

## TWO LETTERS OF HONORIUS III TO CATALONIA

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### *Dos documents d'Honori III adreçats a Catalunya*

L'arxiu de la Catedral de Vic conté dos documents del pontificat d'Honori III (1216-1227), que no havien estat fins ara transcrits ni estudiats. El primer, en el qual el bisbe de Vic i l'abat de l'Estany són nomenats jutges-delegats, proporciona informació sobre un període crític i poc documentat en la història del monestir de Sant Cugat del Vallès com són els anys 1214-1220. El segon document fa referència a una disputa entre l'ardiaca de Vic i la família Bellpuig (de Sant Julià de Vilatorrada), sobre delmes.

Paraules clau: Honori III, Sant Cugat del Vallès, Pere de Douai, Vic, Bellpuig.

*The archives of the Cathedral of Vic contain two previously untranscribed and unstudied letters from the pontificate of Honorius III (1216-1227). The first letter, in which the bishop of Vic and the Abbot of l'Estany are appointed as judges-delegate, sheds light on a critical and poorly documented period in the history of the monastery of Sant Cugat del Vallès, the years 1214-1220. The second letter concerns a dispute between the archdeacon of Vic and the Bellpuig family (from Sant Julià de Vilatorrada), over tithes.*

Keywords: Honorius III, Sant Cugat del Vallès, Peter of Douai, Vic, Bellpuig.

The archives of the Cathedral of Vic contain several previously unknown papal letters, many of which have been published by Paul Freedman.<sup>1</sup> Among those which have thus far remained untranscribed and unstudied are two from the pontificate of Honorius III, both of which commission papal judges-delegate. Philip Jaffé's *Regesta pontificum romanorum* and Paul Kehr's *Papsturkunden* register papal letters prior to 1198, before which date original registers of papal letters are largely not extant. Original registers from the pontificate of Innocent III (1198-1216) onwards, in contrast, survive for the most part. Many of these, including the register of Honorius III, have already been published. The standard sources

1. FREEDMAN, Paul. «A New Letter from the Early Pontificate of Innocent III». *Römische historische Mitteilungen* (hereafter cited as *RHM*) 29 (1987): 215-20; *idem*, «A Letter of Pope Innocent III Concerning a Dispute between Vic and Tarragona». *RHM* 30 (1988): 87-91; *idem*, «Two Letters of Pope Honorius III on the Collection of Ecclesiastical Revenues in Spain». *RHM* 32/33 (1990-1991): 37-40; *idem*, «Three Letters of Innocent III in La Seu d'Urgell». *RHM* 34/35 (1992-1993): 111-20; SABATÉ, Flocel; FREEDMAN, Paul. «A Letter of Pope Innocent III to the Monastery of Sant Esteve de Banyoles (1216)». *RHM* 38 (1996): 129-41; and FREEDMAN, Paul; MASNOU, Josep Maria. «Some Additional Letters of Pope Innocent III Concerning the Cathedral Chapter of Vic». *RHM* 44 (2002): 103-20.

for the letters of Honorius III are Presutti's *Regesta*,<sup>2</sup> Mansilla's edition of Honorius III's letters to Spain,<sup>3</sup> and Linehan's supplement to Mansilla.<sup>4</sup> None of these works includes the two letters considered in this paper.

The first letter, dated May 30, 1219, bears the annotation «Breu Honori III per l'Estany 1219» in modern pencil on its dorsal side and is found in the Arxiu Episcopal de Vic, Pergamins de L'Estany. In an article of 1989 on this section of the Vic archives, Francesc de Rocafiguera states that the letter dispenses the bishop of Vic and the prior of Santa Maria de L'Estany from an oath made in the time of Abbot Bernat, which forbade them from modifying the administration of the monastery's goods.<sup>5</sup> In fact, the contents of the letter are quite different. It does not grant the bishop of Vic and the prior of L'Estany any dispensations, but rather appoints them as judges-delegate. They, along with a third ecclesiastic whose name and title water damage has rendered illegible, were to hear a convoluted case, the main details of which are as follows. When Peter, the cardinal bishop of Santa Sabina, was but the cardinal deacon of Santa Maria in Aquiro and a papal legate in Catalonia, he discovered that Abbot Berenguer had mismanaged the funds of a monastery whose name, in the letter, is unreadable. The legate therefore deprived the abbot of control over that monastery's temporal goods and entrusted their care to a monk whose first name is no longer legible, but whose surname was Ferrer. With the consent of the entire monastery, the legate set up the same monk as pastor over the community, without, however, making him abbot or depriving the old abbot of his office. Both abbot and monks swore that they would abide by this arrangement. Some time later, though, the new administrator began experiencing health problems. The monks therefore petitioned the pope to have their oath absolved.

