings which were convened under Cardinal Gregory's watch. That the Council of Salamanca was attested in but a single document suggests that perhaps still other councils are lost, as well as any number of smaller gatherings which may have been con-

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*siva reconquistadora*, in Maria Isabel DE VAL VALDIVIESO, Pascual MARTÍNEZ, and Julio VALDEÓN BARUQUE (eds.), *Castilla y el mundo feudal: homenaje a Julio Valdeón*, Valladolid, 2009, pp. 2:519-530; ID., *Obispos, Guerra Santa y Cruzada en los Reinos de León y Castilla (S. XII)*, in Juan Ignacio RUIZ DE LA PEÑA, Miguel Ángel LADERO QUESADA et al. (eds.), *Cristianos y musulmanes en la Península Ibérica*, Ávila, 2009, pp. 219-256; ID., Breve semblanza de un arzobispo de Toledo en tiempos de cruzada: Martín López de Pisuergra, pp. 355-62; Peter LINEHAN, *La carrera del obispo Abril de Urgel: La Iglesia española en el siglo XIII*, in *Anuario de Estudios Medievales*, 8 (1972/1973), pp. 143-190; Derek LOMAX, *Don Ramón, Bishop of Palencia (1148-1184)*, in Juan Maluquer DE MOTES Y NICOLAU (ed.), *Homenaje a Jaime Vicens Vives*, Barcelona, 1965, pp. 279-91; Severino RODRÍGUEZ SALCEDO, *Memorias de Don Tello Téllez de Meneses, Obispo de Palencia*, in *Publicaciones de la Institución Tello Téllez de Meneses*, 1 (1949), pp. 13-37.

vened and which are otherwise unattested. That Councils were convened in both the Kingdom of León and the Crown of Aragón suggests that perhaps others were lost from Portugal or Castile. It is further clear that disputes, investigated on occasion by Gregory's own judges-delegate, were settled and resolutions recorded at these same councils. Cardinal Gregory was keenly aware of the symbolic power of a council as a demonstration of papal authority.

During his legations, Cardinal Gregory's attempts to create a lasting peace between the kingdoms of Iberia were considerable. The Treaty of Tordehumos, despite its almost immediate failure because of Alarcos, constituted an attempt between León and Castile to form a durable peace. The number of treaties signed between the Iberian kingdoms demonstrates the tension between the Christian kingdoms: the high number of ratified treaties demonstrates the equally large number of broken treaties<sup>131</sup>. The series of bulls sent by Celestine III in the spring of 1197 likewise shows that Cardinal Gregory and Pope Celestine were similarly concerned for the peace between the kings and they were determined to have it<sup>132</sup>. That the Almohads were running roughshod in 1196-8 –during the entirety of Gregory's second legation in 1196-7– over what had been most recently Castilian territory demonstrated the reality of the threat posed by the Almohads<sup>133</sup>. Unfortunately, lasting peace would only truly come in a most unpalatable solution: the marriage of Alfonso IX and Berenguela of Castile in 1199<sup>134</sup>. Even after the marriage was consummated, the peace created by the match was short-lived and Alfonso IX spitefully excluded his son with Berenguela –the then-king of Castile, Fernando III– from his will, despite the best efforts of Pope and Cardinals-legate<sup>135</sup>. The sum of Cardinal Gregory's efforts were not enough to match the efforts thwarting his agenda, but, in the age of the crusades, peace between Christian kingdoms was nevertheless an imperative<sup>136</sup>.

<sup>131</sup> For a catalog of treaties signed by/between the Iberian kingdoms in just this last segment of the long twelfth century: Demetrio MANSILLA, *Inocencio III y los reinos hispanos*, in *Anthologica Annua*, 2 (1954), pp. 13. I am grateful to Dr. Damian Smith for this reference.

<sup>132</sup> *PUS*, pp. 2:574-6; *ibid.*, pp. 2:576-8; *ibid.*, pp. 2:588-90.

<sup>133</sup> See the maps depicting the Almohad campaigns in: GARCÍA FITZ, *Castilla y León frente al Islam: estrategias de expansión y tácticas militares, siglos XI-XIII*, Sevilla, 1998, pp. 448-9.

<sup>134</sup> The marriage's arrangement was made at the insistence of Queen Eleanor and only then explicitly for the benefit of the peace. Don Rodrigo's account is generally considered the most reliable by modern scholars: «Alienor regina uxor nobilis Aldefonsi, cum esset prudentissima, sagaci prouidencia et solerte rerum pericula atendebat, quibus per coniunctionem huiusmodi poterat obuiari; et regi Legionis Vallem Oleti cum suis magnatibus uenienti dedit predictam filiam in uxorem». DE RADA, *de Rebus Hispanie*, Valverde (ed.), pp. 253.

<sup>135</sup> For a narrative of the dramatic resolution of the conflict between Fernando III and his half-sisters: SHADIS, *Berenguela of Castile*, pp. 112-115; H. Salvador MARTÍNEZ, *Berenguela la Grande y su época (1180-1246)*, pp. 673-686; Janna BIANCHINI, *The Queen's Hand: Power and Authority in the Reign of Berenguela of Castile*, Philadelphia, 2012, pp. 180-207.

