

SEEING HISTORY DIFFERENTLY: TOLEDO VS. TARRAGONA IN THE RECONSTRUCTION OF THE HISPANIC CHURCH

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ABSTRACT

The papal adjudicated dispute in 1238-1240 between Tarragona and Toledo over the metropolitan jurisdiction of the re-established see of Valencia after its Reconquest reveals different perspectives on ancient history as a model for the restoration of the medieval Church, with the former entrenched in *Romanitas*, primitive foundations and idea of *pristinus status* for its claim of primacy, versus the latter's reliance on Visigothic revisionism and centralism, and the union of Church and State in the Kingdom of Toletum as reflected in the contested Division of Wamba. Contentions for inclusion of Valencia in either the Tarraconensis or Carthaginensis triggered a major historical investigation of extant records and historical memory about ancient ecclesiastical authority and provincial territoriality. Also disputed was oversight of the missions to formerly Islamic lands and therefore reconsideration about the extension of the Muslim conquest and occupation which led to the discontinuity myth that Tarracona had not been Muslim but was totally abandoned. Its restoration would not be as a museum, but as a living organism true to its lost Hispano-Roman heritage.

RESUMEN

*La disputa entre Tarragona y Toledo en 1238-1240 sobre la adjudicación por parte de la Santa Sede de la jurisdicción de la sede restablecida de Valencia después de la reconquista, revela perspectivas diferentes de la historia antigua como modelo para la restauración de la iglesia medieval. Con la primera atrincherada en su romanitas, las fundaciones primitivas, y la idea del *pristinus status* para su reclamación de la primacía, en contraposición de la confianza de la segunda en el revisionismo visigótico, el centralismo político y la unión de la iglesia y el estado en el Reino de Toledo, como queda reflejado en la debatida Hitación de Wamba. Las contiendas sobre la inclusión de Valencia o en la Tarraconensis, o en la Cartaginensis, desencadenó una profunda investigación histórica de los documentos existentes y la memoria histórica sobre la autoridad eclesiástica antigua y la territorialidad provincial. También hubo disputa acerca de la supervisión de las misiones a las tierras antes musulmanas y por lo tanto un replanteo de la extensión de la conquista y la ocupación musulmana, lo que lleva al mito de discontinuidad de Tarracona, que no existía en época musulmana*

ya que había sido abandonada en su totalidad. Su restauración no sería como la de un museo, sino la de un organismo vivo, fiel a su herencia hispano-romana.

Key words: Historical models, Historical Memory, Traditions, Medieval Ecclesiastical History, Roman heritage, Visigothic Church, Medieval Disputations, Ordinación Valentina, Valencia, Toledo vs. Tarragona, Tarraconensis, Cartaginensis, Metropolitan authority, Ecclesiastical Primacy, Ecclesiastical Restoration.

Palabras clave: Modelos históricos, Memoria histórica, Tradiciones, Historia eclesiástica medieval, Herencia romana, Iglesia visigótica, Disputaciones medievales, Ordenación valentina, Valencia, Toledo vs. Tarragona, Tarraconensis, Cartaginensis, Autoridad metropolitana, Primacía eclesiástica, Restauración eclesiástica.

The dispute between the metropolitans of Toledo and Tarragona ostensibly over Valencia which aired at the Lateran Council IV in 1215, came to a head in a papal court in 1238-1240 and lingered thereafter with resentment and hostility mirroring the rivalries between Castile-León and the Crown of Aragón-Catalunya¹. The question anticipating *Balansiya's* reconquest long before that happened, was: Which province, the Carthaginensis / Toletanensis or the Tarraconensis, should the reconstituted diocese of Valencia be in, once reconquered, based on where Valentina had belonged in antiquity? Such logic according to precedent and historical modeling was fundamental to reform, namely restoration ideology and envisioning how the Reconquest should progress². How well was the past known and interpreted after the Islamic

1. The *Disputacio* in question has attracted attention in Anglophone historiography, which has treated it differently than in Spanish studies, eg., less as local history. Cf., ROBERT I. BURNS, *The Crusader Kingdom of Valencia: Reconstruction on a Thirteenth-century Frontier*, Cambridge, Harvard University, 1967, 2 vols., pp. 256-273, 497-501, whose subsequent studies were more ethnographic than institutional; and for papal intervention treated with sharp wit bordering on acerbity, see PETER LINEHAN, *The Spanish Church and the Papacy in the Thirteenth Century* Cambridge University Press, 1971, pp. 208, 311-314, *passim*. For medieval historiography see also LINEHAN'S somewhat hyper-critical but indispensable *History and the Historians of Medieval Spain*, Oxford, Clarendon Press, 1993, chapters 6-12, esp. pp. 313-350, 359-360, 379-381.

2. This theme of ecclesiastical restoration combined with the interpretative framework of the frontier is central to my often cited but not formally published dissertation under C. J. Bishko, *Restoration and Reconquest in Medieval Catalonia: The Church and Principality of Tarragona, 971-1177*, Charlottesville, University of Virginia, 1974, 2 vols., available online at *academia.edu*. Revised studies from it and my Master's thesis on Poblet appear in *Medieval Frontier History in New Catalonia*, Aldershot, Ashgate, 1996. Further

Conquest? Did such historical thinking prevail? Or was it overwhelmed by the practicality of the present?

The problem was actually more complex than would first seem, since the dispute opened when the Aragonese monarchy was still in crisis after the death of King Pere II in the Battle of Muret, 12 September 1213, just after Innocent III on 19 April had called his grand Lateran Council IV. It opened on 11 November 1215. Combating heresy after 1208 had gotten out-of-hand in 1214 since the Albigensian Crusade was a public affairs disaster with the death of one of Christendom's heroic crusaders from the victory at Las Navas de Tolosa on 16 July 1212, not at the hands of infidels but northern crusaders in papal service. While preparing for the council Innocent III had to compose himself and his staff, recover lost prestige with questioning about such intrusive papal authority in state affairs, having caused the debacle by launching the crusade in the first place³; scrambling to intervene and order Simon IV de Montfort to release the now orphaned six-year old prince and set-up a regency for him⁴. He had to address the recalcitrant behavior of Raymond of Toulouse who had tried to protect his subjects, heretics or not, and had invited his Aragonese kinsmen to come to their aid. Raymond's estates would be reduced, losing his Toulosan territories, which would give the king of France claim to Occitania and set up an antimony between Francia and the Crown of Aragón-Catalunya lasting past

revision and expanded study will appear as *The Tarragona Vortex: The Late Antique and Medieval Frontier of New Aragón-Catalunya*, 5 vols. The recall of the past for present reform was a practice set by the Church Fathers, so well analyzed by GERHARD B. LADNER, *The Idea of Reform: Its Impact on Christian Thought and Action in the Age of the Fathers*, Cambridge, Harvard University Press, 1959; his intended continuation for the Middle Ages was never completed, but see his "The Concepts of *Ecclesia* and *Christianitas* and their Relations to the Idea of *Papal Plenitudo Potestas* from Gregory VII to Boniface VIII," *Miscellanea historicae pontificiae*, 28 (1954), pp. 49-77 with ramifications for this study.

3. JOSEPH O'CALLAGHAN, "Innocent III and the Kingdoms of Castile and Leon" in JOHN C. MOORE; BRENDA BOLTON, eds., *Pope Innocent and His World*, Aldershot, Ashgate, 1999, p. 335 thought that the real issue was instability during minorities in the successions to both Crowns, but the milieu was so factious that it is really difficult to discern any cohesion in the realm until after Jaume came into power on his own, but insurrection did not stop, nor rebellion in the lands he conquered.

4. Innocent III's consternation upon hearing the news is understandable, a grand strategy to get rid of the Cathar heresy gone array with blame on him, but remorse is undocumented and perhaps uncharacteristic of the pope. For his long and complicated pontificate, see DAMIAN J. SMITH, *Innocent III and the Crown of Aragon: The Limits of Papal Authority*, Aldershot, Ashgate, 2005; and larger context in MOORE and BOLTON'S, *Pope Innocent III (1160/61-1216): To Root Up and to Plant*, Leiden, Brill, 2003.

1229. Moreover, this tragedy halted immediately any prospect for a renewed Aragonese-Catalan crusade against *Balansiya*, except if taken over by Castile-León. Crusade renewal was a cornerstone of Innocent's policy which is one reason why the papacy had the young king raised under Templar care. Popes would have to court Jaume, alienated by all of this when coming of age, to renew the peninsular crusade against Islam as part of a grand alliance across the Mediterranean. Valencia would be both enticement and means of royal-papal reconciliation in subsequent papal relations, which operated against Toledan and Castilian interests in the prosperous Levant.

The Controversy Preceding the Proceedings

The Lateran council fathers had plenty of time to prepare their agenda and lobbying efforts, but the tragic turn of events in 1213 requiring papal remediation in 1214 meant that the poorly handled Albigensian affair loomed behind the deliberations as a festering wound the papacy did not want opened. As it was, there would not be full participation in the council by Tarraconensian prelates: absent were the bishops Pamplona, Tarazona, Huesca, Zaragoza, Llieda, and Tortosa; nor in attendance was Abp. Arnau Amalric of Narbonne who had to ameliorate fallout from regional heresy in his province. Subsequent passive resistance by Catalan churchmen to its reform canons may have been another consequence. Tarragona's aging Abp. Ramon de Rocabertí (1199-1215) died before preparations for the council. His successor, Jaume's uncle Aspàreg de la Barca (1215-1233)⁵, although experienced and whom the papacy had counted on to root-out heresy, was so new on the metropolitan job that he had to juggle its affairs and attention to the regency⁶, so he came inside a sizeable Aragonese-Catalan retinue to Rome for confirmation and a meeting with Innocent but did

5. Aspàreg de la Barca (1170- 3 March 1233) was an Occitan probably from Montpelier where he studied law, who served as provost in Toulouse before 1206 and his becoming bishop of Comminges and then in 1212 at Pamplona before his recruitment three years later to Tarragona; he therefore had some overlap in his career with his senior nemesis, the Castilian-Navarrese Abp. Rodrigo.

6. D. J. SMITH, *Innocent III and the Crown of Aragon*, pp. 157-158 points to the preparations made to travel to Rome for the council, with financial arrangements to cover sizeable expenses, and which included Guillem Ramon de Montcada and his armed guard. The Cortes at Huesca appointed two emissaries to represent Crown interests: the Catalan Guillem de Cervera and Aragonese Pedro Ahones. The two primary sources for Iberian participation differ in information: a Toletan ms. counting 16 Iberian churchmen; the Zurich ms. enumerates 26. In all, 412 prelates attended, and the total for all participants came to more than 800. See JUAN F. RIVERA RECIO, "Personajes hispanos asistentes en 1215 al IV Concilio de Letrán," *Hispania Sacra*, 4 (1951), pp. 335-355.

not stay for the council⁷. He left behind as his vicar, Bp. Guillem de Taverte of Vic d'Ausona (1195-1233), to represent him. This may have been an opportune time to open the Valencian debate from the Toledan viewpoint, but it was seen as opportunistic and troublesome for papal diplomacy. When Abp. Rodrigo Ximénez de Rada (1209-1247)⁸, railed against Tarragona at the council, the vicar stood his ground: “the bishop of Vic answered [the charges] in place of the absent archbishop of Tarragona, on behalf of all the [Tarraconensian] suffragans, many of whom were present, [saying] that the Toledo archbishop was not their primate, nor were they bound to obey him in anything”⁹. The gauntlet had been thrown and picked up!.

Lest the conciliar agenda get side-tracked, Innocent probably told Abp. Rodrigo to desist; which he did for a time. The Valencian reconquest was renewed at Alcañiz in 1233 after the Mallorcan campaigns, and the objective was in sight by 28 September 1236 but not retaken until 9 October 1238; it was then that the see of Valencia was reconstituted by Tarragona without recourse to Toledo,

7. The curia was busy, so churchmen and nobles had to keep their agenda on the front burner. Attendees with problems needing papal attention went to Rome for their own needs, not necessarily for Innocent III's reform agenda, as in the case of squabbles between the abbots of San Juan de la Peña and San Victorian, or the Montcada protecting the Crown's interests in Bearn, etc. Resolving as many disputes as possible was one way of getting ratification of the pope's crusade objectives, collecting favors “ac profectum et utilitatem populi christiani” as the *acta* declared: A. POTTHAST, ed., *Regesta Pontificum Romanorum inde ab anno 1198 ad annum 1302*, Graz, Akad., 1957, 4706; J.-P MIGNE, ed., *Patrologia Latina*, Paris, 1844-64, vol. 216, p. 823

8. Most biographic accounts, all heroic, took their lead, with attendant Castilian bias, from VICENTE DE LA FUENTE, *Elogio del arzobispo D. Rodrigo Jiménez de Rada...*, Madrid, 1862, repr., Coaña Orbigo, 2012, through MARIO CRESPO LÓPEZ, ed., *Rodrigo Jiménez de Rada. Vida, Obra, y Bibliografía*, Madrid, Fundación Ignacio Larramendi, 2014, with a counter-balance by DIEGO CATALÁN, “Removiendo los cimientos de la Historia de España en perspectiva medieval,” *Cuadernos de Historia del Derecho*, s.n. (2004), pp. 73-86. Cf., FRANCISCO. J. PÉREZ DE RADA and DIAZ RUBÍN JUAREGUIZAR, *El arzobispo don Rodrigo Giménez de Rada*. Madrid, Fundación Juareguizar, 2002; and LUCY PICK, *Conflict and Coexistence: Archbishop Rodrigo and the Muslims and Jews of Medieval Spain*, Ann Arbor, University of Michigan, 2004.

9. Lateran mss. extracted in G. MANSI, ed., *Sacrorum conciliorum nova et amplissima collection*, Florence, 1759-98, 22: 1075. See the other version quote by J. F. RIVERA RECIO, “Personajes hispanos...” (1951), p. 336: “... pro tarraconensi autem archiepiscopo, quod erat absens, respondit vicensis, suffragenes eius, pro se et omnibus suffraganeis suis, quorum multi erant presentes, quod to[let]anus archiepiscopus non erat eorum primas nec tenebantur ei in aliquo obedire.” Translated by R. I. BURNSS, *Crusader Kingdom*, 1967, 1, 254, noted. 2, 495.

but under the direction of Abp. Pedro's *fideles*. So the "controversia" as the aged Gregory IX (1227-1241) in 1239 labeled it, had simmered for half a decade and then exploded yet again resurrecting arguments from 1215, anticipating Tarragona's position in the Levant just as it had spread its jurisdiction to the Balearics under Abp.-elect Guillem de Montgrí. The dispute therefore had a much larger political context and would last even longer depending on how the Reconquest progressed after *Balansiya's* capitulation. Everyone, including Gregory IX who had heard all this before, knew that the Valencian question was a ruse for so much more at stake, namely the configuration of the whole Hispanic Church and therefore the fate of a unified conceptualization for Hispania itself¹⁰.

Were there grounds for Abp. Rodrigo's pretensions? The earlier medieval precedent dated from the reconquest of the *tawā'if* of *Balansiya* in 1094 by Rodrigo Diaz de Vivar, 'el Campeador,' the enemy of the Houses of Aragón and Barcelona after 1082 but who was reconciled with Ramon Berenguer III by 1101 and thereafter revered there as a proto-crusader. He held onto *Balansiya* first as a tributary and then directly for himself rather than for Castile through his death in 1099, but Valencia was attacked in 1102 by the *al-Murābitun* who took it back by 5 May 1109. Toledo would claim that what happened there in this short interim of five years meant that once permanently secured for Christendom, it would fall to its jurisdiction. Arguing this was provocative and contentious even from the viewpoint of the papacy which had little role in directing the Cluniac restoration party except in perfunctory confirmations of Cluniac elections at Toledo, all at the Crown's pleasure.

Despite the existence in *Balansiya* of a Mozarab community and potential elevation of its leader Alat Almarian i Calhoc to the episcopacy of the restored Church¹¹, the monk Jerome de Pèrigord from the Cid's retinue and formerly a

10. DEMETRIO MANSILLA, "Orígenes de la Organización Metropolitana en la Iglesia Española," *Hispania Sacra*, 12 (1959), 255-291. For the distinction between Christian universalism in Catholicism and the issue of unity in Hispanic history, consider the cultural rather than political or nationalist notion as explained by J. A. MARAVALLI, *El Concepto de España en la Edad Media*, 2nd ed., Madrid, CSIC, 1954.

11. Bear in mind the difference between election, confirmation, and consecration of a bishop required for ascent to the office. Alat had only the first; there is no evidence of the canonical three bishops having been available in *Balansiya* to consecrate him, and no recognized authority for confirmation, either metropolitan or the papacy; but Toledo could have taken care of that instead of appointing on of its own clergy. Jerome lacked election by the Mozarab community, which apparently opposed his imposition. Consider P. NORTON, *Episcopal Elections, 250-600: Hierarchy and Popular Will in Late Antiquity*, Oxford University Press, 2007; and JOSEPH F. O'CALLAGHAN, *Electing our Bishops: How the Catholic Church*

canon at Toledo who after 1994 was the Sayyid's chaplain, was elevated by his confrere Abp. Bernard to the "vacant" see¹². The Cluniac archbishop, formerly from Blancafort near Agen in Gascony and abbot of Sahagún, was firmly ensconced in his see at Toledo while Tarragona had yet to be retaken or its see restored *in situ*. Its Tarragonan archiepiscopal dignity was then held *in partibus fidelibus* by the bishop of Vic d'Ausona, Berenguer Seniofred de Lluçanes¹³, who had received his archiepiscopal title in 1089¹⁴ just before the Catalans were defeated in 1090 by El Cid in the Battle of Tevár. The prelate could not have then collaborated with the Castilian champion operating for the *Ban-u Hūd* of *Saraqusta*. A missed opportunity for a move on behalf of the barely reconstituted Tarraconensis, but despite subsequent reconciliation through a comital marriage alliance, the timing was off. This venture at *Balansiya* was convoluted and premature, an aborted restoration at best, so the Catalans would never regard this affair as precedent setting. In any case, it illustrates how secular politics and interstate war would envelope restoration efforts.