Papal records make it clear that the cardinal Peter referred to in the letter is Peter of Benevento, the papal legate to southern France and Catalonia in 1214-1215.<sup>6</sup> When Pere II of Aragon died at the battle of Muret on September 13,

2. PRESSUTTI, Petrus. *Regesta Honorii papae III*. 2 vols (Rome: ex typographis Vaticana, 1888-95), (repr. Hildesheim and New York 1978). The first letter under consideration falls somewhere in Pressutti nos. 2096-2100, the second in Pressutti nos. 2436-2438.

3. MANSILLA, Demetrio. *La documentación pontificia de Honorio III (1216-1227)*. In *Monumenta Hispaniae Vaticana, Registros 2* (Rome: Instituto Español de Historia Eclesiástica, 1965).

4. LINEHAN, Peter. «La documentación pontificia de Honorio III (1216-1227): unas adiciones a la regesta de D. Demetrio Mansilla». *Anthologica Annuua* 16 (1968): 385-408.

5. ROCAFIGUERA, Francesc de. «Documents del monestir de l'Estany existents a l'Arxiu Episcopal de Vic (1106-1489)». *Studia Vicensia* 1 (1989): 131. «El papa Honori [III] dispensa el bisbe de Vic i el prior de Santa Maria de l'Estany del jurament fet en temps de l'abat Bernat de no modificar l'administració del béns del monestir. Aquest, amb el temps, havia esdevingut font de conflictes i el Papa autoritza a fer el que convingui d'acord amb la regla de Sant Benet».

6. HEYER, Friedrich. «Über Petrus Collivaccinus von Benevent». *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Kanonistische Abteilung* 6 (1916): 395-405; MALECZEK, Werner. *Papst und Kardinals-kolleg von 1191 bis 1216*. Vienna: Verlag der Österreichischen Akademie der Wissenschaft, 1984, p. 172-174. Many older authors refer to Peter of Benevento as Peter of Douai. As Heyer definitively proves, however, this alternative form of the cardinal legate's name is incorrect. Medieval documents always give Peter's surname as Beneventanus, never as Duacensis. Thus, for instance, two letters from 1216 by Archbishop Arnald of Narbonne to Honorius III and the College of Cardinals speak of «dominus (meus) cardinalis P. Beneventanus» (ed. BRIAL, M.-J.-J. *Recueil des historiens des Gaules et de la France*. 25 vols.

1213, he left his orphaned son James I under the care and wardship of his enemy, Count Simon de Montfort. The Aragonese and Catalan nobility objected to this state of affairs, but could do nothing about it on their own. Therefore, they turned to the papacy for help. Pope Innocent III appointed Peter of Benevento as his legate and entrusted him with the task of returning the young king to his people. The legate left Rome towards the end of January at the earliest. He was in Narbonne by April 18, 1214, though he did not take charge of James I and escort him back to Catalonia until some time later, probably June. Peter of Benevento's exact movements in Spain during this period are uncertain. He was definitely at Lleida some time after the beginning of August, where he convened a general *cort* in the king's name and enacted a number of Peace statutes. He visited Urgell as