<sup>136</sup> SMITH, *The Iberian Legations of Cardinal Hyacinth Bobone*, pp. 98; Jonathan RILEY-SMITH, *The first Crusade and the idea of Crusading*, Philadelphia, 1986, pp. 22.

The importance of creating lasting peace under the papal watch –in the person of the Cardinal-legate– was that it ordered Christendom to the liking of the papacy and demonstrated that the papacy was influential on all the political levels of Latin Christendom.

The employment of judges-delegate was a cost-and time-saving mechanism, but its importance for the papacy and the cardinalate is easily overlooked. Modern scholars have, where the sources are more plentiful, come to find considerable evidence for their frequent utility. The case for medieval Iberia, even when illustrated from a single diocese, appears much the same<sup>137</sup>. The increase in total papal activity during exactly the period of Gregory's own legation suggests that judges-delegate would similarly become more frequently employed<sup>138</sup>. That Cardinal Gregory participated in such a trend makes sense; he was after all a member of the papal inner circle and a high-ranking member of the Curia. The importance of the judges-delegate for the conduct of regular business on Gregory's legation is clear: the more cases were investigated and solved during the period, the more resources could be reorganized for the Restoration conquests and the more the papal claims to jurisdictional supremacy were reinforced. The evidence that the legatine documents provides about the mission of the Cardinal's legatine activities shows that Gregory understood his activities as being done in Celestine's stead, as was typical of pontifical legates. That Gregory said he was «holding the place of the Lord Pope Celestine [*tenentes locum domini papae Celestini*]» says much about Gregory's understanding of the function of his office as an itinerant demonstration of the papal office and that office's appellate supremacy.

The evidence for Cardinal Gregory's legations is not ideal, but it is better than many legations. We know what roads Cardinal Gregory's horse likely strode upon<sup>139</sup>. Given the procedure for papal councils, we know that Gregory's legatine councils included opening sermons and pious ceremonies, although we have no records of

<sup>137</sup> A scan of the first two volumes of *Iberia Pontificia* lists nearly two dozen men who served in the diocese of Burgos and León alone as judges-delegate: Santiago DOMÍNGUEZ SÁNCHEZ (ed.), *Iberia Pontificia sive Repertorium Privilegiorum et Litterarum a Romanis Pontificibus ante annum MCLXXXVIII Hispaniae et Portugalliae Ecclesiis Monasteriis Civitatibus Singulisque Personis Concessorum*, vol. 1: *Diocesis Exemptae Diocesis Bvrgensis*, Göttingen, 2012, pp. XIII-XXIII; Santiago DOMÍNGUEZ SÁNCHEZ (ed.), *Iberia Pontificia sive Repertorium Privilegiorum et Litterarum a Romanis Pontificibus ante annum MCLXXXVIII Hispaniae et Portugalliae Ecclesiis Monasteriis Civitatibus Singulisque Personis Concessorum*, vol. 2: *Diocesis Exemptae Diocesis Legionensis*, Göttingen, 2013, pp. XVII-XXV.

<sup>138</sup> By Smith's reckoning, the increase in papal business with the kingdoms of medieval Iberia is considerable during the period of Celestine III's papacy: SMITH, *The Iberian Legations of Cardinal Hyacinth Bobone*, pp. 96, n. 108.

<sup>139</sup> The mapping of these routes by modern scholars demonstrates a degree of consistency within the medieval period: Máximo DIAGO HERNANDO and Miguel Ángel LADERO QUESADA, *Caminos y ciudades en España de la Edad Media al siglo XVIII*, in *En la España Medieval*, 32 (2009), pp. 347-382. I am grateful to Dr. Damian Smith for this reference.

anything preached<sup>140</sup>. The intricate nature of the Treaty of Tordehumos suggests that the Cardinal must have spent some time meeting with magnates, although we can rule more officials out of this process than we can definitively include<sup>141</sup>. The network of contacts necessary to accomplish the activities of the legation betrays the political reasons that Gregory visited locations of importance during his legations, although his pious motivations cannot be discounted<sup>142</sup>. The network of contacts which supported the business of Gregory's legation would likely have been gleaned from Celestine III, from the pope's own experience in the Iberian Peninsula, and suggests intense preparation of Gregory by Celestine for the legation's business.

On the one hand, the data which survives from Cardinal Gregory's legations are dwarfed by the extant records from England, France, the Empire, or Italy. Then again, the legations of Cardinal Hyacinth are perhaps the best-known from any of the twelfth century legations, period. The gaps in Gregory's legatine itinerary demonstrates two important conclusions regarding medieval legates and their legations. First, it seems likely that *nuncios*, 'judges-delegate', and legates' activities were lost more often to history than is recoverable in any of the extant records. Second, pontifical legates appear to have been as tied up in internal disputes of property than the high-minded intellectual, theological, political, or cultural clashes which so dominates the historiography of the long twelfth century. The legations of Gregory, Cardinal-Deacon of the *titulus* of Sant'Angelo, from 1192-4 and 1196-7, demonstrate that the activities of the medieval church in the peninsula were concerned with demonstrating the power of a papacy dealing with all levels of society, in all of its functions. The settling of the many disputes, and the confirmations of privileges, was a demonstration of papal authority as much as the forging of treaties between kings.