Such Toledan ambitions had also been compromised by the Treaties of Tudelén in 1151 and Cazorla in 1179 when Alfonso VIII and Alfons II reach a

should choose its Leaders, New York, Rowman & Littlefield, 2007 for historical background. See the classic by P. IMBART DE LA TOUR, *Les élections épiscopales dans l'église de France du XI^e au XII^e siècle. Étude sur la décadence du principe électif (814-1150)*, Paris, Burgdelgalea, 1890; repr. Geneva, 1974.

12. How "Bishop" Jerome was consecrated is unknown, but it is assumed that he traveled back to Toledo in 1198 for this, meaning that when he returned he could hardly have resurrected his diocese when the *al-Murābitun* were so close. His role remained that of army chaplain. He returned to Castile with Doña Ximena and was given the vacant see of Salamanca (1102-1120) but he seems to have resided at Zamora since his see like Avila was just being resettled and its environs were still dangerous. He also served Ct. Raymond of Burgundy in repopulation efforts, but such Burgundian interests would have mitigated against him in the civil wars after 1117 with Queen Urraca (1109-1126). His later career, somewhat obscure, never claimed any success at *Balansiya*, and as a failure, referencing it in the later court case was a risky strategy.

13. ANTONI PLADEVALL I FONT's dissertation at Louvain, *Berenguer Seniofred de Lluçà, Obispo de Vic y Arzobispo de Tarragona* (1963) is lost, but has his summary "Berenguer Sunifred, arquebisbe de Tarragona. La restauració de la província eclesiàstica" in J. M. MACIAS SOLÉ and A. MUÑOZ MELGAR, eds, *Tarraco Christiana Civitas*, Tarragona, Institut Català d'Arqueologia Clàssica, 2013, pp. 225-240.

14. A. PLADEVALL, "La verdadera filiació de Berenguer Seniofred de Lluçà, primer arquebisbe de Tarragona del segle XI, conegut fins ara per Berenguer de Rosanes *Butlletí Arqueològic* (1966), pp. 71-81. The transcript of the body of the bull (omitting the signatory clauses) would be entered into the 1238 record, *Ord. Valentina*, Phase III, 1.5 (1, pp. 290-293).

non-compete accord for carrying on the reconquest with Valencia reserved for Aragón and Murcia for Castile; but then this did not apply to the Church if it wanted to become supra-national¹⁵. Moreover, both parties at the time of the court case were in breach of their earlier treaties, so a new one, the third, that of Almisra, had to be reached in 1244 by Jaume I and his son-in-law Alfonso X. Murcia ended-up arbitrarily split in 1304-1305 between the two kingdoms with an enlarged kingdom and hence diocese of Valencia.

The remapping of these emerging territorial states thus affected peninsular rezoning of ecclesiastical provinces. If the diocese of Valencia stretched to wherever royal might did, the question of all of this southern territory and mission field was at stake with its considerable population and vast revenues as well. The Tarraconensis under these circumstances would increase its size by a third, but different territory than what had once been included in the Roman province as such expansion came closer to Cartagena, while in the northern plains drained by the Duero much would be ceded to the new diocese of Burgos under oversight not of Toledo, but the Holy See itself as if to separate them like quarreling children, these opposing metropolitans. The entire watershed of the Ebro would stay in the Tarraconensis, including Calahorra which Castile coveted; and Pamplona too which meant Navarra as well, but its ethnicity and remoteness would make it practically semi-autonomous. Asturian Oviedo also managed to avoid Toledan oversight, but was too far from Tarragona even though a case could be made that the Tarraconensis had once stretched to old Gallaecia and should do so again. The Castilian monarchy would not stand for that, any more than Aragón-Catalunya would recognize Toledan authority over Valencia. No matter what restoration ideology favored in the reconstitution of the Reconquest Church, state interests had to be respected. That was the *Realpolitik* of the times.

The ramifications of the arguments in this post-reconquest court case therefore had wider implications for the evolving organization of the Hispanic

15. This was the logical extension from the Gregorian Reform and its early revolt against proprietary churches, i.e., to retain royal patronage but resist control by the Crown. In the nascent Tarragonan dioceses when the see had a shortage of clergy to station on the frontier, a reversion to proprietary churches seems to have occurred with lay lords building churches as part of their repopulation efforts before they had parish priests but only circuit riders, so the patrons paid for the protection of the church by collecting its tithes, which even after incorporation into the diocese were shared as repayment and to continue such protection. See THOMAS W. BARTON, "Constructing a diocese in a post-conquest landscape: a comparative approach to the lay possession of tithes," *Journal of Medieval History*, 35 (2009), pp. 1-33.

Church in the entire peninsula. The hierarchy was being defined, i.e., whether under historical metropolitans each governing their own provinces with recourse directly to papal authority as an external appellate court, or whether it would be reconstituted under a single primate see, Toledo, for all of the Hispaniae, with its authority recognized by the other metropolitans. The problem was that the rival monarchies of Castile-León which favored the centrist approach, and opposition of Aragón-Catalunya, now with Valencia added, which resisted Castile's meddling in the Crown of Aragón's affairs under the guise of ecclesiastical politics, made this contest larger than a dispute over one diocese as it stood in 1238. There was so much more to settle, yet the principles underlying the ecclesiastical organization of the post-reconquest Church were never clearly stated but were assumed; nor was the objective beyond the immediate target, yet it too was understood. If the contest were resolved in Toledo's favor, Tarragona would have to contend thereafter with the reality of this changed peninsular ecclesiastical polity and endure Toledan (i.e., Castilian) meddling. And so would its monarchy. That was acceptable to neither. Imagine the pressure on the lawyers and the tribunal! A subtle counter-offensive against this supposed Castilian tactic was pursued by Tarraconensian churchmen behind the scenes, reminiscent of the Catalans having favored Palencia as Castile's metropolitan see, by maneuvering to have some of their number ascend to the Toledan high office. Indeed, success in this ploy would finally close the debate¹⁶.

Tarragona was the defendant in the case, so that the burden of proof was on Toledo's archbishop and his lawyers before a papal commission, but the proceedings which have come down to us only partially and primarily from the Toledan archives¹⁷ tell much about the disposition of both parties by what was

16. Pere (Pedro III) de Cardona (1181-1182) was the first Catalan "intruder" but never took hold of his office, yet Abp. Rodrigo, himself from the Tarraconensis borderlands, would have been aware of the precedent; and after him, the Infante Sancho of Aragón (1266-1275) and another infante, Juan III of Aragón (1319-1328), the Patriarch of Alexandria, before the de Luna family's Jimeno (1328-1338) and Pedro IV de Luna (1403-1414), and much later Pascual II de Aragón (1666-1677). Tarragona managed to exclude Castilians from its high office until 1431.

17. The Mss. survive in Toledo and Madrid, but not at Tarragona which lost its ecclesiastical archives at the end of the French occupation in 1811. A single folio survived there: Arxiu Històric Arxidiocesà de Tarragona (AHAT), without a signature, dated 12 Jan. 1240 identifying the apostolic judges, the same as in the Vatican Vol. 4, A.A. I-XVIII, 1-23. Cf., Arc. Cat. de Toledo, Becerro II (original scroll) and rescript bound cartulary version, *Liber privilegiorum ecclesiae Toletane* copied in the Madrid Arc. Nac. Ms. sign. 1241, ff. 126-180, Becerro II (*Libros Beceros* of Toledo are Codices 987B and 996B); partially transcribed by ROQUE CHABAS Y LLORENS, *Episcopologio valentino. Investigaciones históricas sobre cristian-*

recorded, prevailing attitudes about ecclesial polity, and reconstruction from historical memory retold in oral testimony and researched in extant documents and literary sources. What was left unsaid in the official record is also telling¹⁸. The arguments rested on precedent, and therefore history of the Hispanic Church before the Islamic Conquest –a history imperfectly known which had to be revived. The two sides had major differences, their own geographic settings and unique histories, bigger-than-life personalities, and divergent viewpoints and interpretations. So the episode is also significant for what it says about medieval historical memory and perceptions of the ancient and late antique Church interpreted in terms of restoration ideology from the Gregorian Reform and the turning of the Reconquest into Crusade. Historical modeling was at play, some invention, and an exercise of proof from historical sources. The process is revealing.

This court case is revisited here in terms of what preceded the hearings, and how they were conducted, eg, the main charges and arguments, marshaling of evidence, deliberations and outcomes, etc., not just to affirm Valencia's passing to Tarragona's jurisdiction, but to highlight how Toledo and therefore Castile-Leon was shut-out of the Crown of Aragón's internal affairs; and how there had evolved a different mentality, understanding of history, and outlook that impacted the reconquest, ecclesiastical restoration, and the whole post-war reconstruction era. It provides a retrospective about what people thought they

ismo en València y su archidiócesis, siglos I á XIII, Valencia, Franciso Vives Mora, 1909, pp. 275-397 plus index. The Vatican record is in poor condition: Archivum arcis (Archivio di Castel San Angelo), armari inferiora, I-XVIII, 2, 222. *Processus causae vertentis inter archiepiscopus toletanum et terraconesem super subiectione ecclesia valantinae*. It was partially published by FEDERICO UDINA MARTORELL, "Fragmentos inéditos de la 'Ordinatio ecclesiae valantinae'" in *Cuadernos de Trabajos de la Escuela Española de arqueología e historia en Roma*, 1 (1912), pp. 81-127. The Tarragona fragment survives as Madrid, Bib. Nac. MS 13,028, D-47, ff. 2-21: "Copia del proceso actuado por los delegados que nombró el papa Gregorio IX en los años 1239 y 1240 en la competencia que tuvieron los obispos de Toledo y Tarragona sobre la Iglesias de Valencia." All were noted by R. I. BURNS, *Crusader Kingdom of Valencia*, 2, pp. 494-495, n. 1-2.

18. Historians now have a critical edition and commentary, although largely from the Valencian viewpoint without full disclosure of the battle between the metropolitans, by VICENTE CASTELL MAIQUES, ed., *Proceso sobre la Ordenación de la Iglesia Valantina entre los Arzobispos de Toledo, Rodrigo Jiménez de Rada, y de Tarragona, Pedro de Albalat (1238-1246)*, Valencia, Corts Valencianes, 1996; vols. I: Edición crítica; II: Estudio. Cited throughout this essay simply as *Ord. Valantina*. See his fuller layout of the sources, 1, pp. 61-67. See the online version by Arqueología ESCUELA ESPAÑOLA DE HISTORIA Y ARQUEOLOGÍA, *Cuadernos de Trabajos*, posted in London, 2013 at www.forgottenbooks.com.

had been about in the wars against Islam and liberation of the Church more than a century earlier, i.e., what they thought about their own history. History mattered.

Metropolitan Scions at Odds and Papal Bungling

What happened in this dispute had a long history of building antagonism and lasting distrust, and papal policy was partially to blame. It had begun in the late 11th c. restoration of the metropolitan sees, when the papacy bought into the idea of Toledan primacy based on its famous councils of Toletum I-XVIII¹⁹ and the Edict of Gundemar in 610 which constituted royal recognition of Toletan primacy with its metropolitan status as successor to the see of New Carthage when the latter was under Byzantine control, even though the *acta* show that the archbishops of Tarragona had claimed the honor of primacy for ancient Tarraco because it had *pristinus status* dating to the post-Apostolic first-generation Church²⁰, not just to Visigothic times²¹. By the time the dispute went to the papal tribunal for resolution in 1238, the see of Toledo had been

19. Twelve general councils were convened after Toletum III (589) through XVII (694); I-II, IX, XI, XIV were provincial; XVIII is not extant. See the classification of GONZALO MARTINEZ, FELIX RODRIGUEZ, eds., *La Colección Canónica Hispana*, Madrid-Barcelona, CSIC, 1966-1992, 5 vols. for the accumulated corpus of resultant canon law; and J. VIVES, et al. eds., *Concilios visigóticos e hispano-romanos*, Barcelona, Balmes, 1963 for all the conciliar *acta* by assemblies in all the provinces including the Tarraconensis.

20. Tarragona's apocryphal lists sometimes attempted to fill in bishops from an apostolic mission in the 1st c., but its succession is historically confirmed only with Bp. Fructuosus (d. 259) and thereafter a representative at Arles, until the decretal of Siricius (385) made an archbishop of Himerius, who had four known successors and possibly two others until Abp. Joannes (before 519) began the transition to provincial organization under a vicariate (three prelates) until metropolitan status was in 589 clearly recognized by Rome. As argued in my *Tarragona Vortex*, 1, Tarraconensian sees were in crisis in the 7th c., with extensive vacancies in the episcopacies, thus taking issue with reconstruction by M. D. DEL AMO GUINOVART, "Obispos y eclesiásticos de Táraco desde los inicios del cristianismo a la invasión sarracena del 711 dC.," *Butlletí Arqueològic*, 23 (2001), pp. 259-280 and other lists that attempt an idealization of continuous, uninterrupted succession.

21. The standard study of Tarragona, apart from its early modern episcopologia, is by EMILIO MORERA Y LLAURADO, *Tarragona Cristiana. Historia del arzobispado de Tarragona y del territorio de su provincia* (Cataluña la Nueva), Tarragona, F. Aris, 1898-99, 2 vols. See now the excellent study by MERITXELL PERÉZ MARTÍNEZ, *Tarraco en la Antigüedad tardía. Cristianización y organización eclesiástica (siglos III al VIII)*, Tarragona, Arola Editors, 2012 based on her 2005 doctoral dissertation. See her conservative list of "Obispos históricos," Apéndices, pp. 439-445.

restored and operational for a century and a half²². It boasted of the title of Primate²³, reiterated by the papacy but never really defined. Toledan churchmen thought this was more than honorific but meant leadership and authority over the other metropolitans²⁴. This rivalry over what primacy meant began before Lateran IV in disputes with Braga and Compostela, not just Tarragona, but was heightened by it because the council fathers then defined primacy of the Holy See for all Christendom, or at least for the Latin Church. In some ways the peninsular debate mirrored that between the Holy See and the Greek patriarchs, interpreting the old dictum *primus inter pares* or “first among equals.” Tarragonan churchmen with their Church’s historic Eastern connections understood primacy collegially, not simply hierarchically. It was a place of honor because of its early Christianization, perhaps the earliest in Hispania, but it never claimed authority for its metropolitan status beyond the province of the Tarraconensis. Its boundaries had changed over time under the Roman Empire, so the historical question was choosing when, at its earliest and fullest extension as Hispania Citerior, or after it contracted in late antiquity. Was the precedent to be Roman or Visigothic? –each of which were heritages cherished differently, respectively by Tarragona harkening back to Tarraco and the Roman Empire, and Toledo to Toletum and the Visigothic monarchy. Tarragona churchmen respected Toledo’s historic role and collegial leadership, as well as its rights and privileges bestowed by the papacy, but not its authority over it or any of the other metropolitans, Braga and Compostela (ignoring Oviedan pretensions)

22. Toledan churchmen had assiduously kept track of their papal and royal privileges, compiled in their *Liber privilegiorum de primatu Toletanae ecclesiae*, Toledo Cathedral archives, 13th c. ms. (1216? continued through 1248), 69 ff., microfilmed HMML (Hill Monastic Museum and Library) Project 33, 587. See J. F. RIVERA RECCIO, “*Liber privilegiorum... el contenidos*,” *Hispania Sacra*, 1, 1948, 163-181. See also his *La Iglesia de Toledo en el siglo XII (1086-1208)*, Rome, Instituto Español de Historia Eclesiástica, 1966 and for the restoration period and later, his *Los arzobispos de Toledo en la baja Edad Media, siglos XII-XV*, Toledo, Diputación Provincial, 1969.

23. Toledo introduced Innocent III’s bull *Com simus* (5 July 1199) into the proceedings, at least an extract, to call attention to the papacy’s backing Toledan primacy over the metropolitans of Braga and Compostela, as if Gregory IX should do the same with Tarragona: *Ord. Valentina*, II.B.9 (1, pp 183-184). The bull was also used to show that Toledan leadership was needed wherever the Church was “infirm” as at Valencia, eg., “a paganis capta Valentia civitates.”

24. JAUME CARESMAR, *Història sobre controvertida primacia de Tarragona y Toledo*. Ed. P. MARTÍ, *Butlletí Arqueològic*, 22 (1922), 153-190, 201-205, 229-232; 23 (1923), 80-84, 109-115; 24 (1924), 7-10, 37-42, 62-67, 136-145, 161-169; re-issued as a monograph in 1924.

and it saw Narbonne as a sister see, historically and through the current trans-Pyrenean entente among the aristocracy which Innocent III had so upset.