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[Paris: Aux dépens des libraries 1738-1904], 19: 596 and 620). William of Puylaurens calls Peter «*legatus dominus Petrus de Beneventano cardinalis a Summo Pontifice*» (*Historia Albigensium*, c. 23, ed. and trans. DUVERNOY, Jean. In *Chronique: Chronica magistri Guillelmi de Podio Laurentii* [Paris: Éditions du Centre national de la recherche scientifique, 1976], 88; idem, in *Chronique (1145-1275): Chronica magistri Guillelmi de Podio Laurentii* (Toulouse: Le Pérégrinateur éditeur, 1996), 94; English trans. W. A. Sibly and M. D. Sibly, *The Chronicle of William of Puylaurens: The Albigensian Crusade and its Aftermath* [Woodfolk, Suffolk, UK: Boydell Press, 2003], 51). Rodrigo Ximénez de Rada gives the legate's name as «*Petrus Beneventanus sancte Marie in Aquiro diachonus cardinalis*» (*Historia de rebus Hispaniae libri novem*, l. 6, c. 5, ed. VALVERDE, Juan Fernández. *Corpus Christianorum, Continuatio Mediaevalis*. 72, p. 182, ll. 6-7). And Peter of Vaux-Cernay call him «*magister Petrus Beneventanus cardinalis apostolice sedis legatus*» (*Historia Albigensium*, c. 77-82, ed. BRIAL, M.-J.-J. *Recueil des historiens*. 93-101). The form «Peter of Douai», which does not appear until the 16th century, resulted from a misreading of Rigordus' *Gesta Philippi Augusti*. In describing Cardinal Peter of Capua's 1198 legation to France, Rigordus mentions briefly a cleric named «*Sancte Romane ecclesie legatus*». Then, a little further on in the narrative, Rigordus refers back to Peter of Capua using the words «*Petrus iam dictus*» (*Gesta Philippi Augusti* §125, 126, 128, ed. Henri François Delaborde in *Oeuvres de Rigord et de Guillaume le Breton, historiens de Philippe Auguste*, 2 vols. [Paris: Librairie Renouard, M. Loones, successeur, 1882-1885], 1:143 f.). As Heyer shows, the French scholar, François de Belleforest, mistakenly identified Rigordus' reference to the aforementioned legate Peter with the cleric Petrus de Doaio and arbitrarily made him cardinal of Santa Sabina (*Les grandes annales et histoire generale de France* [Paris, 1579], fol. 575v). Arnold Wion followed de Belleforest in misascribing the 1198 legation to the newly invented Cardinal Peter of Douai, but pushed back his elevation to the see of Santa Sabina until the pontificate of Honorius III (*Lignum vitae, ornamentum et decus ecclesiae*, vol. 1 [Venice, 1595], 200). Later historians eventually identified Peter of Douai with the cardinal deacon of Santa Maria in Aquiro and papal legate to France in 1214-1215 who later became cardinal bishop of Santa Sabina. As a result of de Belleforest's original misreading, however, they continued to call this person «Peter of Douai». The long tradition of error made it inevitable that the incorrect form of the cardinal legate's name should find its way into most standard reference works, including Pius Bonifatius Gams' *Series episcoporum ecclesiae catholicae* (Ratisbon, 1873), 13; Konrad Eubel's *Hierarchia catholica medii aevi*, 3 vols. (1898-1910), 2: 8; and Heinrich Zimmerman's *Die päpstliche Legation in der ersten Hälfte des 13. Jahrhunderts* (Paderborn: F. Schöningh, 1913), 44-45. After Heyer's article, historians of canon law and papal history stopped using the form «Peter of Douai». Many prominent historians of Catalonia, however - being unaware of Heyer's article - continued to use the incorrect form of the cardinal's name, with some even arguing that it, rather than «Peter of Benevento», was the authentic form. Thus, for instance, SOLDEVILA, Ferran. *Els primers temps de Jaume I* (Barcelona, 1968), 58 claims that the name «Peter of Benevento» is completely wrong, a mistake deriving from the thirteenth-century archbishop of Toledo, Rodrigo Ximénez de Rada (1170-1247). Soldevila did not know that sources from as early as 1216 also give the name of the cardinal legate as «Peter of Benevento». Soldevila's confident dismissal of the correct form of Peter's name is one of the main reasons why later authorities on Catalonia, such as BISSON, Thomas. *The Medieval Crown of Aragon: A Short History* (Oxford: Clarendon Press, 1986), p. 58-59, continue to call the cardinal legate «Peter of Douai». It should be noted, however, that one may legitimately call Peter of Benevento «Peter of Collivaccino». As Heyer demonstrates, Collivaccino is Peter's family name, whereas Benevento is the region in Italy where his family dwelt.

well, where he reconciled some heretics.<sup>7</sup> According to Soldevila, the legate also stopped at Montsó towards the end of 1214.<sup>8</sup> By January 8, 1215 Peter of Benevento was back in Languedoc.<sup>9</sup> The events recounted in the letter must therefore have taken place some time between May and December of 1214.