It is clear that peace between the kingdoms was one of the goals of Gregory's legations. Likewise, peace between litigious ecclesiastics was important. The desire for a coordinated effort against the Almohads colored most of Gregory's diplomatic affairs during his legation, and the settling of complex matters to that end could only be solved the imposition of supervening Papal authority. The settling of complex disputes between exempt houses, the conferral of grants of exemptions, and confirmations of privileges, while mundane at first blush served to demonstrate on a smaller scale the reach of Papal supremacy in matters ecclesiastical. In any case, while Rivera Recio, Gonzalez, and Robinson were certainly correct to note the importance of the King

<sup>140</sup> On the preaching of sermons at papal councils: ROBINSON, *The Papacy*, pp. 133.

<sup>141</sup> For example, Pedro Manrique de Castro, who lived a peripatetic lifestyle after 1189 because of his frequent exiles, banishings, and sanctions: BARTON, *The Aristocracy in the Kingdom of Castile*, pp. 116.

<sup>142</sup> The number of important monasteries and monastic officials involved in Gregory's legation demonstrates this with ease: Oña, San Millán de la Cogolla, Santa Cruz de Coimbra, Sahagún, Santa María la Real; these and still others were major centers of monastic power in the peninsula. Surely other documents have been unfortunately lost.

of León's marriage and the creation of lasting peace between the kingdoms for the legations of Cardinal Gregory, these are only the political halves of a larger story. In the stead of his papal kinsmen, Gregory's was, like most legations, a demonstration of power on the ancient model of itinerant kingship: the Cardinal was riding circuit and holding the place of an increasingly influential pontiff and papal curia.

## APPENDIX A

**Gregory, Cardinal-Deacon of Sant'Angelo, grants a privilege to San Salvador de Grijò**

Source: THOMAS AB INCARNATIONE, *Historiae Ecclesiae Lusitanae: per singula saecula ab Euangelio promulgato*, Coimbra, 1762, pp. 3:74-5.

(N.B. I have included Incarnatione's prefacing Latin comments in italics in order to best facilitate scholarly reference to the original edition.)

*Anno 1193. apud Burgos Praeside Gregorio S. Angeli Diacono Cardinali Apostolicae Sedis legato Martinus Roderici Portugalensis Episcopus, Canonici Regulares Ecclesiolae per Procuratores, Beno Vitr Palatinus, ceterique religiosi viri convenere dissidium inter Ecclesiolae Canonicos, & Portugalensem Antistitem circa Diocesis limites composituri. Litem tamen iudicio suo amovit Cardinalis:*

Gregorius Dei gratia Sancti Angeli Diaconus Cardinalis Apostolicae Sedis legatus dilectis in Christo filiis Prioribus, & fratribus Ecclesiolae salutem, & benedictionem. Cum dilectus noster Magister Scholarum Portugalensis, & ejusdem Ecclesiae, & Procurator in nostra praesentia constituti suos querelas proponerent, visis privilegiis Monasterii, & auditis alterius partium allegationibus, quoniam ex tenore privilegiorum constitit, quod ipsum Monasterium, & Ecclesiae S. Martini de Drangocelhe, S. Salvatoris de Petrosino, S. Mametis de Sersedo cum omnibus haeredibus, sive sint viri mulierum, quae non sunt haeredes, sive sint uxores virorum, qui non sunt haeredes, redditibus, & Parochianis, & pertinentiis earum Ecclesiarum sunt exemptae. Nos sicut in privilegiis Summorum Pontificum continentur, robur, & firmitatem perpetuam volumus obtinere. Ita quod jam in supra dictis omnibus Episcopus, vel Ecclesia Portugalensis nullam habeat jurisdictionem, sive excommunicandi, sive interdicendi, vel aliquod de re debitum exigendi, de redditibus autem ipsius Monasterii, & jam dictarum Ecclesiarum extra Parochias earumdem constitutis sancimus, ut prius decimae de omnibus laborum rusticorum absque ulla dominatione persolvantur Ecclesiis, a quibus Divina percipiuntur Sacramenta, & de residuo redditus debiti Monasterio, & eisdem Ecclesiis persolvantur[75] tur: illi vero, qui non sunt haeredes, seu Parochiani ipsius Monasterii, & praedictarum Ecclesiarum Episcopo, & ipso Monasterio, & praeominatis Ecclesiis, se deliberaverint sepeliri, consuetudinem aliarum Ecclesiarum exemptarum in regno Portugalesi sequi decernimus. Nulli ergo omnino hominum liceat hanc paginam nostrae constitutionis contra ire, siqua igitur Ecclesiastica, saecularisve persona hoc attentare praesumpserit secundo, tertiove commonita, nisi se congrua satisfactione correxerit, excommunicationi auctoritate, qua fungimur, decernimus subjacere. Datum Burgis mense Februario anno Domini 1193. praesente Martino ipsius civitatis Episcopo, & Benone Palatino, & aliis viris prudentibus, & Religiosis.