Toledo would claim first place in the contemporary political situation based on its status under the Visigothic monarchy, but could not claim to be first in the order of the establishment of the Christian churches in Hispania. Tarragona could and would argue 'first things first,' but could not proclaim apostolic origins outright despite the Pauline tradition of its founding because that might contend with Roman primacy on the premise of the Petrine Commission and missions of both Sts. Peter and Paul. Tarragonan churchmen could have thought their see should have been Rome's favorite just it was in the founding of the Empire, if only it had been retaken and re-occupied before Toledo but papal recognition of its restored see came after Rome had recognized Toledo's restoration. The papacy in its attempt to prove itself always right never contravened its own pronouncements, at least not intentionally, and in this case precedents counted. To push the full implications of primacy by virtue of its early foundation would put Tarragona in a delicate position when arguing before a papal tribunal, so it just claimed a very early ancient foundation from Rome sometime before the well attested martyrdoms in 258 of its sainted Bp. Fructuosus and deacons Augurius and Eulogius. Good enough, since Toledo could not even claim that, having been a relatively late foundation as a bishopric, ca. 400, in the new Visigothic capital built upon an older fortress on the Tagus, not a metropolis or even full-blown Roman *civitas*, with an even later claim to metropolitan status. That prompted Toledo, as if suffering from an inferiority complex but more a case of unbridled ambition, to muster whatever it could by way of historical precedent to legitimize its ascendancy in the restoration Church, and to place it first in honor among the other metropolitan sees of Braga, Compostela, and Toledo²⁵. To this end Toledan churchmen bought into the Santiago mythography later called the Los Siete Varones, claiming foundations by St. James the Great or his disciples, and that it was an archbishopric by the time of the Edict of Milan. Other sees like Zaragoza would follow suit, and even Tarragona would flirt with the idea. Most knew that Toletan prestige was really due to the Visigothic monarchy's patronage and some of its 7th c. pre-eminent prelates²⁶. This too

25. Eg., Conc. Toletum, 610 under Gundemar, in Proofs for Toledo introduced immediately, 3 Dec. 1239: *Ord. Valentina*, II, 1 (1, pp. 175-177).

26. The see of Toletum's traditional founder in apocryphal legend was St. Eugenius, 3rd c., but a Bp. Melanthius did attend the Council of Iliberis in 303/4 and the persecution and martyrdom of St. Leocadia in 306 date the origins of Christianity then, but not metropolitan authority. Thereafter four bishops are known, with Montanus ca. 525 assuming archiepiscopal jurisdiction in the central kingdom. Four "archbishops" are known after him,

offered a divergence of historical opinions emphasizing either the earliest or last days of the late-antique Hispanic Church. Moreover, the Narbonensis and Tarraconensis were never imbued with the same sense of monarchic Gothicism as Castile-León inherited from Asturias, that like Toledo also harkened back to the new kingdom's foundation after the great migration. After all, Tarracona had been part of Old Gotica which had revolted in 672 against King Wamba and had lost the civil war against Toletum; it never resurrected the royal title despite the death at Narbona after 722 of the last claimant to Visigothic kingship. What was remembered and cherished was the archiepiscopal see of Tarracona and its metropolitan authority of its province, the Tarraconensis, which had been restored contemporarily with Toledo's reconstitution.

That fight for recognition of primacy one over the other loomed behind Toledo's claim to incorporate the new bishopric of Valencia into its province after the reconquest of *Balansiya*. Toledo's churchmen saw this coming, had pushed their sovereigns into a race to the Levant or were forced to tag along, and so had raised the objection some two decades before the fact. This was a dangerous strategy resting on Abp. Rodrigo's lobbying the pontiffs and curia for their favor, because once the question was opened, if the history argument came to the fore as the oldest see having primacy in Hispania the way the Holy See claimed for itself over all Christendom²⁷, then Toledo could find itself under Tarragona's tutelage. Tarragona never went so far, presumably for fear of alienating the papacy which had to save face, i.e., to maintain its previous recognition of Toledo as Primate of Hispania—a livable compromise for the Tarraconensians so long as that meant central Hispania, not all of

until Eugenius I after the death of Isidore of Sevilla in 636 clearly governed as a metropolitan as pronounced in 610. Seven prelates governed from 636 to 711, with one (Sisebert) deposed for treason resulting in schism, but Toletum XVII (694) provided more clarity; the *acta* of XVIII, a provincial council, are not extant, perhaps indicating trouble before Abp. Sindered fled to Rome after 711. The means of succession thereafter are unknown, but possibly six Mozarabic bishops can be identified. As at Tarragona, Toledo's *nomina* do not record interregna. These episcopal succession lists can be deceiving, as if there were elections immediately after the deaths of incumbents and consecrations with the required assembly of bishops thereafter. They suggest greater continuity than there was.

27. Primacy came to be defined by Vatican II and Canon Law (*Code*, canons 270, 280) for Primate other than the Holy See as honorific as the oldest sees and part of episcopal collegiality, based on historical precedent in the establishment of Churches around the world, in each territory. This was the Tarraconensian interpretation. See none other than Cardinal JOSEPH RATZINGER with KARL RAHNER, *The Episcopate and the Primacy*, trans. K. Barker *et al.*, New York, Harper and Herder, 1962.

the Hispaniae, eg., the historic Kingdom of Toletum but not Old Gotica or Carolingian lands of the Guti. The actual reconquest forced the issue and papal intervention— finally. History would be debated.

The two metropolitan sees had distinctive pre-Conquest and Reconquest histories and also had evolved differently after their restorations. United in common cause, they were nevertheless adversaries and saw things differently. Toletum's strategic position, ideally in the center of the peninsula, had made the well-fortified city of *Tulatuyla* the most important site below the Guardarrama for the Reconquest when it went beyond the Douro basin. It was key to holding the Tagus valley and lands down to the next mountain barrier of southern *al-Andalus*. Alfonso VI understood this, and also its symbolic significance as the old Visigothic capital and metropolitan see for the Carthaginensis. That said, its Church was placed under Cluniac expansionist prelates from 1086 to 1152, Abps. Bernard de Sédillac and Raymond de Sauvetât, who would have had an organizational model in mind patterned after the Cluniac Congregation with its extensive federation spreading across all political boundaries from a single spiritual center. Five prelates (1152-1208) succeeded them but this model was well implanted after seventy years: all had difficulty imposing their will on the northern territories where the historical dioceses had been ill-defined from the overlap of the two provinces in late antiquity.

Despite such ambiguity, Toledan emissaries to the Holy See managed to convince pope after pope of the centrality of ancient Toletum in the entire Visigothic state and church, which Toledan metropolitans should emulate, perhaps because the papacy itself was fighting against the regionalism that limited its own authority. But the main contention did not at first involve Tarragona which had a strong historical argument, but Braga and Compostela. The latter was newly minted, but Bracara Augusta had been the metropolitan for the Suevi, but who were defeated by the Visigoths, so it was argued their Church should be subservient as well. In ironing out this controversy, the papacy supported Toledo and in so doing provided it with a record that was hard to contest without making it seem that the Holy See was waffling on its previous determinations. Innocent II (1139) and Lucius II (1144) proclaimed that Toledo had a special relationship to the Holy see, which would be confirmed by Eugenius III, Hadrian IV, Alexander III and Urban III (1153, 1156, 1161, 1163, 1166, and 1187 when the bishopric of Cuenca was created in Valencia's direction), but without elaboration of rights or what this meant. It seemed to some but a repetitious formula, perhaps simply reproduced by the papal chancery *ad seriatim* as part of the honorific title inherited from Toletan archbishops, but not to Toledan churchmen;

when produced for the papal judges, this list of papal bulls favoring Toledo was quite a record for Tarragona to overcome²⁸. After all, content with the *Tarraconensis* even if reshaped, it had not engaged in the wider controversy with the other metropolitan sees; its 12th c. papal confirmations dealt more with its own territory and province, not the entire peninsula. So, Tarragona's trump-card in the hearings against Toledo's exalted status would be the privileges extended to Tarragona by Anastasius IV on 25 March 1154 that pertained to its diocese particularly, but also reiterated its primatial standing as a matter of proper protocol.

Contentions in the hinterland invited intervention from the Holy See which placed under its own oversight the boisterous see of Oviedo which had its own aspirations; and Burgos, an old Roman supply depot from the Cantabrian Wars with dubious credentials for becoming a bishopric except for the 'wandering saints' tradition of bishops around nearby Nájera and Auca, but it was rich beyond local means because of its stopover along the main pilgrimage route. When for a second it seemed that Burgos might report to the Archbishop of Tarragona at Vic, because of this old geographic mapping, Alfonso VI (1065-1109) would have none of that and used Calahorra as a pawn in this chess game²⁹. The older sees of Lugo, León, Astorga, and Palencia laid low in the fight between the metropolitans, but were accustomed to their semi-autonomous ways as well. Ambitious prelates guarded their prerogatives jealously. All of this ambiguity in the territories of New Castile, where the ancient province of the *Tarraconensis* had once extended and which Toledo claimed had become part of the *Carthaginensis*, was an underlying source of contention between the metropolitans before the dispute about Valencia took center-stage. Toledo also had to contend with rival claims by Braga, an equally ancient see, and the upstart Santiago whose claim to fame was the shrine of St. James, who could not have founded the see since he arrived there already dead, as the Catalans had once pointed out in a doctored-up letter claiming authenticity from the mid-10th c. but which was probably interpolated in the

28. For example, "Per presentis igitur privilegii paginam Primatus dignitatem per Hispaniarum regna tibi, et Ecclesie Toletane, auctoritate apostolica confirmamus." Bull *Sacrosancta Romana* of Alexander II to Abp. Johann (11 Dec. 1166) in DEMETRIO MANSILLA REOYO, ed., *Documentación Pontificia de Honorio III (1216-1227)*, Rome, Instituto Español de Historia Eclesiástica, 1965, pp. 130-132; transcribed into the proceedings, *Ord. Valenti-na*, II.A.7 (1: 179-180).

29. Its predicament is suggested by CAROLINA CARL in her title, *A Bishopric between Three Kingdoms: Calahorra, 1045-1190*, Leiden, Brill, 2011.

era of all this controversy³⁰. In that affair relating to the abortive restoration of Tarragona, Catalan churchmen had rejected the prospect of Compostelan interference in the Tarraconensis, which should have been a fair warning of a similar reaction to Toledan intervention.

The climate changed from polite discord and off-putting demeanor as each metropolitan followed his own means of aggrandizement, with Santiago expanding into Lusitania just as it would seem Tarragona was doing in expanding south into Valencia, when a real champion came onto the scene: the aforementioned Rodrigo, a long-lived churchman born ca. 1170 of local nobility in Puente de la Reina on the upper Ebro in borderlands between New Castile and Navarra, whose uncle Martín de Hinojosa had been Abbot of Sta. Maria de Huerta and bishop of Sigüenza. He nurtured the boy whose talent was apparent at an early age, all the way to law school at Bologna and Paris, before returning in the service of the see of Pamplona to these territories where ecclesiastical polity was so ambiguous. With a lawyer's mind and Roman penchant for surveying boundaries, he was bent on bringing order to these older Reconquest lands. That brought him to the attention of Alfonso VIII (1158-1214), incidentally King of Toledo by conquest and by sheer ambition Emperor as well. The king's interests in the reclamation of La Rioja brought the churchman into royal service, and hence nomination to the see of Burgo de Osma where things ecclesial also needed sorting out, but before he was really able to take charge his lord-king pressured the cathedral chapter of Toledo to elect him archbishop. He was confirmed by Innocent III, 12 February 1209, and soon faced a monumental challenge with the Almohad invasion. He raised funds and arms from his threatened Church and extensive estates to the south of the Tagus, and went to war with his king for the decisive battle at Las Navas de Tolosa in 1212. He came out victorious, and also as chancellor of the realm under Fernando III.

Hispanic churchmen revered the prelate, however bombastic, for his role in repelling Berber threat from Africa and exemplary royal service, but were wary about the combination of his secular and ecclesiastical powers. They had no doubts about his championship of the Toledan Church, symbolized by his inauguration in 1226 of the see's Gothic cathedral, or his assumption of the

30. RAMON DE ABADAL I DE VINYALS, "El pseudo-arquebisbe de Tarragona Cesari I les preteses butles de Sancta Cecila," *La Paraula Christiana*, 6 (1927), pp. 316-345, repr. in *Dels Visigoths als Catalans*, Barcelona, Ediciones 62, 1970 (repr., 1974) 2 pp. 25-56, in an enigmatic letter of challenged authenticity which exists in copies only, probably interpolated while this controversy over metropolitan authority was raging. But then the Catalan skepticism about dubious historical traditions is still worth noting.

role of monarchical bishop long before Toletan bishops were depicted that way. In that he was in step with Innocent III, Honorius III and Gregory IX, and perhaps saw himself as their possible successor. He would subscribe to his *acta* as “Rodericus, dei gratia toletanae sedis archiepiscopus, hispaniarum primas subscribe et confirmo” [underlined for emphasis], that is “primate of the Spains” in the plural to be comprehensive, lest there be doubt—which there always was, of course, except in Castile. And not unaware of his own destiny, he just happened to have the same given name as El Cid and the last Visigothic king at Toletum, Roderic, which Visigothic enthusiasts could not miss in Latin or Romance. Abp. Rodrigo expanded his diocese between natural mountain boundaries and built-up the estates south of Toledo bestowed by a grateful monarch, developed the city itself, and used his wealth, patronage, positions, and connections to bully his rivals, including the other metropolitans, into feigned subservience. He was patron of the arts and took advantage of Toledo’s Jewish and Arabic scholars to build the reputation of his see as a major intellectual center. He embarked on an ambitious historical project at his summer palace and *scholia* at Alcalá de Henares and Burgo de Osma to gather manuscripts from all over to reconstruct the history of the Hispaniae and when unavailable to make it so through forgeries³¹, to compose a master narrative and tell it from a centrist point of view in his *De rebus Hispaniae*³² which appeared in variant forms like the *Historia Arabum* until the whole work was completed ca. 1243 and which underlays the subsequent but unfinished *Estoria de España* from the court of Alfonso X ca. 1274 with later additions. All extolled Neo-Gothicism and featured the central role of Toletum in accord with remapping the peninsula if not as it were then how it should have been according to the so-called *Hitacio* or Division of Wamba³³. This showed the late-antique ecclesiastical polity was supposed to have been, in orderly provinces that had recognizable boundaries in accord with Pliny’s *Natural History*. Of course as depicted, the western

31. P. LINEHAN, “The Toledo Forgeries, c. 1150-c. 1300,” *Fälschungen im Mittelalter*, in *MGH Schriften*, 33 (1988), 1, pp. 643-674; and his *Historians of Medieval Spain*, pp. 378-382.

32. The latest critical edition still attributes the work to the archbishop personally rather than just under his direction: J. FERNANDEZ VALVERDE, ed., *Roderici Ximenii de Rada, Historia De Rebus Hispaniae sive Historia Gotica in Corpous Christianorum. Continuatio Mediaevalis*, Turnhout, Brepols, 1987, vol. 72. Related texts appear in VALVERDE and co-editor J. A. EESTEVEZ SOLA, *Historiae minores*, 1999, vol. 72C.

33. Studied by Tarragonan churchmen as suggested by a copy (now only a fragment), *Hitacionis Wambe* in Tortosa, Arch. Cat., codex 154 (late 12th -early 13th c.), f. 168v, microfilmed St. John’s University HMML: 30722, probably transcribed after Lateran IV.

Tarraconensis had been redrawn and incorporated into an upward extension of the Carthaginensis, and even though it was on the coast and over the mountain divide, Valentina was in Toletum's jurisdiction as well. In every way, Abp. Rodrigo was an accomplished, formidable man; ambitious and righteous, an adroit politician and an insider in royal and papal circles; a trained lawyer but somewhat unscrupulous when it came to getting his way and a warrior to boot; and historically minded with his own centrist viewpoint, who understood that history was made (and made-up) by people like him and his king. Still, he was no saint. He was plagued by what Honorius III regarded as "scandals" in the abuse of his office and mismanagement of church finances to support his kings and defend the frontier, but possible infarctions seem to have been overlooked when Abp. Rodrigo served as his legate and led troops in campaigns against Baeza in 1225, Ubeda in 1233, and prized Córdoba in 1236. The suspected role of Tarraconensian clerics in instigating such troubles for him has never become clear. After 1224 he was commissioned to revive the lost dioceses of North Africa, an historic connection and a papal dream³⁴, and traveled frequently to wherever the Roman pontiffs were (1211, 1215, possibly 1218, 1236, and 1241, and another meeting attempted the year of his death, 1247). The papacy had already favored the see and his personal familiarity with the curia was also helpful.