Unfortunately, water damage has rendered several portions of the letter illegible. The name of the monastery is blotted out and cannot be read, even under ultraviolet light. Fortunately, however, a dorsal annotation in a thirteenth or fourteenth century hand indicates that the letter concerns the monastery of Sant Cugat. This seems to be a plausible enough identification, since the Latin genitive *Cucuphatis*, if abbreviated or spelled with an «f», fits the space perfectly. It is confirmed when we compare the personages and situation described in the letter with what is known of Sant Cugat at this time. The monastery's abbot in the early thirteenth century was Berenguer de Santa Oliva. During his tenure in office, a monk by the name of Bernat went to Rome to press for reform, *tam in capite quam in membris*. This eventually resulted in Innocent III's commissioning on February 1, 1212 of Abbot Guillem of Sant Salvador de Breda and two canons from Lleida to investigate the spiritual and material health of Sant Cugat.<sup>10</sup> The monastery's procurator and, it seems, head administrator was a monk by the name of Pere Ferrer.<sup>11</sup> For a reason unmentioned in the sources, Pere Ferrer does not figure very prominently in the documents from this period. Instead, Pere d'Amenys, who held the place of *prepositus maior*, served as the monastery's actual administrator from at least 1217 until March 16, 1220, though he never claims any title for himself other than that of «monachus».<sup>12</sup> According to the *Customary of Sant Cugat* composed by Pere Ferrer, the monastery of Sant Cugat at the time of the work's composition also suffered from dissension.<sup>13</sup> Based on internal evidence, Ephrem Compte, the customary's editor, dates the work to 1221-1223. The mention of disagreement among the monks, however, makes it

7. (Bishop Pere) *Historia diplomatice Friderici secundi*, 1, p. 282-83; (Ramon de Josa) *Arxiu Capitular d'Urgell, Liber Dotaliorum*, 2, doc. 68, f. 71r-72r; BARAUT, C. «Presència i repressió del catarisme al bisbat d'Urgell (segles XII-XIII)». *Urgellia* 12 (1994-5), no. 12, p. 516. Cited in SMITH, Damien J. *Innocent III and the Crown of Aragon: the Limits of Papal Authority*. (Aldershot, Hampshire, England: Ashgate, 2004), 150. Also, see DIAGO, Francisco. *Historia de la provincia de Aragón de la orden de predicadores, desde su origen y principio hasta año 1600* (Barcelona 1599), (repr. Valencia 1999), fol. 8r.

8. SOLDEVILA, *Els primer temps*, 68-69.

9. SANPERE Y MIQUEL, Salvador. «Minoría de Jaime I». In *Congrés d'història de la corona d'Aragó*, vol. 2 (1913), 580-608; SOLDEVILA, *Els primers temps*, 49-84; VILLACAÑAS, José Luis. *Jaume I el Conquistador* (Madrid: Espasa, 2003), 62-69; SMITH, *Innocent III*, 150-53.

10. MANSILLA, Demetrio. *La documentación pontificia hasta Inocencio III (965-1216)*. In *Monumenta Hispaniae Vaticana, Registros*. 1 (Rome: Instituto Español de Estudios Eclesiásticos, 1955), no. 469 (1 February 1212). Cf. SMITH, *Innocent III*, 235-36.

11. RIUS SERRA, José. *Cartulario de «Sant Cugat» del Vallés*. Vol. 3 (Barcelona 1947), doc. 1290 (23 December 1218).

12. RIUS, *Cartulario*. Docs. 1286 (15 December 1217), 1290-1294 (23 December 1218-7 March 1219), 1297 (16 March 1220). Rius, *Cartulario*, doc. 1290 designates Pere d'Amenys as the «monachus tenens locum prepositure maioris» and lists his name after that of Pere Ferrer.

13. COMPTE, Ephrem, *The Customary of Sant Cugat del Vallès: Study and Edition*. 2 vols. (Ph. D. dissertation, Princeton University, 1976), 1: *quibusdam de sociis aliter et aliter dissidentibus ex adverso*.

likely that Pere Ferrer had already begun writing the customary in 1219, when Pope Honorius III first appointed judges-delegate to hear the monks' petition.<sup>14</sup>

Based on the cartulary of Sant Cugat, modern scholars have typically assumed that Berenguer de Santa Oliva held the abbacy from 1205-1211 or 1212, and that the office remained vacant thereafter until 1220, when Ramon de Banyeres became abbot.<sup>15</sup> The cartulary preserves thirty-three documents from 1205-1212,<sup>16</sup> one from 1214,<sup>17</sup> one from 1216,<sup>18</sup> and thirteen from 1217-1220.<sup>19</sup> The documents dated 1205-1212 mention Berenguer de Santa Oliva as abbot, whereas the documents from 1214-1220 do not mention any abbot at all. Instead, Pere d'Amenys seems to handle most administrative matters.

As Ephrem Compte points out, it is a mistake to rely solely on the cartulary of Sant Cugat when reconstructing the monastery's abbatology, since many documents not transcribed in the cartulary, but nevertheless related to the monastery of Sant Cugat exist in the archives of the Corona de Aragon in Barcelona and the Abbey of Montserrat. These non-cartulary documents prove that Berenguer died on November 17, 1216, rather than in 1212. They also show that Berenguer's successor, Ramon de Banyeres, assumed the office of abbot shortly thereafter, since he already appears as abbot in a document dated December 10, 1216.<sup>20</sup>

The papal letter considered in this paper sheds light on why documents dating from 1214-1220 included in the cartulary make no mention of an abbot. Cardinal Peter of Benevento had deprived Berenguer de Santa Oliva of all his authority in 1214 and set the monastery's procurator, Pere Ferrer, in charge of the monastery's temporal affairs. This non-abbatial control of the monastery's finances persisted even after Berenguer's death in 1216, though it appears to have been less absolute under the new abbot, Ramon de Banyeres. Documents from 1216-1220 included in the cartulary omit any mention of Ramon: donations are made to Pere d'Amenys rather than the abbot; litigation preserved in the cartulary likewise mentions only Pere d'Amenys. Documents concerning the monastery that are

14. COMPTE, *The Customary of Sant Cugat*, 78\*-81\*, esp. p. 80\*: «In the copy of the customary that was made in 1564 by Antich de Villalba, it is said that our manuscript was composed in 1219, 1220, 1221... There appears to be no references in the manuscript to the years 1219 and 1220.» In light of the papal letter, the allusion in the prologue to internal dissension may well be just such a reference to 1219.

15. PLADEVALL, Antoni. «Sant Cugat del Vallès, monestir de». In *Gran Enciclopedia Catalan*. Vol. 13 (1970), 210 and «Sant Cugat del Vallès». In *Catalunya Romanica*. Vol. 18 (Barcelona: Fundació Enciclopèdia Catalana, 1991), 162 list the dates of Berenguer's pontificate as 1205-1211, while UDINA MARTORELL, Federico. «El Abaciologio del Monasterio de San Cugat en los siglos X, XI y XII, según su "Cartulario"». *Hispania Sacra*. 13 (1960), 201-03 and AMBROS I MONSONIS, Jordi. *El Monestir de Sant Cugat del Vallès* (Barcelona: Vilassar de Mar, 1984), 296 give the dates as 1205-1212. According to UDINA MARTORELL, «Abaciologio», 203, those scholars who give 1211 as the final year of Berenguer's abbacy follow the dating error of PERAY MARCH, José de, *San Cugat del Vallès: su descripción y historia* (Barcelona: Impr. de la Casa de Caridad, 1931), 126.

16. RIUS, *Cartulario*, docs. 1251-1283 (15 March 1205–24 March 1212).

17. RIUS, *Cartulario*, doc. 1284 (27 August 1214).

18. RIUS, *Cartulario*, doc. 1285 (19 December 1216).

19. RIUS, *Cartulario*, docs. 1286-1298 (15 December 1217–1 August 1220).

20. COMPTE, *The Customary of Sant Cugat*, 84\*-85\*. In general, Catalan scholars have not taken Compte's findings into account because his dissertation is: a) written in English and b) remains unpublished.

preserved elsewhere, however, mention Ramon by name and often contain his subscription.<sup>21</sup>