All this made him a little condescending when confronting adversaries like the archbishops of Tarragona, proud men in their own right and also learned, who emulated classical virtues from their ever-so Roman heritage. Ancient Tarraco, a magnificent Roman provincial capital dating from before the Punic Wars, had been the gateway of Rome into Celt-Iberia. Christianized in the earliest Pauline mission effort from Rome, its saintly history was documented by the martyrial *acta* from 258 of its Bp. Fructuosus and his deacons Eulogius and Augurius, celebrated in verse by Prudentius, and it had established relations with the Roman see very early and in league with it had become a major metropolitanate of the Latin Church with councils of its own and proud signatories at Toletan

34. Africa had been treated as a subordinate province to Hispania by Diocletian, and the extract of Isidore's *Exquisitio Hispaniae* transcribed into the proceedings, *Ord. Valentina*, E.1.b (1: 190-191) listed "Tingitana in regione Affrice" as the sixth province. Of course this source also had the Hispania Citerior, i.e., the Tarraconensis, as stretching from the Pyrenees to Cartago / Cartagena, and moving the Citerior's southern limits at Gades / Cadiz. *Ord. Valentina*, phase III (in 1240), III.3, rubric 5 for Toledo (1: 233). But its inclusion's main relevance to the debate was the appended provincial list which like the *Division of Wamba*, put Valentina in the *Provincia Cartaginensis*.

councils who had attested its primacy and pristine status³⁵. It had been overrun in 714 by the Muslims and remained in the *tāgr* of *Saraqusta* on the outer edge of the *Umayyad* caliphate, but had survived into the 9th c. with further destruction by the Carolingians in their establishment of the Hispanic March. It existed as a Berber outpost in the borderlands between *Turtūsā* and *Lārida* with the county of Barcelona, under guard from a coastal *ribāt* (La Rapita) and castle of Tamarit respectively. Its defunct see had abortive restoration efforts in the 10th c. with recognition of its transfer *in partibus fidelibus* to Vic d'Ausona. Just as the papacy colluded with Cluniac emissaries of the Castilian monarch to restore the see of Toledo upon its reconquest, the same initiative was underway from Vic by Abp. Berenguer with the Canons Regular from St. Rufus of Avignon. The Augustinian character of the founders at Tarragona was quite different from the Cluniac ethos at Toledo³⁶, but both linked Hispania with European centers of learning and both supported the crusades. Aragón and Catalunya had been more oriented toward Rome by virtue of their locations and infeudations to the Holy See while Castile-León sent tribute to Cluny; Abp. Rodrigo altered this orientation for a stronger alliance with the papacy since it was now the arbitrator of all things ecclesiastical.

Such differences are illustrated as well in the delay of Tarragona's reconquest. It remained just beyond reach of reconquest forces, in a dangerous frontier zone subject to counter-attack by Almoravid forces which in 1124 routed the Christian allies in the Battle of *Qurābin* / Corbins north of *Lārida*. Sporadic restoration efforts were thwarted not only by Muslim resistance and the resilience of *Saraqusta* under the most adverse circumstances, and then the tenacity of *Lārida* and *Turtūsā* until retaken by sieges in 1148-49 as part of the

35. Conjectured proselytization from Rome directed by St. Paul as suggested by *Romans*, 15:24, if not by himself on a voyage during his awaiting trial, as legends by the 180s would have it, led to one of the earliest established churches which by the mid-3rd c. had a clearly formed hierarchy and after Fructuosus' martyrdom a cult center in a villa-basilica in the cemetery district outside Tarraco toward the River Tulcis. It had a representative at the Council of Arletum in 314 and its archbishop is acknowledged by the decretal of Siricius in 385. 9 prelates are known through the vicariate, 519-589, and 11 metropolitans from the Arian-Catholic unification to 714. The last prelate, Prosperus may not have been real but a metaphor for the prosperity of the exiled Church in Liguria.

36. For the contrast, cf., R. ABADAL I DE VINYALS, "L'esperit de Cluny i les relacions de Catalunya am Rom i la Italia en el segle X, *Studi Medievali*, 2 (1961), pp. 3-41 for an attempted but unsuccessful penetration of Catalunya by the Congregation; and the cemented Castilian-Cluniac connection C. J. BISHKO, "Fernando I y los origines de la alianza castellano-leonesa con Cluny, *Cuadernos de Historia de España*, 47-48 (1968), pp. 31-135; 49-50 (1969), pp. 50-116.

Second Crusade. The architect of the see's canonical restoration after 1118 and its occupation by Normans ten years later in 1128, papal legate Archbishop Oleguer, Bp. of Barcelona (d. 1137), who never resided in his designated metropolitan see but traveled widely in papal service and to promote his see's cause. After him, its *in situ* restoration was delayed due to internal rivalries in the Church between this New Catalan frontier faction and Catalunya's old guard, and then until after Ebro reconquests made Tarragona safer. The last of the *tāwā'if* at nearby *Siurana* adjacent to the Campo de Tarragona was not subdued until 1155, and the city itself remained a frontier town into the 13th c. Starting over, Tarragona's urban development lagged behind Toledo's by a half-century or more.

After an unexplainable hiatus after 1137 when the union of Aragón and Catalunya was formed³⁷, a triad of three churchmen allied with Barcelona's interests took over: Bernard Tort (1146-1163) a Canon Regular like his predecessors and organizer of the Second Crusade³⁸; Hug de Cervelló (1163-1171) from a family prominent in the expansion toward Tarragona, was assassinated during the principality's civil war between the Catalans and Normans

37. There may have been a rift after Oleguer between the Catalan old guard or monastic church with the new Augustinians with their Occitan connections. Unlike in Castile-León, the Benedictine preparation for the archepiscopacy was rejected in Catalunya for more secular interests with the non-recognition of the claims of Abt. Caesarius of Sta. Cecilia of Montserrat (970-981) in preference for Bp. Ato of Vic who met a violent death, and the same for Abt. Gregori of Cuixa, Abp.-elect of Tarragona (d. 1143 or 1144) before electing another Canon Regular in 1146. The Mercedarians would also be given the Augustinian Rule in 1218, and they made their profession to the bishops of Barcelona.

38. The rivalry with Toledo over the primacy issue can be traced to 1156 when Adrian IV had Abp. Juan of Toledo interfere in the deposition of Bp. Lope of Pamplona; he consecrated the son of Sancho IV of Navarra as bishop; Abp. Bernard of Tarragona, not recognizing any such authority in the Tarraconensis, consecrated another, Ramiro. The papacy in 1160 had the Bp of Toulouse investigate and both claimants were removed at the Council of Tours. Alexander III's bull *Quanta dignitatis* made Toledo the primate of the Hispania, which was unenforceable and had to be re-confirmed, but then the papacy later backed away from this and on 11 December 1166 in *Sacrosancta Romana* made Toledo primate "per Ispaniarum regna" rather than "per universa Hispaniarum regna." P. JAFFE, S. LOEWENFELD, *Regesta Pontificum Romanorum*, 2nd ed., Leipzig, 1885, 2, pp. 411, no 91 and PIERRE DE MARCA, *Marca Hispanica*, Paris, 1688, no, 1338 reviewed by J. RIVERA RECIO, *Iglesia de Toledo*, 1, pp. 347-48 and A. GARCIA Y GARCIA, "Alejandro III y los reinos ibéricos, *Miscelanea Rolando Bandinelli. Papa Alexander III (1159-81): The Art of Survival*, F. LIOTTA (Ed.), Sienna, 1986, 237-257. Disputes between the "presules" were to be heard by Rome. See D. SMITH, "Alexander III and Spain," in A. DUGGAN, P. CLARKE, eds., *Pope Alexander III (1159-81): The Art of Survival*, Aldershot, Ashgate, 2012, ch. 7 esp. "The Primacy Issue."

the same year Becket met his demise; and the tutor of young Alfons II, Guillem de Torroja (1171-1174) translated from Barcelona (1144-1171). He had supported the Cistercian resettlement of Tarragonan territory and participated in the takeover of Tortosa and Llieda, who would reincorporate the crusader principality of Tarragona into the newly formed Crown of Aragó-Catalunya where it remained an ecclesiastical principality. It was he who fleshed-out the jurisdiction of the Tarraconensis and its dioceses. In 1171 a new transitional Romanesque to Gothic cathedral was begun to symbolize its coming of age, before Toledo embarked on its sumptuous fully Gothic cathedral. Even in this architectural style innovation, Tarragona seemed in catch-up mode.

However, the character of the see began to change from frontier mission to established Church: members from old Catalan nobility succeeded in the archiepiscopacy: Berenguer de Vilademuls (1174-1194) of the eminent Castellvell family, the king's chief counselor who was assassinated by Guillem Ramon I de Moncada on 16 February 1194 while jostling for power at court; Ramon Xedmar de Castell Terçoll (1194-1198); and the well-connected Ramón de Rocabertí (1199-1215) from an old viscomital family at Peralada whose Jofre III attended Jaume I into Murcia, and who in his prime would have been on the battlefields at Las Navas and Lateran IV –for a period of stabilization that turned-out to be anything but that, recovering from civil war and still another archiepiscopal assassination– four in all. It was dangerous to hold the archiepiscopacy of Tarragona, relative to the survival rate for Toledo's prelates, most of whom died of old age. The danger along the Tarragonan coast is also illustrated by the robbery and murder of the bishop of Valencia as late as 1258 on his way from Tortosa along the old Roman highway. The archbishops of Tarragona had not inherited thriving Mozarabic and Jewish communities as at Toledo, so development there was considerably behind that of Toledo two generations or more. Tarragona also benefited from an affluent Jewish mercantile community and grew an international fonduc for its port, but the diminutive new town itself fit into the area of the old Roman forum³⁹. The episcopal city took the old temple mount as its headquarters, while the circus served as the corrals and stockyards. None of this was as cosmopolitan as Toledo, but Tarragona was more of a rough and tumble frontier town. Indeed the archbishops built a formidable castle for themselves inside the city, enwalled the ecclesiastical precinct, and they and their canons had to live next door to

39. L. J. MCCRANK, "Medieval Tarragona: A Frontier Town in New Catalonia," in *El Món Urbà a la Corona d'Aragó del 1137 als Decrets de Nova Planta*, Congrés d'Història de la Corona d'Aragó, Barcelona-Llieda 7-12 setembre 2000, pp. 1-34.

a major construction site. The chapter had external retreats at Centcelles and at the mountain lookout of Escornalbou, while the archbishops had a summer house at Valls, but they were often itinerant moving with the royal court, traveling between bishoprics and the provinces theological center was Barcelona. When the Lateran canons were promulgated, the Church at Tarragona was in bad need of reform as papal inspectors found out, especially legate John of Abbeyville⁴⁰. No easy task with so many churchmen resenting Innocent III for what had happened to King Pere and his further intervention for Jaume I's regency, so although there may have been a partial boycott of Lateran IV by Aragón's bishops and thereafter passive resistance to the implementation of the reform canons, Honorius III had fences to mend. After considerable delay the aging Abp. Aspàreg dutifully held two provincial reform councils at Lleida in 1229 and a follow-up at Tarragona in 1230 at last, only several months before his death. Such admission of needed reform of such clerical faults as plurality in office holding and concubinage fed into the opinion at Toledo that Tarragona needed its oversight.

When Aspàreg de la Barca died on 3 March 1232 the chapter elected Bp. Berenguer de Palou II of Barcelona (1212-1241), the nephew of his namesake in the same office, participant at Las Navas and councilor of Pere III, and a warrior-bishop who accompanied Jaume I in the assault on Peñíscola and was wounded in the Mallorcan campaigns; but despite such service and connections he was unacceptable to Gregory IX for unknown reasons, perhaps because he had not stopped King Pere from defending Raymond of Toulouse. So the hunt was on for a suitable candidate for Tarragona. After a five-year hiatus (1233-1237) the see was in turmoil. The canons failed to lure the former bishop of Burgos Cardinal Gil Torres back from Rome (Toledo's chapter would not succeed either when they tried in 1247, so powerful was he as the papal 'whip' in the Curia); the revered Raymond de Penyafort was offered the job (1235-1237) but refused to take it on; and then the archbishop-elect Guillem de Montgrí (1237-1239), a sacristan of Girona of noble birth who accepted, would spend his time conquering Ibiza⁴¹ more than pastoral care for Tarragona except using its revenues and Salou's shipbuilders for the Balearic reconquest. The warrior prelate in 1236 was relieved of his archiepiscopal duty, but lived on for nearly

40. P. LINEHAN, "A Papal Legation and its aftermath: John of Abbeville in Spain and Portugal," repr., *Historical Memory and Clerical Activity in Medieval Spain and Portugal*, Aldershot, Ashgate, 2012.

41. *Llibre dels Feys / Deeds of James I of Aragon*, 125, ed. D. SMITH Aldershot, Ashgate, 2010, p. 134.

two decades as an influential counselor at court and as a kind of god-father for those he put into office. What a debacle for Tarragona; and how opportune for the metropolitan of Toledo to meddle and see if a candidate of his liking might be selected. If such sympathy to the Toledan party were known to Tarragona's canons, that would have been a disqualifier. Indeed they would want a defender of the see and a capable counselor for the young king as he campaigned against *Balansiya*, more than they wanted interference or rigorous reform.

That churchman of popular choice by other than the chapter but the nobles present at cortes of Llieda was the short-time Aragonese bishop of that see (1236-1238) who had previously been its sacristan, Pere d'Albalat, a capable canon lawyer and statesman. He would guide the metropolitanate through 1251 in accord with his *Summo Septem Sacramentorum*, disseminated during the hearings and copied profusely in 1241 at Barcelona for widespread distribution. It was a masterful, well-timed and highly politic treatise on pastoral care possibly based on the work of Bp. Eudes de Sully of Paris (d. 1208), with superb understatement to best Abp. Rodrigo's legalism and counterbalance the regal *De Rebus Hispaniae*⁴². He would play the diplomatic game adroitly by allying with papal legations, and through ten provincial councils (more than ever held before) champion reform⁴³ and thereby court papal favor⁴⁴. As later crusading tax records showed (1279-1280), the Church was better organized with a tighter grip on its finances in New than in Old

42. P. LINEHAN judged the work to be theologically "an unsophisticated work of practical guidance" in his biographical blurb for E. MICHAEL GERLI, ed., *Medieval Iberia. An Encyclopedia*, London, Routledge, 2003, p. 43, but recognized how influential it was without appreciating its timing and calculated thrust. See LINEHAN's more empathetic "Pedro de Albalat, arzobispo de Tarragona, y su 'Summa septem sacramentorum,'" *Hispania Sacra*, 11 (1969), pp. 9-30. Under the theme of proper administration of the sacraments, the *Summa* went beyond that; it praised lay marriage and attacked clerical concubinage and moral laxity, forbade pluralism and insisted upon the residency of parish priests, took the Cistercian 'strict observance' to all monasteries, defended church property, and advocated improved clerical education. Under the theme of proper administration of the sacraments, it went beyond that; it praised lay marriage and attacked clerical concubinage and moral laxity, forbade pluralism and insisted upon parish residency, took the Cistercian 'strict observance' to all monasteries, defended church property, and championed improved clerical education. It hinted how withholding the sacraments could encourage improved behavior of sinners, including a recalcitrant king like Jaume I who while enraged had the Bp. of Girona's tongue cut-out for tattling something supposedly confessed under the sacramental seal.

43. FIDEL FITA, "Concilios tarraconenses en 1248, 1249 i 1250," *Boletín de la Real Academia de la Historia*, 40 (1902), pp. 444-459.

44. P. LINEHAN, *Spanish Church and Papacy*, 54-82.

Catalunya⁴⁵. Around Tarragona immigration had continued and the re-organized diocese's population grew with over fifty parishes; and he patronized the Cistercians and promoted the Mendicants⁴⁶—both of whom in 1251 sought to bury him in their sanctuaries for his honor and their own prestige. He had fended-off Toledo and its senior statesman without recognizing as his primate the ever strident Abp. Rodrigo—the perennial pain of five Tarragona's prelates, who simply outlived so many of his adversaries. But his *disputatio* would be short-lived without his energy and vision of a united national Church.

Proceedings and Hearings in and out of Court:

Arguments and Evidence, Documentation and Records, Tradition and History

What happened in this court case? The two archbishops, Rodrigo and Pedro, both journeyed to Tudela to attend the opening of the hearings in the new Gothic church (1194-1234) built with the patronage of King Theobald of Navarra—neutral territory in neither crown lands of León-Castile or Aragón-Catalunya, but in the Tarraconensis and ironically in the same place where St. Oleguer had recruited his Normans more than a century earlier. Pere d'Albalat came through Llieda and stopped at Barbastro to be briefed by his counselors, primarily the Cistercian Prior Guillermo of Fitero, then on to Huesca. Rodrigo with his entourage came around the Guardarrama from Alcalá possibly to enjoy the hospitality of his suffragans at Sigüenza and on to Osma for his briefing where his agents had been assembling relevant documents. Armed with them and copies for the judges, he then traveled over the Duero pass to the Ebro Valley and up to Tudela.

Their arrivals would have packed the town. No doubt the church's choirs were reserved for witnesses on either side, the naves filled-up with onlookers, staff took lodging in inns and hostals of the town which was a trade center linking the upland route to Pamplona with river barge traffic to Zaragoza, and visitors probably had to camp along the Ebro. It was a major attraction and a boost to the local economy for more than three years. The event's booking contributed to recovering the costs of Sta. Maria de Tudela and spread its reputation, possibly in hopes of one day having a bishop there. Tudela had not been a Christian foundation but a Muslim fortress, *Tuḡila*, on an ancient Roman *castrum* rebuilt as a crusader fortress against *Saraqusta*. Now this was a different battleground, a war of words between two

45. L. J. McCrank, "La Anatomía fiscal del periodo de la post-restauración de la Iglesia de Tarragona: un revisión de las *Rationes decimarum Hispaniae* (1279-1280)", *Hispania*, 45 (1985), pp. 245-303; English trans., *Medieval Frontier History* (1996), no. IX.

46. Albalat's models for ascetics and social mission were Sts. Francis, Dominic, and Anthony of Padua whose feasts were introduced in 1238 to the Tarraconensian calendar, perhaps in thanksgiving for how the trial went.

reconquest Churches, with their kings keeping their distance but minding their interests.