The sources suggest that there were at least two factions within the monastery of Sant Cugat. One was comprised of Berenguer de Sant Oliva's two successors, Ramon de Banyeres (1220-1225) and Arnau de Palou (1226-1230/1232), and their supporters. This faction was willing to recognize the bishop of Barcelona as the monastery's overlord. In 1211 Berenguer de Santa Oliva paid homage to the bishop of Barcelona.<sup>22</sup> This led to the signing of a document dated January 8, 1217 by Ramon de Banyeres that recognized the bishop's rights over the monastery.<sup>23</sup> In 1226 the new abbot, Arnau de Palou, likewise swore obedience to the bishop of Barcelona. This time, however, things did not go so smoothly. A member of the community, Pere de Sant Vicenç, protested against Arnau's action, claiming that it subverted the liberty of the monastery. Fearing reprisal, Pere appealed to Rome for protection, but was excommunicated by the abbot before his case could be heard. Nevertheless, in response to Pere's appeal, Honorius III appointed judges-delegate to determine if the sentence of excommunication should be lifted and whether the abbot's profession of obedience to the bishop of Barcelona was legitimate.<sup>24</sup> Although the outcome of this case has not been preserved, evidence from the following decade suggests that the judges-delegate found at least partially in favor of Pere de Sant Vicenç. Some time between 1230 and 1232, the former de facto administrator, Pere d'Amenys, became the new abbot of Sant Cugat. Unlike his predecessors, Pere worked hard to resist the encroachments of the bishop of Barcelona. He successfully obtained favorable rulings from Gregory IX, which placed Sant Cugat directly under the Holy See and forbade the bishop of Barcelona from attempting to subjugate the monastery.<sup>25</sup> During his tenure, moreover, Pere de Sant Vicenç rose to prominence within the monastery, obtaining the offices of prior and sacristan (1237-1249).<sup>26</sup> The new abbot's change in policy and friendship with his predecessor's enemy, Pere de Sant Vicenç, suggests that Pere d'Amenys and his supporters comprised a second faction within the monastery. This second faction opposed the party of Ramon de Banyeres and Arnau de Palou on at least one issue: the question of the monastery's relationship to the bishop of Barcelona. It fought hard for the independence of Sant Cugat and succeeded at this for a time. Between 1247 and 1251, however, Pere d'Amenys was forced to recognize the bishop of Barcelona as the monastery's overlord, thereby bringing to a close the period of Sant Cugat's independence.<sup>27</sup>

21. COMPTE, *The Customary of Sant Cugat*, 88\*-89\*.

22. RIUS, *Cartulario*, doc. 1282 (23 May/June 1211).

23. AMBROS I MONSONIS, *El Monestir*, 38.

24. MANSILLA, *La documentación pontificia de Honorio III*, no. 605 (7 July 1226).

25. RIUS, *Cartulario*, docs. 1313 (18 February 1233), 1314 (31 March 1233), 1335 (10 August 1237), 1336 (24 August 1237), 1340 (31 March 1238), and 1342 (26 May 1238).

26. RIUS, *Cartulario*, docs. 1325 (12 July 1234), 1338 (3 December 1237), 1348 (21 October 1238), 1360 (16 January 1240), 1362 (25 April 1240), 1367 (29 April 1241), 1373 (25 August 1242), 1382 (28 January 1244), 1383 (28 January 1244), 1388 (6 July 1249).

27. AMBROS I MONSONIS, *El Monestir*, 38.

If this factional rivalry – which need not have centered solely around the issue of Sant Cugat's subjection to Barcelona<sup>28</sup> – was already present in the late 1210s, it would help to explain why the monks first made an appeal to Rome. The entire monastery had sworn to let the procurator, Pere Ferrer, manage the monastery's finances. As his health declined, however, he entrusted more and more power to Pere d'Amenys. Ramon de Banyeres and monks belonging to the other faction opposed the management of Pere d'Amenys, but were unable to oust him as long as Pere Ferrer remained nominally in charge. For this reason, they petitioned the pope to absolve them from the oath exacted by Cardinal Peter of Benevento. This resulted in the judge-delegate's letter of 1219 and the temporary triumph of the party of Ramon de Banyeres.