The tribunal consisted of the papal legate, Cardinal Jean d'Oloron from the Languedoc, and two judges: Canon Pérez of Arroniz (Aranjuez?), the archdeacon of Calatrava, chosen by Toledo; and the jurist Guillermo Vidal of Huesca selected by Tarragona. The prelates politely greeted each other as peers and welcomed everyone on 1 December 1239, but neither would present their own cases. Indeed, the metropolitans were not allowed to speak in the assembly, lest tirades resemble the outbursts at Lateran IV "in plena consistorio." So procurators held forth, the canon Gutiérrez Ferrando for Toledo; and the *operarium Terraconensem*, Ramon de Barberà for Tarragona⁴⁷. The whole process seemed to have been a dignified, controlled affair, or the extant records are a short, cleansed version of what actually happened without reference to outside clamor, grandstanding or political maneuvering. The cardinal set the tone for the proceedings, swearing in the procurators as a guarantee against fraud⁴⁸. The rescripts are carefully edited to state positions, counter-statements, arguments and examination of evidence, and when the tribunal went into closed sessions for deliberation, but not the judges' discussions among themselves. The surviving records hardly account for a full two years of wrangling, and more thereafter with appeals to Rome directly and an attempted prolongation with meetings in Lyon where the papacy took periodic refuge with problems of its own during the pontificates of four popes. The case opened under Gregory IX as if the affair would be settled in two months, and closed eight years later with pure exhaustion. What was excluded in the official abridgement may be as important for historical reconsideration of this dramatic affair; what survives is a sanitized record. The case had a broad context and a history of contention leading to it as noted; and an aftermath, where the squabble smoldered away. These hearings could never end the century-long acrimony.

What is profoundly evident in the proceedings is that everyone thought History mattered. Precedent made for continuity, in the law and organizational development, but not all precedents were ancient⁴⁹. The present mattered too:

47. Procurators investment, 3 Dec. 1239: *Ord. Valentina*, I: B.2 (1, p.172).

48. Oathes, *Ord. Valentina* I: G (1, p. 174).

49. Cultural theorists in Organizational Culture management have noted that process itself is important, like repetition for saturation in building consensus quite apart from actual history, but traditions for producing a self-conscious and historically aware organization, and thereby a viable corporate identity. See my discussions of new cultural studies about "Collective Memory and Culture" and "Organizational Culture and Memory" in L. MCCRANK, *Historical Information Science. An Emerging Unidiscipline*, Medford, NJ, Information Today, 2002, pp. 181-232.

modern times then. The arguments, presented fully in the first hearings, were repeated thereafter, with each party restating its case in appeal all the way to Rome itself, with compromise out of sight because either Valencia's reconstituted see was in Toledo's jurisdiction or Tarragona's. Either case was contested, of course, and that made for fractious debate. Non-resolution ran the risk of having Rome take over and declare Valencia an exempt diocese like Oviedo and Burgos, and then in 1232 also with Mallorca. Such papal intervention could hurt Tarragona but nullify Toledo's claim to primacy in the Hispaniae; both would lose. Indeed, the very fact that both prelates found themselves before a papal tribunal made moot the issue of primacy as real authority, but the Toledan jurists sawed on, still believing their metropolitan was favored by the Holy See.

The arguments did not really evolve much over the eight years of hearings and appeals, which dragged on far too long. The issues can be summarized succinctly in four categories.

(1) Primacy and Metropolitan Status

This was a review of old arguments. Toledo's objection to Tarragona's takeover of Valencia without the Primate's permission, which Tarragona did not and would not seek, rested on the papal recognition of this central see as "Primate of the Spains," from Abp. Bernardo's confirmation as archbishop of Toledo, that this entailed superior rank and authority over the other metropolitans, and the privilege continued with the office. Contested before by the archbishops of Braga and Compostela who had been coerced to journey to Toledo to perform an act of obedience, it was Tarragona's turn in the case of Valencia. Tarragona claimed precedence, in that its Church had never gone to Toledo except to participate in the national councils, but by tradition from the 4th c. had deferred matters directly to Rome. That practice was continued in the restored Church. Toledan mediation was not even considered, and intervention was simply an affront as it had been when Toledo interfered at Pamplona. Abp. Rodrigo, champion of the monarchical archiepiscopate and the Hispanic Empire, argued that his authority was based on historical precedent in the Visigothic Church, but more so on papal privilege and repeated confirmations: it was "special." Previous papal recognition of such primacy was called into question by Tarragona, but this had to be done delicately before a papal court. Toledo was asking for consistency, but had difficulty showing it had ever exercised authority in the Tarraconensis and dared not suggest that papal policy had therefore been wrong or ineffective. Both sides had to be careful in how they handled their cases before papal judges.

Tarragona's position was thus understated lest it seem to challenge papal authority, past or present –undoubtedly prudent. Pushing its possible Pauline

foundation might be seen as a challenge to Rome's singular primacy over the Latin Church, so its lawyers alluded only to Tarraco's *status pristinus* to upstage Toletum's later rise. It would recall that primatial dignity had been bestowed by Pope Siricius in 385 on its prelates, which was expressly claimed by Abp. Hilarius and his successors in the Toletan conciliar *acta*. That title was one of dignity and respect in keeping with the African Church's holding councils in the see of the eldest bishop or in the seating of bishops at the Hispanic general councils at Toletum where its bishops were hosts, not necessarily heads of anything more than their own see. If it conceded that there were more to this than honor, Abp. Rodrigo would intervene in anything he wanted as demonstrated by Toledan interference in the past and confrontations with Braga and Compostela. So Toledo pressed its claim, and Tarragona's opposition was intractable, yet not so combative as the Bishop of Vic had been at Lateran IV. Jaume I had the advantage of command over Valencia, and regardless of his occasional frictions with the churches in the Tarraconensis, he had no intention of letting Toledo or the kings of Castile-León enter his realm through an ecclesiastical backdoor. So the Tarragona procurator, never on the offensive, simply dug in and repeated the archbishop's position stubbornly every time the Toledan procurator made such an argument. There was no compromise. Rather than prolonged counter-arguments, Tarragona's response was simply "Not so." How frustrating for the Toledan advocates!

The subdued tone of Tarragona's rebuttals cannot be taken as any sign of weakness, nor the lack of historical documentation presented in its favor because in such debate the rules of evidence were already well established and as said, the burden of proof was on the affirmative, i.e., Toledo, which had charged Tarragona with impropriety in the case of Valencia and disobedience in so many other instances. The defense had only to state its position and move aggressively only if the affirmative seemed to make a winning point. Moreover, Rome was well aware of Tarragona's proud heritage from ancient Tarraco; that did not have to be flaunted. So Tarragona concentrated on the restoration of its see, the possession of Valencia, and its competent pastoral care.

Toledo's case rested on the Edict of Gundemar in 610 giving the see of Toletum primacy over the churches of the Visigothic kingdom, and then the famous Councils of Toletum thereafter which supposedly attested its ascendancy. All were formally introduced into the proceedings. Tarragona did not dispute this either, but adroitly noted the difference between Toletan provincial councils and those that were general in which the prelates of Tarragona or their vicars participated on their own accord. Toledan jurists cited the texts that suggested the council fathers met in unity, as one

Church (“*Convenientibus Nobis in unum*”)⁵⁰, so that the very presence of Tarraconensian churchmen meant their endorsement, just as Valentina’s presence meant its bishops’ acknowledgement that they were in the Carthaginensis under Toletum⁵¹. Tarragona showed that even Abp. Hector of the Carthago Nova / Cartagena and a fellow bishop had attended a provincial council in Tarracona (516)⁵², which in no way indicated that his see was somehow subservient to Tarragona’s metropolitan. They met as equals, the one hosting the other, just as it should be in these proceedings for proper protocol in the host sitting at the head table where the papal judges now sat the place of honor.

Although not explicit in the surviving records, three other points might be noted. First the build-up of Toletan authority and its assumption of a primatial role because its metropolis was the Visigothic capital were accretions in the preambles and convocations of the conciliar compilations, not the *acta* themselves. Signatories never signed anything giving Toletum’s metropolitans the kind of authority Abp. Rodrigo now wanted. Secondly, the conciliar activity in the 7th c. when Toletum archbishops like sainted Eugenius, Ildefonsus, Julian, did wield tremendous power, was as much charismatic as anything canonical, just like Isidore of Hispalis had once risen above all other church leaders in Hispania without claiming a special position for himself that would have created precedent for Sevilla to contend with Toledo for primacy. Thirdly, such ascendancy was temporary only during the 7th c., lasting no more than two generations and limited to the Visigothic core lands before the Muslim incursion. It was never effective in Old Gotica where the nobility during the rebellion against King Wamba and long after the defeat of Duke Paul was largely disaffected from Toletum even before the aggrandizement of Toletum’s alleged supra-provincial purview. Because of distance churchmen from the Tarraconensis were a small minority at most Toletan councils, subjects of the kings but guests of their ecclesiastical peers; they were not present when Gundemar proclaimed his edict and did not follow it. For the most part they were not influential in Toletan affairs, and the unity extolled by Toledo is really part of the Gothism peculiar to León-Castile, not Aragón-Catalunya.

50. *Conc. Toletum XI* (675) was extracted into the proceedings by Toledo to highlight the emphasis on unity in the Visigothic Church lest there be the same confusion as in old Babylonia: *Ord. Valentina*, II.B. 8 (1, p. 181). Toledo’s contention is stated clearly in *Ord. Valentina*, I, 1 position 1 (1, p. 218).

51. Bp. Swintheric of Valentina was indeed a signatory at *Conc. Toletum XI*, as was Bp. Felix of Danium / Denia.

52. Noted from extracts of the conciliar *acta* but only as a reference, not transcribed text: *Ord. Valentina*, II,E.3b (1, p. 195).

Tarragona saw much of the Toletan historical case less as untrue, perhaps an aberration, but more importantly, as irrelevant.

Tarragona never challenged Toledo's metropolitan status which was clearly conferred by papal authority in 1185 just as it was for Tarragona in 1189 and confirmed thereafter. They were equals in that regard, each with their own spheres of influence and direct jurisdiction over their ecclesiastical provinces. Nor did Tarragona stir the tempest by siding with Braga or Compostela; that would have infuriated Abp. Rodrigo and created embarrassment for the papacy given its past involvement of those disputes. Toledo's well-rehearsed arguments from its quarrels with the other metropolitans were known by everyone concerned. Abp. Rodrigo's behavior with his co-religionists were among the 'scandals' he wanted buried in the recent past, so his lawyers skipped over them to late antiquity. The other metropolitans and his detractors like the bishops of Palencia and Oviato, could do their dirty work behind the scenes themselves -- and they did. The Toledan "primate" was constantly undermined in his attempts to gain the ecclesial upper-hand throughout the peninsula. Rome's leadership was again at stake, with papal judges not wanting to discredit past actions even if they knew past mediations were often poorly handled and wrong in a critical review of peninsular history. Finally, it must be remembered but understandably not recorded in the proceedings, that the Crown of Aragón-Catalunya was still technically a papal fief, and in self-interest the papacy might not want a Toledan / Castilian presence therein no matter what the verdict at Tudela. This business at Tudela was to be a proper ecclesiastical affair, solely that, without involvement from the Crowns or participation by their metropolitans --if the resulting records were to be believed in this regard. The historical context suggests otherwise.

(2) Roman and Ecclesiastical Geography

The Latin Church certainly knew that Christianity evolved inside the Roman Empire where the initial creation of dioceses and provinces was not for the running of the primitive Church; the early church used these as a framework for its burgeoning hierarchy, one bishop per city, and one metropolitan per province. Tarragona was heir to the *Tarraconensis*, which its restored province continued to be called; but its claim to fame, indeed the *fama antiqua* in the proceedings, rested on its being resurrected from what had been destroyed, and renewed Church with its own principality from the days of Oleguer and the Norman prince Robert Burdet. As an historical recreation, it was not to emulate just Visigothic Tarracona but more ambitiously glorious Roman Tarraco, the capital of the Hispania Citerior. This background and aspirations did not have to be stated in the proceedings, although historical allusions throughout refer to this history at the expense of Toledo whose see at Toletum had been a late construction by those

who had supplanted Rome—barbarians at that! That point was made suggestively whenever possible, and sometimes blatantly, so that the question became when in history did the Church take its model for the restoration. Instead of the political solution, the theological one was as close to the primitive Church as one could, to recapture the purity of the Faith as well as heritage. The resurrected Roman disdain at Tarragona can be imagined. Tarragona's ancient *Romanitas* was thrown-up as a match to the aura of the Visigothic Church. Toledo's historic claim was *in partibus fidelibus* for the Carthaginensis when Carthago Nova, founded by Phoenicians not Romans, and it had been occupied by Byzantine forces and the Visigoths, then Arian, refused to recognize Orthodoxy there. Thus Tarragona challenged the chain of custody for the Faith in Hispania, but Toledo would refer to St. Leocadia that its Church had been purified by the blood of martyrs too. But the Visigothic-Roman difference was thought by the Tarragonans to matter to Rome. This divergence was deep seated: the Visigothic kings did not much like the presence of Greek bishops in Tarragona either, where Greco-born churchmen and clergy from Asian Minor had risen to the highest rank in this primatial see (589-633) while the Kingdom of Toletum and Byzantium were at odds. This too was background for Tarragona's historic distancing from Toletum, combined with its adjacency to Old Gotica and its nobility's dissonance since their subjugation by Recarred for Leovigild. Such age-old dislike for peninsular central authority by the periphery seems to have carried into the Middle Ages, and indeed even the present.

Back to the historical geography lesson to see if ancient Valentina was in the Tarraconensis or the Carthaginensis: ancient authorities were checked. Here the problem became apparent that the Romans with their city-state mentality established centers but did not always define their external boundaries very well except to align with natural geography and milestones along their highways. The origins of Valentina and other Phocian coastal cities in the Levant were somewhat obscure because of the influence of Carthage in that part of the peninsula, the Roman advance in the Punic Wars, Valentina was not the colony it later became, and the origins of its earliest Christian community are obscure, so the solution was to dispense with such unclear history and seek solutions in how the Romans organized the Empire when Christianity had a stake in their dividing up the *oikouménē*. For this the authority was Pliny's *Historia Naturalis* where the historian paid great attention to Iberia. Toledo claimed Pliny placed Valentina in the Carthaginensis⁵³, and therefore drew maps of the ancient provinces of

53. A text described by V. Castell Maiques as "muy deficiente" because of the terrible orthography compared with the critical editions of Pliny, was inserted into the proceedings by the Toledans: *Ord. Valentina*, Phase III, O.1 (1, pp. 294-296).

Hispania as if it reported to Toletum— blatantly presentist and asynchronous because when Pliny lived, Toletum was but a Celtic hilltop fort. Moreover, he names provinces and main cities, but the landscape is described in terms of natural geography and areas of settlement by Celt-Iberians, Punic and Greek traders, and the new Roman overseers. Both perspectives stress a coastal view, connecting therefore imperial Valentia with Dertusa, the Iber and the capital of Hispania Citerior, Tarraco. The natural feature most apparent was the Sierra Iberica which separated the plateau and core of the Visigothic kingdom from the Levant and Valencian plain. Pliny was not the definitive answer either party hoped he would be.

Since the argument was about provincial organization, and ecclesiastical jurisdiction, the debate shifted to the Empire in the time of Constantine when Christianity was acknowledged as one of its official religions⁵⁴. Here the debate was stalled again by sources only naming chief cities, the sees and the provinces, but not their boundaries. The only positive thing from of the Constantinian era was the right of the Holy See to arbitrate the matter, resting on its primacy in the West and the Donation of Constantine⁵⁵ which even then was regarded as quite suspicious if not spurious. The disputants wisely decided to leave that alone, turning instead to the provincial reforms of Diocletian in the Tetrarchy. Here again precision was wanting, so the Toletan party produced a document claiming ancient authority but based on the Division of Wamba, the *Hitación*⁵⁶, which identified towns in the provinces and natural landmarks by which one could clearly see that the *Tarraconensis*

54. Toledo's renowned multi-lingual scriptorium and translation center developed under Abp. Raimond; Tarragona had no equal, except perhaps at Ripoll. However, Arabic translations for texts having stemma in Latin did not prevail over the latter. The procurator of Tarragona objected to his counterpart using Roman texts that had been translated into Latin from Arabic, rather than from any original Latin source, as in the case of the alleged Constantinian reorganization, "Super Divisionibus Cesaris Constantini, quas dixit esse translatas de arabico in latinum." *Ord. Valentina*, II. C.a (1, p. 186). This provides some indication of how the forgeries were manipulated into the corpus by selection but also citing texts supposedly translated faithfully that were really generated in Arabic as base documents, as if the originals were non-extant. Once interpolated, introduced and accepted, they took on a life of their own.

55. Apocryphal Constantinian constitution introduced by Toledo, 3 Dec. 1239: *Ord. Valentina*, II, A.5 (1, pp. 177).

56. L. VÁZQUEZ DE PARGA, ed., *La División de Wamba*, Madrid, CSIC, 1943. Toledan procurators relied on pseudo- Isidorian mss. from the Cluniac abbey of San Zoilo de Carrión, the *Libro Croniconum Isidori Iunioris*, in *Ord. Valentina*, Phase III, D.d (1, pp. 238-239).

did not extend down to late antique Valentina⁵⁷. So the Tarragonan party kept to earlier geographies identifying the Tarraconensis with all of Hispania Citerior, stretching all along the coast to where the mountains touched the sea at Denia, claiming as well that this is how Muslim geographers saw things through the Islamic interregnum— including the emirate of *Daniya*.