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The second letter, dated May 15, 1220, concerns a dispute between the archdeacon of Vic and the Bellpuig family over tithes. These most likely belonged to the parish of Sant Julià de Vilatorrada, where the Bellpuigs – a minor castellan family – controlled a small fortress and held rights to part of the castle of Meda. Technically, the bishop of Vic was the overlord of Meda and its adjacent territories. His real power over the area, however, was quite limited, since several levels of subinfeudation separated the bishop from his vassals, the minor castellans who actually occupied the fortresses. The powerful Queralt family held the castle of Meda and its territories in fief from the bishop. The Balenyà family in turn held these from the Queralts. The Bellpuig family held its lands from the Balenyàs. And other families held theirs from the Bellpuigs.<sup>29</sup> Disruption at any one of these levels could and did cause problems for the bishops of Vic. In the twelfth century, informal means of dispute resolution kept most of these disagreements in check.<sup>30</sup>

During the tenure of Guillem de Tavertet (1195-1233), however, episcopal power in Vic began to experience an increasing number of setbacks. The bishop's long-standing dispute with the Montcada family ended in the surrender of increased revenues and rights within the city of Vic to Guillem de Montcada.<sup>31</sup> Guillem de Tavertet's many attempts to reform the cathedral chapter had only par-

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28. Cf. COMPTE, *The Customary of Sant Cugat*, 90\*-91\*. For the relationship between dissension in the monastery of Sant Cugat and attempts to implement the reforms of the Fourth Lateran Council of 1215, see BENITO I MONCLÚS, Pere. «Crisi i reforma del règim econòmic intern de les comunitats monàstiques benedictines: Les Consuetudines de Sant Cugat del Vallès (circa 1223) com a model dins la província Tarraconense». In *Abadies, cartoixes, convents i monestirs: Aspectes demogràfics, socioeconòmics i culturals de les comunitats religioses (segles XIII al XIX)* (Palma: Institut d'Estudis Baleàrics, 2004), 225-42 and BAUCELLS I REIG, Josep. «Questions sobre l'exempció episcopal d'alguns priorats de Barcelona-diòcesi (s. XIV) i del monestir de Sant Cugat del Vallès (s. XI al XIV)». In *I Col·loqui d'història del monaquisme català*, vol. 1 (Santes Creus: 1967), 21-61.

29. «Castells de Sant Llorenç i Meda i Domus de Bellpuig». In *Els castells catalans*, vol. 4 (Barcelona: R. Dalmau, 1993), 904-11.

30. FREEDMAN, Paul. *The Diocese of Vic: Tradition and Regeneration in Medieval Catalonia* (New Brunswick, New Jersey: Rutgers University Press, 1983), 100-40.

31. SHIDELER, John C. *A Medieval Catalan Noble Family: The Montcadas 1000-1230* (Berkeley: University of California Press, 1983), 152-3 and FREEDMAN, *The Diocese of Vic*, 142.

tial and short-term success.<sup>32</sup> Moreover, strife between the bishop and canons resulted in violence and lawsuits, which eventually forced the bishop's resignation and retirement in 1233.<sup>33</sup>

No documentation survives detailing the outcome of the dispute between the archdeacon of Vic and the Bellpuig family. The general decline in episcopal power, however, makes it doubtful that the archdeacon's litigation against the Bellpuigs had any real or long-term effect. This seems even more likely given the fact that Elissendis de Centelles, the Bellpuig family heiress, still possessed tithes from Sant Julià eighty-three years later in 1303. Judges-delegate might rule in favor of the bishops of Vic, but this was of little consequence if the bishops lacked the power to enforce the rulings or to prevent noble families from reappropriating ecclesiastical tithes. Repeated failure in this regard probably led to the compromise solution we see in the case of Elissendis: the holding of tithes in fief.<sup>34</sup>

### Appendix: Edition

1)

May 30, 1219

Vic. ABEV-Arxiu de la Mensa Episcopal, Pergamins de l'Estany, no. 12

Dorse: *Sancti Cucuphatis* (thirteenth or fourteenth century hand). *Breu Honori III per l'Estany 1219* (modern pencil).

Cit. Francesc de Rocafiguera, «Documents del monestir de l'Estany existents a l'Arxiu Episcopal de Vic (1106-1489)», *Studia Vicensia* 1 (1989), 131.