The geographical argument therefore came to rest on the alleged reorganization of Wamba which is now known to be a forgery from Castile concocted to give the spartan episcopal *nomina* more substance⁵⁸, and to assign clearly suffragans to their metropolitans and henceforth define all of the ecclesiastical provinces. It was not fabricated for the Valencian question, but in the earlier conflicts with Braga and Compostela and perhaps in anticipation of the problem with those who reminded everyone that the ancient Tarraconensis had stretched to Gallaecia, past Palencia and up to Oviedo where Catalans had been active far beyond Burgos, as they were also at Medinaceli as clients of and mercenaries for its Muslim lords. So all kinds of questions were afoot about ancient Bilbilis above Calatayud and on to the high plains where the jurisdictions of Sigüenza and Osma could have been contested just as there was friction over the Castilian claims to Calahorra which was a see clearly belonging to the Tarraconensis in surviving *episcopal nomina*. It is thought that the *Division of Wamba* in its extant textual tradition evolved in the New Castilian frontier precisely in this area of overlapping claims and earlier contested jurisdictions, but it suited the Levant as well.

57. The *Divisiones Wambe* introduced by Toledo, *Ord. Valentina*, II.A.5 (1, pp. 178-179), also included Denia in the Carthaginensis and introduced ancient *terminos*, many of which were sites not in existence in the time of Wamba. The conclusion, for emphasis as though made by Wamba specifically to delineate the jurisdiction of Toletum, ends the extract: “Hee sum XX sedes divise episcopales de Toletu, de mari usque in caminum Sancti Petri, qui vadit ad Sanctum Iacobum” Of course the Way of St. Peter and Santiago references are completely anachronistic for the 7th c. which would have been so obvious to the judges and audience that the “proof” was unreliable.

58. All extant *nomina* are anonymous, but in introducing the *nomina episcoporum* into the proceedings, 3 Dec. 1239, as a Toledan proof, to carry even more weight the list was attributed to Isidore of Sevilla, which was patently false. 19 sees attributed to Toledo’s *Provincia Cartaginens*, included Denia which was not a bishopric; the province extended from the straits in the south to Palencia on the northern plains. For the *Provincia Terrachonensis* the source listed 15 churches, including the “lost see” of Ictoria. These are listed as cities of the Tarraconensis, not necessarily episcopal sees, which included Tudela as a Roman foundation, and the unidentified city of Amena.

Of course it was always a problem in invoking the memory of Wamba whose reputation as a wronged king was rehabilitated in León-Castile⁵⁹, but in Aragón-Catalunya collective historical memory was about ancestors' having revolted against this tyrant. Naturally the argument based on the *Division of Wamba* was that Valencia should be under Toledan jurisdiction because it had been in the old Carthaginensis. The Tarragona lawyers simply replied it was not, and there was no such record in the Tarraconensis archives that so clearly demarcated the western boundaries of the province and its territory as claimed by Toledo. Despite incredulity, no charge of forgery was made. The Tarragonan preference was to follow Pliny's example and use natural geography which meant the drainage systems known: where waters flowed to the Mediterranean, these lands were to be governed from Tarragona. This was a concession in keeping with the Castilian treaties with Aragón that would have kicked Castile out of Calahorra, but gave up pretensions to the Castilian frontier bishoprics in the Douro basin. That would have let Toledo essentially mind its own business in organizing its province on the plateau.

The geographic solution was less assuring in the highlands between New Castile La Mancha with Valencia extending down to Almería into Murcia. Ultimately these overlaps were declared exempt by the papacy like Burgos, with Cartagena / Murcia reporting to the Holy See directly rather than either metropolitan. Further contention came about in the highlands where small streams constantly changed direction and continuity across the Muslim interregnum between ancient Latin and Arabic place-names was unsure. There reconquest Teruel was Aragonese but Cuenca was Castilian. Albarracin had been made a vicarage by Toledo as an extension from Cuenca, over the divide as close to Teruel as one could get and still keep the peace. Agents from Albarracin were active in Segorbe, trying to resurrect its bishopric or have it moved to Albarracin. This was the ancient Segobrica associated with ancient Valentina. So the fight over Valencia was, as the rivals probably understood more than former papal legates had, for all the borderlands between the Crowns of Aragón-Catalunya and León-Castile from Cuenca and Albacete down to Murcia and up to Alicante where the former's armies dominated the reconquest. Future stakes were huge. Toledo's strategy was one of containment of Tarragona's authority in both the west and south, and enlargement of its own. The latter was a huge mission field, worth fighting over.

59. Wamba's statue in Madrid, an idealized well-bodied, courageous Gothic warrior-king, was indeed a symbol of Hispanic unity raised under Franco to remind everyone of their history lesson about how damaging civil wars are.

(3) Mission

Toledo had been commissioned by the papacy to take care of the churches in areas under Muslim control where the episcopal governance had deteriorated or indeed was non-existent, eg., Valencia. So Toledan lawyers claimed altruistically to have sent missionaries there to fulfill its obligations, not egoism (in Compte's latter dichotomy). Of course the Tarragona position was that Toledo's concern was after the fact, and that when Tarragona's metropolitan authority had been restored by the papacy, such watchful care was unnecessary (and although unsaid, unwanted). Moreover, the see of Barcelona had been vigilant in the reconquest before Tarragona was recovered and while it was still being restored. This was a specious argument in any case, since no such claim by Toledo had been voiced when Llieda and Tortosa were still *Lārida* and *Turtūsā* before 1148-1149.

The Catalans pointed to the dedication of the cathedral of Barcelona in 1058 and its declaration of a protectorate, so to speak, over the frontier and care for Christians in the Balearics and down to Denia⁶⁰. Indeed everyone could remember that its Bp. Oleguer as archbishop had fought for the recovery and defense of his see at Tarragona with no help from Toledo, and that the city had remained vulnerable to insurgency until the fall of *Lārida* and *Turtūsā* when Barcelonan churchmen had been at the forefront of the Second Crusade in the Ebro Valley and in Tarragona's re-incorporation into the newly formed Crown of Aragón-Catalunya. Barcelona's mission had been expanded to meeting the needs of Mozarab communities in the Balearics and the northern frontier of

60. The dedication, a corrective to the memory of al-Mansūr's destruction of Barcelona in 978-984 and attacks again in 999, is full of rhetoric praising Ct. Ramon Berenguer I as the "wall" and defense of the Christian people as he extended the reconquest into Tarragonan territory and reversed the old tribute payments to Muslims into the parias or protection money paid to the Christians. So it was inserted into the proceedings: *Ord. Valentina*, i.2 (1, pp. 280-285), which the tribunal accepted noting that the transcript lacked seal and bull, and that the original was not seen nor was the transcription done before them. It was contemporary, 26 Dec., 1058 when Bp. Guislabert of Barcelona reached an agreement ("contrado") with Muyyahid, "duke" of *Daniya* and his son Alí, for the care of Christians in the Balearics and territory down to *Daniya*, i.e., past *Balansiya*. This was a formal *dhimm* allowing missionaries to preach in existing churches under Islam, so the Latin document had confirmations in Arabic translated for the judges: Arch. Cat. Barcelona, *Privil. Reg.* no. 2, transcribed into the proceedings: *Ord. Valentina*, N.1 (1, pp. 278-279). Cf., the Donation from *Daniya* in SEBASTIAN PUIG Y PUIG, *Epsicologio de la Sede Barcinonense*, Barcelona, Biblioteca Balmes, 1929, pp. 287-388 with facsimile reproduction, cited as *Privil. Reg.* no. 8; and no. 47, pp. 388-391 for the cathedral's act of consecration, 19 Nov. 1058, from the Arch. Cat. Barcelona, *Libri Antiquitatem*, I, f. 14, no. 29.

Valencia in keeping with its charge to look after the churches where there were defunct sees in the Islamic western Mediterranean, so it had jurisdiction in the Levant despite the temporary interloper under El Cid. The role claimed by or assigned to Barcelona in lieu of Tarragona for mission churches in its old *territorium* and in the Muslim Levant predated papal sanction for Toledo to assume this role for *al-Andalus* and Africa by several decades. Tarragona would take Tortosa and its new bishop under wing, with major activity of its canons in the new see; this would be true of Valencia as well, where new sees were regarded as under the tutelage of its archbishops.

When Jaume I's diplomats secured a contract with the emir of *Daniya*—really an explicit *dhimmā* or guarantee of protection for 'Peoples of the Book' under Islamic rule but not the *shariyā*—permission was regranted (i.e., the precedent of 1058) to establish churches for the Mozarabs in *Balansiya*. The Tarragonan strategy as in the *Summa's* timely release, was to show the Crown's operating in the best interest of the nascent Church even while at war with *Balansiya* and rebels, but that Toledans had been more interested in simply furthering their own interests. Toledan clergy, not really missing the point because they had experience with Muslim practice and were not unfamiliar with Islamic doctrine in the case of Mozarabs, dismissed the argument with the snide remark that "Muslims cannot establish churches"⁶¹. They argued that Castilian clergy had begun caring for Christians in the Levant long before the 1238 capture of the city, indeed in Valencia itself. This argument was to counter the record of Abp. Pedro having already moved to establish its diocese under his nominee for bishop, Berenguer de Castellbisbal, who was never consecrated because of the dispute. The claim was contested by the Tarragonan side which attempted some confusion of the case by pointing to another Valencia "del Campo," near Coyanza⁶², rather than acknowledge Castilian missionaries under Toledan orders were active in Valencia *per se* even though agents from Albarracin had indeed vexed Abp. Pedro with their maneuvering in the nascent diocese. Tarragona claimed that Albarracin had held the church of St. Michael, a converted mosque, as a personal benefice of its archbishop⁶³. From their viewpoint, these clergymen used their allegiance to Toledo to escape supervision by Tarragona's

61. R. I. BURNS, *Crusader Kingdom*, 1, p. 257 citing the *Ord. Valentina* in the older edition in the *Episcopologio valentino* (1909), 1, p. 409: "sarracenus ecclesias conferre non potuit."

62. *Ord. Valentina*, Phase III (1240), F.2 (1, pp. 260-261).

63. "Quod episcopus Sancte Marie de Alberrezino recepit et receptam tenet ecclesiam Sancti Michaelis, que tuunc temporis era mazquita in civitate Valentie, de manu archiepiscopi Terrconensis in beneficium personale." *Ord. Valentina*, II.F.1.9 (1: 206).

missionaries and its new bishops for Valencia⁶⁴ –Ferrer de Pallarés (1240-1243) the archdeacon of Tarragona who had also been in the king’s service in Mallorca and Valencia; and afterward the archbishop’s younger brother, Andrés d’Albalat (1248-1276). They would suggest that Toledan opposition to their rightful jurisdiction in Valencia was more than academic, but was detrimental to the conversion process and the orderly reconstitution of a parish system for the Levant’s Christian settlers. Abp. Rodrigo, judging from the extant record where the issue is skirted, would not be drawn into this trap– making him the spoiler before the tribunal. The Castilian clerical intervention, which the Catalans called interference, was not prohibited by the Treaty of Cazorla⁶⁵, but served as a kind of Castilian fifth-column movement and subversion of the Christianization of Valencia. Suspicions were correct about Abp. Rodrigo’s conniving because despite papal wariness and these treaties, Toledo indeed would try to found a bishopric at *Daniya*, thereby surrounding Valencia with Castilian sees⁶⁶. Such maneuvering seemed to harken back to the short-lived episcopate of Bp. Jerome in *Balansiya* under El Cid, legitimate or not. The tribunal had more recent history to review and certainly knew about this enlarged scope, but had to stick to its charge to investigate only Valencia’s situation.

(4) Possession

The strength of the Tarragona case was that the reconquest of the Balearics and Valencia by Jaume I had succeeded, with extensive backing from the Tarraconensian Church and especially the frontier triad of Tarragona-Llida-Tortosa. Their restoration of the Valencian Church, ongoing while the court convened, was not a failure. Indeed, it was a notorious success, heralded across Europe. The making of new history at this juncture was more important than past history. So repeatedly the case was made that Abp. Pedro was faithfully performing his duties as metropolitan, indeed in exemplary fashion to say nothing

64. The king nominated Barcelonan Pere de Nolasco, but he refused to tend to his new Order. He had been active in redeeming captives in the *Balansiya* frontier since 1203, which led to his founding the Mercedarians in 1235.

65. A transcription of the treaty of Cazorla (20 March 1179) was transcribed into the record, *Ord. Valentina*, Phase III, 1.3 (1 pp. 285-287) to argue that Tarragona for Aragón-Catalunya had the right-of-way down to *Daniya*. Ramon de Mila, the Abp. of Tarragona’s chaplain and the priest Ponce, signed for the metropolitan.

66. R. CHABAS Y LLORÉNS, “Obispo de Denia en el siglo XII,” *El archivo*, 7 (1893), 140; see his *Historia de la ciudad de Denia*, 2nd ed. (Alicante: Diputación Provincial, 1958-1960). A bishop claiming Denia as his see appears among churchmen at the siege of Córdoba, apparently in the service of Castile.

of his role just like Abp. Rodrigo as commander in charge of his own troops and contingents raised by his fellow churchmen; in providing for a new, energetic bishop for the see; converting mosques into parish churches and building others; finding clergy to assign to these frontier posts; personally preaching and converting, and dispensing indulgences; blessing altars and commemorating Valencia's famous saints, especially the cult of St. Vincent; enforcing clerical discipline, indeed reform, and using his powers of excommunication of transgressors to bring law and order to the chaos in the aftermath of the collapse of the Muslim regime. Indeed he was too busy to attend most of the proceedings at Tudela. What an excuse! to demonstrate his devotion to duty. When appeal to ancient history would not work, contemporary history would do.

Yet, the past was always present in these proceedings. Throughout the case much was made about the 4th c. passion of St. Vincent at Valentina and his connection with Caesaraugustanum, to conjoin the relationship in the early church of Valencia and Zaragoza and hence Aragón. Indeed, the Vincentian cult from Caesaraugustanum had been introduced to Merovingian Frankland and it flourished wherever Hispani refugees had resettled as at LeMans, so it was well known throughout France that Valencia was in the cultural orbit of Aragón-Catalunya. Again, the north-south relationship was highlighted to downplay the east-west connection alleged by Toledo because Valentian bishops had attended some of the Councils of Toletum. The great witness to early Christianity in Valentina was from Huesca, and that city's famous deacon at Rome, St. Lawrence, had even conveyed the Holy Grail to his homeland for safekeeping when the Holy See was threatened by the onslaught of Islam. Of course in a round-about way, that relic would subsequently end-up in Valencia, thus reconnecting that see with Rome in yet another manipulation of History⁶⁷. Well played!

A lot of history was invoked in the course of these proceedings, but through it all, currency was the real historical referent, and possession was, as the saying goes, 9/10s of the law or in the proceedings, *ad iudicium proprietatis*⁶⁸. Jaume I's troops had invested the city of Valencia; they were still there. The city was teaming with Aragonese and Catalan clergy, especially the new mendicant orders and subsequently the new monastic order of the Cistercians; lawyers and clerks everywhere, who used Latin but spoke the new romance of

67. JANICE BENNETT, *St. Lawrence and the Holy Grail: The Story of the Holy Chalice of Valencia*, San Francisco, Ignatius Press, 2004. The relic was sold to the cathedral chapter of Valencia to relieve the Crown's crusading debts.

68. As argued by Tarragona's procurator: *Ord. Valentina*, B.2.b (1, p. 186).

Catalan, not Castilian; and churchmen there were the faithful servants of their kings. Loyalty was an issue. When the tribunal leaned toward awarding Valencia to Toledo because of prior papal privilege, it was not history that was invoked in the appeal but current events, reminding the legate and the popes that Jaume I, whose support Rome needed for other international contests, was in charge of Valencia. If a Toledan appointee of another foreigner from France or worse, a real Castilian, would be installed in the see of Valencia and the Catalan incumbent removed, the king would not be pleased. The papacy naively tried to persuade Jaume “the Conqueror” to remain the faithful ally of the papacy and support the Church in any case. It is not known if there were ever a written reply, but actions spoke louder than words as the king supported his henchmen in Valencia –his commanders, Tarragona’s clergy, and the lawyers. He kept his army at full force as outlying areas that had to be pacified and the threat of revolt loomed large until well after this dispute. Inaction also spoke loudly, in delays in his endowing the church of Valencia while the court case dragged on, leaving the see destitute except for the largess of Tarragona’s archbishops and his confreres at Llieda and Tortosa, backup from Zaragoza, and the mendicant machine at Barcelona which were paying their way, not Toledo’s appointees. If a Castilian clergyman were seated on the *cathedra* of Valencia, he might have sat there penniless without endowment of lands, rents and other income, at the mercy of what Toledo could spare. Given Toledo’s periodic shortage of funds, war debts, and constant disciplinary problems of its own, Abp. Rodrigo would have been hard pressed to support the new see better than Tarragona was doing. Indeed, the primacy issue may have been important in the ultimate strategy for the Primate at Toledo to be able to force the metropolitan of Tarragona to support the wider crusade and the see of Valencia as well. This would not work, of course, because neither Abp. Pedro or Jaume I were so naïve as to be fleeced this way, nor would they ever be persuaded to be so suppliant. They too were short of funds. The new ecclesiastical organization would have starved, literally, especially when rebellions broke out; and if Castilian forces were called in to defend the church, in violation of the Treaty of Cazorla, civil war would assuredly have ensued. That would have been disastrous, and the papacy knew it.

(5) Authorities, ancient texts and oral traditions

The *Ordinatio of Valencia* has been overlooked in the history of archives and libraries and the medieval development of the sciences of Diplomatics and Analytical Bibliography (i.e., source criticism), except in the notes of Robert

I. Burns⁶⁹ who was, after all, once a practicing archivist for his Jesuit Province; but his treatment is most important for its ethno-historical insights. Nor had it been well examined regarding Historiography until Peter Linehan⁷⁰, with acerbic wit and critical temperament; and the tribunal's actions and deliberations were not studied from the point of procedural law until the critical edition by Vicente Castell Maiques⁷¹. The proceedings show that History allied with restoration theology played a significant role in the thinking of churchmen in their reconstitution of the Hispanic Church during the Reconquest. There were two different kinds of History in this interplay: cultural memory of society at large, reinterpreted from oral history of sorts, that is personal testimony about what people thought— everyday history and the opinion of the common man. This may be juxtaposed to academic history, back to the sources, and a ransacking of archives to retrieve early records and the evidence provided, however secondhand, by recognized authorities— the uncommon man.

In the instance of public opinion, the Toledan party petitioned the tribunal to hear several witnesses, i.e., a representative sample, not in the modern statistical sense of sampling and analysis to eradicate bias and compare means and averages, but in representing the common view through spokesmen called upon to reflect the consensus of their communities. Tarragona's procurator responded in kind, over Toledo's objection. Both parties recruited people from the frontier towns south of Navarra for their testimonies, supposedly reflecting local historical lore or current public opinion from Aragón (Tarazona, Huesca, etc.) and Catalunya (Barcelona, Tarragona itself) who had fought and labored in the Valencian campaigns⁷². So the judges in January 1240 began hearing from knights, tradesmen, merchants, local clergy, and perhaps also from bystanders who claimed to know something. Each responded to the same question: "Do you think Valencia falls into the province of Toledo or Tarragona." Note the present tense of the enquiry, which was not

69. The late R. I. BURNS, *Crusader Kingdom* (1967), 1, pp.: 263-270; 2: 498-501 did not return to the diocesan structure issues of his first work, so the *Ord. Valentina* does not appear as an issue in his later ethno-historical studies about Valencia in 1973, 1975, etc. This study is indebted to our many discussions in Barcelona going back to 1970-71, so I regard him as my second mentor.

70. P. LINEHAN, *13th c. Church* (1971), pp. 208, 311-314 and his *Historians of Medieval Spain* (1993), pp. 345-350, 359-360, 379-381.

71. V. CASTELL MAIQUES, *Ord. Valentina* (1996) vol. 2 for his historical study, yet vol. 1: 55-160 contains much of interest for his critical apparatus and textual criticism; but overall there is dryness in his exactitude as an exegete and archivist, which can be balanced here by bringing the text and issues alive.

72. Named in their swearing in before giving testimony: *Ord. Valentina*, II.H.2 (1, p.: 209).

necessarily a History quiz. They could answer on whatever basis they had, without coaching or fraud as their oaths attested. Such feedback was not tabulated, put into any chart of graph, etc., but were heard as examples to provide input from the broader public, i.e., to create an impression as before modern juries. We do not know how many witnesses were called, who never gave witness to anything concrete but only spoke for themselves as to their opinion. The court was interested if its verdict would fly in the face of public opinion. Whose public? That made a difference the same as the two parties in opposition to each other. The non-recorded deliberations do not tell us how such public opinion was weighed, but it is interesting that it was considered at all. It is obvious from the testimony taken, that people thought about the issue and cared about the outcome of this contention, and they were as divided as the two sides who argued their cases before the tribunal over and over again.

The lay witnesses were not academics, but responded according to what they had heard and thought to be the case, in plain-spoken commoner speech recorded in Latin like a vote— not true history but belief in what was thought to be true, a meta-history of sorts. Something else was at play when the learned procurators answered the same question: subtlety in the answer. The critical question with its present tense *quod esset sita*⁷³ was answered by each party whether it fell or now falls into the province of their own⁷⁴, but the time referent is interesting in that Toledo used “sit in provincia Toletana”⁷⁵ but always inferred the past tense by arguing the historical case, that in ancient and Visigothic times Valentia was in the Carthaginensis. Tarragona’s procurator usually answered simply “Yes, Valentia was in the Tarraconensis” as if it still were “et fuerit ab antiquo”, with the variant after Toledo introduced all the historical background from its viewpoint: “Quod civitas Valentie est constituta in provincia Terrachone” i.e., that Valencia “is constituted in the province of Tarragona.” Or to bring the issue into the contemporary setting, the Tarragona procurator declared: “Quod terra illa, que dicitur regnum Valentie, est

73. The proposition was framed “Utrum civitatem Valentie sitam esse in provincia sua, et ordinationem episcopatus ipsius civitatis ad ipsum spectare debere” with Toledo’s response “Quod credebat sitam esse in provincia sua...” and Tarragona “Quod non credebat, immo credebat quod esset sita in provincia Tarraconensi; et ideo non credebat ordinationem dicte Ecclesie spectare ad dominum Toletanum.” These were the standardized “Confessions” of the opposing archbishops: *Ord. Valentina*, II.B.1 a-b (1, pp. 185).

74. Tarragona’s procurator subsequently declared: “Utrum sit fama publica vel communis quod Ecclesia Valentina sit suffraganea Ecclesie Terrachonensis et fuerit ab antiquo “to counter the Toledan claim that Albaracin had been responsible for the resurrection of the cult of St. Vincent, which Tarragona said was still in the service of its archbishop. *Ord. Valentina*, Phase 2, B.5 chapter A-C, esp. C.2 (1, pp. 222-223).

75. *Ord. Valentina*, C.3 (1, p. 224).

pars illius provincie que dicitur Aragonia sive Arago⁷⁶ –to which Toledo responded curtly that Aragón was not an ecclesiastical province! The Tarragona procurator subsequently clarified that the Archbishop of Tarragona had taken possession of the grand mosque of Valencia upon the city's occupation, by the authority of the king of Aragón (13 Nov. 1236); and he had converted other mosques into parish churches⁷⁷. In phase three of the proceedings, a false bull attributed to Gregory VII (17 Feb. 1083) was introduced apparently by the Tarragona party, with the perjured attestation "Hoc est translatum fideliter factum," to further refute Toledo's position that a kingdom and province were not the same (contrary to its own dealings in León-Castile and different stand on the same issue) even though attempts to make them co-terminus were obvious to everyone. The forgery had Gregory VII, going back to Alexander II (presumably in the arrangements made by the legate, Card. Hugh Candidus (1065-1068), conceding to King Sancho V Ramírez of Aragón-Navarra (1063-1094) the patronage rights to the churches in his realm, with the exception of the episcopal sees themselves (discreetly reserved by the forger for the papacy)⁷⁸.

The Tarragona answers had no time referent other than from its restoration to the present, contemporary with the asking of the question. For all the history that Tarragona could have mustered but did not, the history that mattered was the current event. Above all, the predecessors of this archbishop of Tarragona, from as "far back as can be remembered" and Pere d'Albalat, himself, operated there "making possible the recovery of the Church of Valencia and its liberation from the hands of pagans"⁷⁹. There it was; that is what mattered to Tarragona, its churchmen, and to the illustrious King Jaume; they had made history, and it was not the armchair variety. They had done so by a war of liberation and, the Tarragona procurator boasted, had paid for it themselves.

76. *Ord. Valentina*, II.C.1.1 (1, p. 186).

77. Tarragona subsequently transcribed the privileges of Jaume I (13 Nov. 1236) to procurator Guillem for the archbishop, and his promise to endow the cathedral of Valencia (29 Oct. 1236): *Ord. Valentina*, II.H.4 proofs b-c (1, pp. 211-214).

78. The entry does not explain where the original bull supposedly came from, presumably in Aragón: *Ord. Valentina*, Phase III, 1:6 (1, pp. 293-294). Aragonese Churches play a larger role than Catalan sees other than Barcelona, because of the location on the frontier of New Catalunya and Aragón coming toward and going beyond the Ebro.

79. "Quod omnes predecessores archiepiscopi Terrachonensis, a tempore cuius potest esse memoria, dederunt operam quam potuerunt ad recuperandam Ecclesiam Valentie et liberandam de manibus paganorum;" and then the practicality: "Quod [civit]as Valentie et ecclesie sunt liberate de manibus paganorum expensis propriis illustrissimi regis Aragonaum et reverendi patris Terrachonensis et suffagenorum suorum." *Ord. Valentina*, F.1 position statements 1-10 (1, pp. 205-206).

Yet the academic side to this debate involved extensive and intensive library and archives research, and the transmission of testimony with a critical apparatus aimed at establishing some sense of its trustworthiness, indeed its authenticity. The lion's share of this was Toledan, since it argued in the affirmative. Rebuttal did not require the same burden of proof, but just to poke holes in the case presented. In this regard there was an effort to trace records in time, going back to the oldest texts as if their closeness to the times in question made them more authoritative. There was no sense of a witness being subjective because of being too close to an event, and the earlier the text from the most ancient of books was all the better – more venerable. Agents from Abp. Raymond's school of translation at Toledo and workshops at Henares and Osma, had even traveled far north of the Loire to Le Mans, visiting Paris and Saint Denis abbey, into Normandy to Bec, down to Tours, Cluny and Lyons, and Toulouse to relocate books taken there by Hispani exiles after the Islamic conquest⁸⁰; and across northern Hispania but primarily in Castile and the Riojan area known for its old monastic foundations by Hispani refugees and consequently their ancient libraries. Thus books were examined at Oviedo⁸¹ and “the same history lessons” in the libraries of San Millán de Cogulla, San Zoilo de Carrion, San Salvador de Oña, San Martín de Albelda, San Benito de Sahagún, Santo Domingo de Silos, San Pedro de Cardeña, and San Isidoro de León, San Juan de la Peña, etc.⁸²; and extracts were taken from the Visigothic conciliar *acta* and

80. The Hispani diaspora is traced in my *Tarragona Vortex*, vol. 3, from 2,200 extant mss. in Visigothic hand from the Conquest to the script's disappearance with the imposition of standardized Caroline miniscule by the 11th c., based on BERNARD BISCHOFF, *Katalog der festländischen Handschriften des neunten Jahrhunderts (mit Ausnahme der wisigotischen)*, Birgit Ebersperger, ed., Bayerische Akademie der Wissenschaften. Wiesbaden, Harrassowitz Verlag, 1998, 2004. 2 vols.

81. Bp. Juan of Oviedo certified with an affidavit for the Cardinal d'Oloron that his archpriest Matteu had worked with Toledo's agents to sort through its church's *munimenta*: “que in antiquis Ecclesie [nostre] libris de Ecclesia civitatis Valentine invenimus, fideliter conscribi fecimus, ea ea, sigillo nostro sigillata Vobis duximus transmittenda.” Nine of his canons were gathered to sign the communication and back him up. The extracts included the *Division of Wamba*, and references to the Toletan and Tarraconan councils. Abt. Guillermo of San Benito de Sahagún, Abt. Michael of Santo Domingo de Silos, *at alia*, did the same. *Ord. Valentina*, I.C.3-5 (1, pp. 197-205).

82. Note that most of these old Benedictine houses from the reform era were Cluniac, with connections between the monks there. Cluny and Toledo. Toledan agents visited these libraries but not Roda where the Alfonso III historical works were composed, nor others in the Tarraconensis like Ripoll, but relied strictly on sources coming from León-Castile. They thus verified what historical research revealed there and the traditions in lands with strong central Visigothic heritage, but everywhere. Given that Tarragona's mss. for the *Ord. Valentina* are missing, we do not know if source material differing from Toledo's citations

very same sources used later (18th c.) to compile the great editions of the Toletan councils⁸³; chronicles were consulted, of which the oldest Alfonso III cycle owed much to the same monastic circle from Albelda to Roda; and the literary works of St. Isidore and the likes of Julian of Toletum were scoured. All of this composed an argument “super auctoritate et antiquitate librorum” at considerable cost “in expensis domini Toletani”⁸⁴. The translators at Toledo thought Muslim geographers might be helpful, and the chronicle of al-Razi was seen as authoritative⁸⁵, and such codices were brought to Tudela for inspection by the judges⁸⁶. Bilingual sources, scribes and notaries were brought in as well, judging from Arabic transcriptions in some of the records, to assist in the presentations of evidence and the proper provenance or chain of custody.

Most of the material was preserved in Castilian repositories, without use of Tarraconensian sources such as the *Chronicon* of Johann of Bicularum (Vic d'Arro) composed just north of Tarracona; nor were the well-known libraries at Ripoll, Montserrat, Sant Cugat, Santes Creus and Poblet touched; but one manuscript, *Divisiones provinciarum Hispaniae*, was introduced from San Vicente de Cardona, to argue Toledo's point⁸⁷. Otherwise, Tarragonan legalists went to Montearagón, San Juan de la Peña, Alquezar and Monzon, San Victorian, etc., to check for Aragones

were introduced. The Toledan record cites councils of the Tarraconensis, but no historical works and makes no mention of the Tarragona's procurator's entering different evidence. He probably did not contest the findings, but simply dismissed them as proving nothing relevant to the present case as a matter more of current events.

83. *Ord. Valentina*, II. E.1 a-c (1, pp. 188-194) and Phase III (1240), K, 1.2 a-c (1, pp. 266-275) for the Conc. Toletum XI (675) and XIV (684), and the crucial meeting about Gundemar's Edict (610) where Toletan primacy was specified. Passages were compared for consistency and differences in texts for some *acta* were noted, with the same practice as came to be standardized in critical editions often thought to have been Renaissance innovations.

84. *Ord. Valentina*, C.3.b (1, p. 225); see D.1 referring to the travel and lodging at San Millán de la Cogulla (1, p. 227).

85. As in DIEGO CATALÁN, ed., *Cronica del Moro Rasis*, Madrid, 1975.

86. *Ord. Valentina*, Phase III, E 14 (1, p. 259): “postmodum IIII libros arabicos, in iudicio nobis exhibitos, inspeximus” of which two were identified: “in libro Rasi” and a science treatise (Physics) by a “Abiba Capazahabi” “qui peritus fuerant in lege eorum” for a dialogue between a Jew and Muslim commenting on the *Division de Wamba* noted by ROQUE CHABÁS, *Las provincias, diario de Valencia*, Valencia, Domenech, 1900, p. 191 and PATRICK GUTIER DALCHÉ, *Construction de l'espace au Moyen Age: Pratiques et representations*, Paris, Sorbonne, 2007, p. 21.

87. *Ord. Valentina*, Phase III (1240), H.2 (1, p. 261), a *nominum episcoporum* that assigned Valencia to Toledo, so the procurator for Tarragona protested and dismissed it as not profiting the debate.

records, and even back to the Occitan St. Ponce de Thomières which had held rights to so many older Benedictine houses in the northeast⁸⁸. Yet, if one were to take the proceedings at their word, it would be as if deliberately ignored, the Toletan councils had not penetrated the scriptoria of Tarraconensian houses. For the most part the Tarragonan faction simply acknowledged politely that these sources were genuine, naturally Toletan, but as largely irrelevant⁸⁹. What disregard! Moreover, these proofs originated without much input from Tarraconensian churchmen and were therefore considered biased; one source simply copied another, so that the origin was untraceable. Because the books themselves were not hauled to court, scribes attested the faithfulness of their transcriptions, if not the basis for their selection and omissions, and the court relied largely on these validated excerpts without investigating their contexts.

Papal bulls and other documents, more transportable, were actually examined in court and by agents elsewhere, who then also had to attest to the rigor of their examinations, objectivity in their extractions, and faithfulness in the transcripts; these transumptis were accepted as evidence, with notes that the documents the tribunal used had proper signatures, bulla and seals, or not if they were damaged or first-hand copies. Of course the most important documents for a papal commission were the papal bulls, to verify a consistency by the Roman pontiffs and to avoid contradiction. This meant that the early restoration by the Cluniac clergy of Toledo for León-Castile in 1087 just before the Augustine reformers in the Gregorian Reform made their case in 1089 for the Tarragona see to be resurrected as well, but as said, the papacy had already bought into the Gothicism of Castile and the exaltation of Visigothic Toletum as the reborn primatial see of the Hispaniae. The *Division of Wamba* probably was among the forged documents carried earlier to Rome. Because one bull referred to the other, a strain was born which was believed and respected in Rome as a true picture of the Hispanic Church on the eve of the Islamic invasion. This scholarly practice was not unlike establishing a lineage of good reputation.

(6) Papal Honor and Commissions of Missionary Roles

When Tarragona's case was first heard, its *fama antiqua* and *pristinus status* as confirmed by the Urban II were re-acknowledged, but the interpretation of ecclesiastical history under the Visigothic kingdom was set – a master narrative of

88. See the summations in 1240 of arguments for Tarragona, *Ord. Valentina*, Discussion sessions, A.1 (1, pp. 305-306).

89. *Ord. Valentina*, I.1. 1-18 (1, pp. 218-219) position statements of Toledo and the Tarragona response.

binding strength. It was the bull of Alexander III (1166)⁹⁰ that was most pronounced in privileging Toledan rights over all the Hispaniae and especially “those sees which had lost their own metropolitans upon the Saracen invasion”⁹¹, that would seem irrefutable and be seen as irreversible for the tribunal. The problem was lack of time reference, anytime in the past or in future reconquests. To counter this Tarragona produced from somewhere in Aragón an earlier bull of Urban II, now known to be spurious, to level the missions playing field and suggest a partnership between the sees, by showing equal papal regard for both prelatures, each in their own sphere of action. It did so by authorizing the kingdom of Aragón to proceed with the Ebro reconquest, and for it to promote the establishment of churches in the Saracen war zone wherever possible. This was to countermand Toledo’s taking charge of suppressed churches everywhere under the Islamic yoke.