Honorius episcopus servus servorum Dei. Venerabili fratri [Vice]nsi ep[iscopo et dilectis filiis] ... et priori Sancte Marie de Stagno Vicensis diocesis, salutem et apostolicam benedictionem. Dilecti f[ili]i conv[entus] monasterii [Sancti Cucuphati]s [nobis prop]onere<sup>35</sup> curaverunt quod cum venerabilis frater noster P[etrus] Sabinensis episcopus tunc Sancte Marie in Aq[uiro] [diaconus c]ardinalis [in partibus il]lis legationis officio fungeretur, attendens monasterium ipsum propter insufficientiam et inutilem adminis[trationem] bone memo[rie] B[erengarii] quondam abbatis eorum in temporalibus esse collapsum et in spiritualibus deformatum, cura rerum temporalium [eiusdem mona]sterii abbatem pri[vavi]t, eundem mandans ipsum certis rebus pro suis necessariis per annos

32. FREEDMAN, «Some Additional Letters of Pope Innocent III». 106-07.

33. MUNDÓ, Anscari. «La renúncia del bisbe de Vic, Guillem de Tavertet (1233) segons la correspondència de Bages i els registres vaticans». In *VII Congreso de Historia de la Corona de Aragón* (Barcelona, 1962), 3:77-95.

34. «Castells de Sant Llorenç i Meda i Domus de Bellpuig». 907.

35. [pro]ponere] *supplevi* (cf. Mansilla, *La documentación pontificia de Honorio III*, no. 75, p. 62); *fortasse* [ex]ponere (cf. *Innocentii III romani pontificis regestorum sive epistolarum liber primus*, no. 539, ed. PL 214, 493B)?



singulos esse contentum. Cuidam ex monachis, vi[delicet Petro] Ferrario curam ipsam commitendo de comuni omnium voluntate de non veniendo contra, tam ab eodem abbate quam ... [eiusd]em monasterii prestito corporaliter juramento, salvo tamen sedis apostolice beneplacito, et ... sublato de medio virum sibi prefererunt<sup>36</sup> idoneum in pastorem nolentem tamen sine mandato sedis [apostolice] ... suscipere, quo salvo facta fuit exhibitio iuramenti. et idem monachus commissam sibi sollicitudinem non] ... propter gr[avem] corporis valitu[dinem] exercere. nobis humiliter supplicarunt, ut culpam predecessoris sui ... tes abbatem circa ipsos et eorum monasterium, quod ex defectu cure predictae diversis exponitur periculis et iactis, [dignaremur] paterne compassionis oculos<sup>37</sup> aperire, eosdem abbatem et [con]ventum a iuramento huiusmodi absolventes. Cum igitur [instantia] nostra cotidiana sit omnium ecclesiarum sollicitudo con[tin]ua, discretioni vestre per apostol[ic]a scripta mandamus [quatinus] personaliter ad idem monasterium accedentes, non obstante huiusmodi iuramento super hiis diff[ini]atis [auctoritate] nostra prout secundum deum et beati Benedicti regulam indempnitate eiusdem monasterii noveritis ex[pedire]. Quod si non omnes hiis exequendis potueritis interesse [tu] fra[ter] ep[iscopu]m eorum altero ea nichilominus exequ[ari]. Datum Rome apud Sanctum Petrum. III. Kalendas Jun[ii] Pontificatus nostri] anno tercio.

2)



36. prefererunt] prefererint MS

37. oculos] oculos MS

May 15, 1220

Vic. ABEV-Arxiu Capitular, calaix 31 (Llibres del Capítol), llibre 42, perg. no. 27  
Dorse: Blank.

Honorius episcopus servus servorum Dei. Dilectis filiis de Stagno, de Menleu, et de Kasserris prioribus Vicensis diocesis salutem et apostolicam benedictionem. Exposita no[bis] D[almacii] Vicensis archidiaconi querimonia declaravit quod B[erengarius] de Bellopodio iuvenis et E[lissendis] uxor eius Vicensis diocesis super quibusdam decimis iniuriatur eidem. Ideoque discretioni vestre per apostolica scripta mandamus quatinus convocatis audiatibus causam et appellatione remota fine debito terminetis, facie[n]tes quo[d] decreveritis per censuram ecclesiasticam firmiter observari. Testes autem qui fuerint nominati si se gratia odio vel timore subtraxerint, per censuram eandem appellatione cessante cogatis veritati testimonium perhibere. Quod si non omnes hiis exequendis potueritis interesse, duo vestrum ea nicholominus exequantur. Datum Viterbii. Idus Maii Pontificatus nostri anno quarto.