The backup argument was that the Muslims had not been everywhere, so Toledo’s mission commission did not pertain to everywhere. Greater continuity of Christianity in the northeast to the pre-Conquest period was claimed than could be proven everywhere, of course, especially in the frontiers of New Aragón and of Catalunya where Tarragona itself was in a vulnerable situation possibly coming under Toledo’s missionary commission. After all, it had needed restoration just like Toledo, restored first, if it had this papal charge from its start-up as claimed in the Valencian aborted reconquest. The affairs of the surviving Tarraconensian sees had been looked after by Narbonne’s metropolitans and by the bishops of Vic and Barcelona “on behalf of the faithful” whose oversight had papal blessings. The 1166 commission certainly had not abrogated earlier recognitions, but surely reconfirmed and broadened them as the reconquest progressed.

If this argument did not work, then there was an added twist to protect Tarragona’s independence: it had been restored anew, totally fresh, with nobody surviving who would have once needed Toledan care. Tarracona had resisted valiantly the invading Muslims, and after a great battle it was devastated and completely abandoned, and had remained vacant until the restoration movement. *Tarrakūna* was but a city of

90. The tribunal on 21 Jan. 1240 came back to this bull which was inspected in its every detail and entered into the proceedings in full: *Ord. Valentina*, III.F.3 (1, pp. 308-311).

91. The debate would be complicated by this privilege as stated, as if Toledo had a continuing oversight of the Tarraconensis as well, since it was restored earlier than Tarragona. The papal letter fails to specify that such tutelage would end when the metropolitans were restored. This put pressure on Tarragona’s lawyers to go back to the letters and intent of Urban II to make the province invulnerable to Toledan advances – too late, given Castilian earlier dissection of the western Tarraconensis with papal approval and direct intervention, and continuing oversight for Burgos. Following the lead of Valencian historians like Roque Chabás, R. I. BURNS, *Crusader Kingdom*, 1, pp. 257-259, got it exactly right.

ruins, not a Mozarab Church in distress. It had remained vacant for four centuries, like the Biblical desert, devoid of any ecclesiastical establishment. Moreover, the Muslims may have penetrated the Hispanic March, but they never occupied it, and the Churches there survived in such good health that they had restored Tarragona without help from Toledo. Thus was born the myth that Catalunya had no Muslims to speak of, always clung to the Faith, and that the Muslim occupation pertained to the Ebro valley only, which after the Second Crusade was a successful mission field of the Tarraconensian Churches with no need for Toledo to get involved. So in one instance documents were forged, in another History was denied and instead also made-up – ‘truth be told,’ as the saying goes; well, not always. Such mythologizing lasted through the 20th c. commensurate with the Catalan spirit of independence and thus retarded research into Muslim Catalunya. Medieval archeology ever since Manuel Riu Riu’s foundation after the Franco era, is still recovering that history. Closer to that time, Tarragona’s advocates at Tudela knew better but were interested only in Church history as they saw it.

So Toledo was not the only inventor of history: both sides resorted to forgery and myth, not as fiction but in accord with their own traditions. Malefic history and perhaps even malicious in outdoing one another, such historical reconstruction and invention was motivated by a perceived need to fill lacunae in the surviving record which, given the Islamic interregnum, could not be expected to be complete – hence also the prodigious search for what did survive. The false bull’s authenticity was never challenged, but it could not have been verified from papal registers, and ultimately it did not carry the weight intended for it. The forger, for fear of detection, did not make it explicit enough. Otherwise Tarragona had to rely on the bull *Tarraconensem metropolim* of Anastasius IV to Abp. Bernat Tort (25 March 1155) which dealt with provincial and diocesan infrastructure rather than international affairs. The paradigm built around the image of the Visigothic national Church was too strong to simply discard and the papacy did not understand the continuing Tarraconensian-Narbonensian connection across the Pyrenees. The earlier leaning of the court toward Abp. Rodrigo, especially by the papal legate, was not due to any personal likings or prejudice toward either party, but was because of a loyalty to the papacy as a worthy arbitrator consistent in its judgment. How well informed they were, or being right in any real sense, was not as important as the protection of the honor of the *Sedis Sancte*. The curial savvy Abp. Rodrigo understood and exploited this weakness in the papal chairmanship of the tribunal.

In last minute desperation Tarragona’s procurator Ramón tried to get the Toledan judge, magister Pedro de Arroniz, to excuse himself because of an ongoing case against him regarding practices of plurality in Pamplona – probably reported by the Tarragonan party. Nevertheless, on 24 January 1240 the tribunal pronounced in favor of Toledo and on 31 January this was communicated to the people of Valencia

and to its king, Jaume I. Nothing happened. The judges continued to debate, and to suggest a probationary period to see if their verdict would take effect. It did not. Deliberations continued, but the court disbanded knowing that the case would be appealed directly to the papal curia.

(7) Deciding not to Decide: Leaving Good Enough Alone

In 1241 Gregory IX died; his successor Celestine IV was elected to mark time and survived less than a year; after which Innocent IV (1243-1254) became pontiff, but he was exiled to Lyons after a two-year interregnum when the papacy itself was in trouble. The papacy could not and did not pronounce a final verdict based on the tribunal's decision.

The tribunal, which once leaned 2/1 toward Toledo because of earlier papal privileges, the legate siding with Abp. Rodrigo supposedly because of historical arguments but really to protect the reputation of the Holy See as a consistent monitor, in the appellate process the papacy soon came to its senses and decided not to decide, because Tarragona's archbishop would not compromise and had the full support of his king. The prolonged indecision until 1246 meant that the papacy lost a chance to lead, and in the meantime Abp. Pedro proceeded with his re-establishment of the new diocese as though Abp. Rodrigo were spitting into the wind. In fact the antagonist knew this as well, and the affair ended as a moot case. Jaume I did embark on another crusade in 1247 lasting until 1258, stopped by the Mudéjar revolt of the 1260s, and culminating in a major conflagration in 1275-1278. The establishment of the Church of Valencia was a major factor in re-stabilization.

Abp. Rodrigo, then in his late seventies, died 10 June 1247 trying to see Celestine V at Lyons, and was entombed at Santa Maria de Huerta. Cardinal Gil Torres of Sts. Cosmos and Damian, a Spaniard, was ready to step in, but the Toledan chapter elected another one of its own, the pope's chaplain, Juan de Medina de Pomar, but although confirmed, he did not live to take office (d. 20 July 1248). Gutierre Ruiz Dolea, known to Fernando III from taking part in the conquest of Sevilla, came next—for two years only (1249-1250). Lawyers tried to appeal the case in an endless deadlock. The court battles dragged on eight years at the cost of small fortunes for each Church—2,300 mancusos or marks of silver for Tarragona (almost 87,500 *solidi*), which impoverished the Church of Valencia if indebted to Tarragona for the trial, and all this delayed the endowment and establishment of the diocese. Valencia's development was indeed harmed by Toledo's legal action⁹². It was a

92. E. MORERA, *Tarragona cristiana*, 2, p. 275. R.I. BURNS, *Crusader Kingdom*, 1, p. 259 and 2, p. 497, n. 30, from Alexander VI's *Register*, Vat. 25, f. 17v (7 July 1258) and

spectacle of non-cooperation, rivalry and pettiness for the disputants; indecision and waffling by the tribunals; and poor leadership by the papacy. This was part of the “excessive litigation” condemned by Gregory IX in 1234 and in his *Decretalis* as threatening the harmony of the Church worldwide, and listed as among “the greatest of common evils” by the French legalist, Pierre Dubois (ca. 1250-1320)⁹³. It was never said clearly, and yet was so manifest, how subservient the Church was to the State, and how officious its legal wrangling could be, when collaboration, efficiency, and unity were so desperately needed. It must have been a consolation to the Islamic world that Christendom was no better united against the common foe. There were no winners in this case.

The dispute simply weakened in 1248 after Rodrigo could not press-on and the sees of Toledo and Tarragona both experienced succession problems. Abp. Rodrigo could not have foreseen or imagined that one of his successors in 1266 upon the cathedra at Toledo would be the Infante of Aragón, Sancho II at age 16 –a real coup for Jaume I and his Tarraconensian emissaries all because the papacy courted him in its contentions with the Hohenstaufen. The lad was none other than Sanç (1266-1275), the king’s son by Queen Yolanda of Hungary. Such a real reversal in the metropolitanate offers partial explanation why Toledo’s claims against Tarragona simply went away; they could not be pursued even though the Castilian royal family in 1251 had taken control of the archbishopric directly with the imposition of the Infante Sancho I (d. 1261). Abp. Pere d’Albalat died in 1251, having in the meantime proceeded with Jaume I’s backing to establish the Church of Valencia under Bps. Ferrer de Pallarés (1240-1243) and Arnau de Peralta (1243-1248); he lived to see his younger brother and right-hand man at Tarragona, Andrés d’Albalat, confirmed as Valencia’s third bishop (1248-1276). He lasted through insurrection in Valencia and turmoil in the metropolitanate, until Jaume I’s last days.

C. BOUREL DE LA RONCIÈRE *et al.*, eds., *Les Registres d’Alexandre IV...* Paris, 1902-1953, vol., 2, no. 1749, that “ecclesia valentina magnis sit debitis obligata” for 1255. Yet the finances of Tarragona and its suffragans in New Catalunya recovered, as shown by L. McCRANK, “Anatomia fiscal ... *Rationes decimarum Hispaniae*,” trans. “The Fiscal Anatomy of the Post-restoration Church of Tarragona: an Audit of the *Rationes decimarum Hispaniae* (1279-1280),” in *Medieval Frontier History* (1996), no. IX. The Valencian income statement is reproduced in R. I. BURNS, *Crusader Kingdom*, 2, Append. III, pp. 311-318, attesting the diocese’s enviable wealth, seemingly recovered from its former indebtedness.

93. Echoing here the opinion of R. I. BURNS, *Crusader Kingdom*, 1, p. 259 and 2, p. 435, n. 31 based on Gregory IX, Reg. Vat. 17 f. 206v in LUCIEN AUVRAY, ed., *Les registres de Grégoire IX*, ... Paris, 1892-1906, vol. 1, no. 2083: “ius humani federis litigatorum abusus extingueret et ... concordiam extra mundi terminos exularet”; and P. DUBOIS, *Summaria* excerpt trans. W. I. Brandit, *The Recovery of the Holy Land*, New York, Columbia University, 1956, pp. 141-142.

Valencia would remain in the *Tarraconensis* and become Catalan. The southern drive of Aragón and extension of new dioceses by it would be choked off at Teruel by Castile and Toledo with their extension to Cuenca and then to the south. Both the national and ecclesiastical geography of the Levant were thus permanently defined, perhaps as neither Tarragona or Toledo had ideally envisioned.

Epilogue: Historicism all for Naught

Despite Tarragona's ultimate retention of Valencia as its suffragan, the damage of this friction was irreversible and far-reaching. Its ambitions for full restoration according to the Roman imperial model was never realized, i.e., the *Tarraconensis* was never reconstituted during the Reconquest as it once was, the *Hispania Citerior*. The whole periphery was reconstructed with boundaries that made the ecclesiastical province smaller than the Roman one at its greatest extension. Tarragona failed to extend its purview to the ancient province in the west; it could not get hold of Burgos or keep Castilian influence out of Calahorra; and Basque Pamplona always remained elusive⁹⁴. To the south it had Aragonese Teruel, but not Cuenca, and after gaining Valencia, it lost Segorbe with its vicariate at Albarracin, just beyond Valencian territory, to Toledo. Indeed, when the diocesan boundaries of Valencia were finally drawn, Segorbe would jut into it as if created by the Battle of the Bulge. Although Alicante became Catalan it was never a bishopric, and Murcia was held in the grasp of Castile militarily and therefore Toledo ecclesiastically. It was too close to Cartagena, and after all, Toledo was acknowledged as the head of the province of the *Carthaginiensis*. Such a stretch so far south was indeed well beyond any dimension of the *Tarraconensis* or *Hispania Citerior*, but it had once fallen in the vision of Jaime I as potentially fair game if Castile could be convinced to stick with the Granadan territory. When the wars with Castile did come (1356-1375) with international intervention, Valencia would be devastated by the campaigns there, as if the Great Plague had not been enough, and Pere IV would cede his claims to Murcia.

At Tarragona itself Pere d'Albalat's reforms were undone by the disastrous episcopacy of his successor, the Abp. Benet de Rocaberti (1251-1268) whom Pere had once removed from his office in the chapter; and after this turmoil, a vacancy for four years. The chapter, once thought by the papacy to have the resources ideally to number thirty, diminished in number, and shrank to nine at one time with attendant

94. Both Pamplona and Calahorra, noting their special status within the *Tarraconensis*, were exempted by the Crown of Aragón from contributing to the expenses of the Valencian crusade since they were liable for contributions to Castile in the case of Calahorra and Pamplona to Navarra. The papacy had to recognize the reality of separate kingdoms even in levying crusade taxes, so the Toledan rejection of any congruence between ecclesiastical and secular governance ultimately meant nothing.

neglect of effective administration. Abp. Bernat d'Olivella (1272-1287) had to pull things back together with councils in 1273, 1277 and 1282, and establishing two archdeaconries, of St. Fructuosus and Vilaseca. The province retained the apostolic dozen plus one, with the suffragans of Girona, Vic, Urgel, Barcelona, Llieda, Barbastro, Huesca, Pamplona, Calahorra, Tarazona, Zaragoza, Tortosa, and Valencia. In time the Tarraconensis began to fracture, and was subdivided with papal consent: Zaragoza became an independent metropolitan in 1318 and pulled the Aragonese Churches away from Catalunya. The separatist tendency exhibited at Tudela was perhaps evidenced when the legists misspoke about the state of Aragón being a province, two generations before the fact. The Borjas managed to pull Valencia from Tarragona's jurisdiction in 1492 with its own metropolitan status. To the north Narbonne in the French orbit had pulled Elna and Rousillon into its province even before France got its way with the Pyrenean border⁹⁵. Solsona would get a bishop late in the day. Then Barcelona as the dominant city of Catalunya finally got its bishopric elevated to higher status (1966), leaving Tarragona as provincial as it had once been until this city too grew into a metropolis in the late 20th c.

Toledo, with reputation tarnished rather than enhanced, faced the same fracturing and ultimately had to accept that its papal-recognized primacy was as honorific as that of Tarragona, rather than really being head of a national church as envisioned by Abp. Rodrigo. When the new metropolis of Madrid grew beyond proportion to the ancient site and medieval jurisdiction, like Barcelona it too in 1885 would have an archbishop and in 1964 become independent of the old metropolitans and in 1991 got two suffragans at Getafe and the old Toledan center at Alcalá de Henares. Ironically regarding the Valencian dispute, in 2014 Madrid's new metropolitan was the former archbishop of Valencia. The other metropolitans subdued by Toledo in the 13th c. grew restless again and ultimately reasserted ecclesiastical authority consistent with the polity of a federated Spain and a separate Portugal. Exempt bishoprics like Oviedo, León and Burgos in the north and Cartagena-Murcia in the south, reported to the Holy See, enjoying some of their income, kept it that way. Santiago got the western territory of Lusitania and more: Zamora, Salamanca, Avila, Coria, Plasencia, Mérida and Badajoz, and unbelievably stretched its influence into Portugal (Lamego, Viseo, Coimbra, Idanha and even Lisboa and Evora). Braga retained northern Portugal

95. Narbonne suffered the same fate, staying relatively small while other cities grew ever larger, so it too failed to keep its historic archbishopric which was suppressed in 1790 and its 11 suffragans were dispersed into other provinces. It was not reconstituted post-Napoleon, and much of the diocese fell to Carcassonne. Toulouse remained a metropolitan with its separate province since 1317, and in 1822 its archbishop added *Narbonensis* to his title.

and Galaecia, including Astorga. Toledo ultimately retained eleven suffragans: Palencia, Osma and Soria in the north; Sigüenza and Segovia in the middle; Albarracin, Cuenca and Segorbe in the east; and Córdoba, Baeza and Jaén in the south. The Archdiocese Toletana sat still in the center, but largely rural, with its see in a museum as if encased in History as modernity passed it by. Today one has to look at the ecclesiastical peninsula like fractals, pieces within a whole, but without the same political unity like the diocesan-provincial map resembling the Kingdom of Toletum with its titular Primate of Hispania. Both were symbolic.

History in this notorious case was used and abused, and while striving for objectivity was subject to the chance survival of source material, local traditions, and conflicting public opinion. Clio provided no blueprint, only a rough guide, but contradictory at different times. When History was inspected closely, things got more complicated when all parties hoped for simple indisputable solutions. Turning to History may even have prolonged the struggle, one revision after another, when political power called the final play. In retrospect modern history in the making always superseded the past, and theoretical modeling was no straightjacket that confined into old limits more flexible and recent developments. More than a devotion to History, expediency had ruled the day. The Church, after all, was a living organism where continuity with the past had to be made present and projected into the future, not as a straight-jacket but a guiding light. Is not that the meaning of the past-present morphing into the present-past?⁹⁶ As Abp. Rodrigo found-out, the past lives in the present, and is not just an imprint on it.

96. JÉRÔME BASCHET, "History Facing the Perpetual Present: The Past-Future Relationships," Carlos Barros and L.J. McCrank, eds., *History under Debate: International Reflection on the Discipline*, New York, Haworth Press, 2004, pp. 133-158.