

\* THE MEDIEVAL AND EARLY MODERN IBERIAN WORLD \*

Crusade, Heresy and Inquisition  
in the Lands of the Crown of Aragon  
(c. 1167–1276)

*Damian J. Smith*



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# The Medieval and Early Modern Iberian World

(formerly Medieval Iberian Peninsula)

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# Crusade, Heresy and Inquisition in the Lands of the Crown of Aragon (c. 1167–1276)

*By*  
Damian J. Smith



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For Martín, Pilar, Laurent and Marco



## CONTENTS

Acknowledgements .....	ix
Abbreviations .....	xi
Introduction .....	1
Chapter One: The Defeat of the Crown of Aragon .....	13
Chapter Two: Wars, North and South (1213–76) .....	41
Chapter Three: Heretics in the Lands of the Crown and Beyond .....	73
Chapter Four: Waldensians and the Catholic Poor .....	137
Chapter Five: Inquisitions in the Crown of Aragon .....	171
Conclusion .....	211
Maps .....	215
Bibliography .....	219
Index .....	239





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## ABBREVIATIONS

ACA	Arxiu de la Corona d'Aragó, Barcelona
ACPZ	Archivo de la Catedral de Pilar, Zaragoza
ACU	Arxiu Capitular d'Urgell, La Seu d'Urgell
ADH	Archivo Diocesano de Huesca, Huesca
ADHG	Archives départementales de la Haute-Garonne, Toulouse
ADPO	Archives départementales des Pyrénées-Orientales, Perpignan
AHN	Archivo Histórico Nacional, Madrid
<i>Benoit</i>	<i>Recueil des actes des comtes de Provence appartenant à la maison de Barcelone. Alphonse II et Raimond Bérenger V (1196–1245)</i> , ed. F. Benoit, 2 vols. (Paris, 1925).
BNP	<i>Bibliothèque Nationale, Paris</i>
BRABLB	<i>Boletín de la Real Academia de Buenas Letras de Barcelona</i>
BRAH	<i>Boletín de la Real Academia de Historia</i>
CDCH	<i>Colección diplomática de la catedral de Huesca</i> , ed. A. Durán Gudiol, 2 vols (Zaragoza, 1965–7)
CDCZ	<i>Colección diplomática del Concejo de Zaragoza</i> , I, 1119–1276; II, 1276–85, ed. A. Canellas López (Zaragoza, 1972–5)
CDIACA	<i>Colección de documentos inéditos del Archivo de la Corona de Aragón</i> , ed. P. de Bofarull y Mascaró (Barcelona, 1847–1910)
<i>Chanson</i>	<i>Chanson de la Croisade Albigeoise</i> , ed. E. Martin-Chabot, 3 vols (Paris, 1931)
CHCA	<i>Congrés d'història de la Corona d'Aragó</i>
HGL	<i>Histoire générale de Languedoc</i> , ed. C. Devic and J. Vaissète (5 <sup>th</sup> edition, Toulouse, 2003)

<i>Liber Antiheresis</i>	<i>Der Liber Antiheresis des Durandus von Osca</i> , ed. K. Selge, <i>Die Ersten Waldenser</i> , vol. 2 (Berlin, 1967)
<i>Liber contra Manicheos</i>	<i>Une Somme anti-Cathare. Le Liber Contra Manicheos de Durand de Huesca</i> , ed. C. Thouzellier (Louvain, 1964).
<i>LFM</i>	<i>Liber Feudorum Maior</i> , ed. F. Miquel Rosell (Barcelona, 1945–7)
<i>Mansi</i>	<i>Sacrorum conciliorum nova et amplissima collectio</i> , ed. G. D. Mansi, 31 vols (Florence, 1759–98)
<i>MDH</i>	<i>La documentación pontificia de Honorio III (1216–1227)</i> , ed. D. Mansilla (Rome, 1965)
<i>MDI</i>	<i>La documentación pontificia hasta Inocencio III (965–1216)</i> , ed. D. Mansilla (Rome, 1955)
<i>MGHSS</i>	<i>Monumenta Germaniae Historica Scriptores</i>
<i>PL</i>	<i>Patrologiae latinae cursus completus</i> , ed. J.-P. Migne, 221 vols (Paris, 1844–64)
<i>Potthast</i>	<i>Regesta Pontificum Romanorum inde ab anno 1198 ad annum 1304</i> , ed. A. Potthast, 2 vols (Graz, 1957).
<i>Puylaurens</i>	Guillaume de Puylaurens, <i>Chronique 1145–1175</i> , ed. J. Duvernoy (Toulouse, 1996)
<i>PVC</i>	<i>Petri Vallium Sernaii monachi Hystoria Albigensis</i> , ed. P. Guébin and E. Lyons, 3 vols (Paris, 1926–39)
<i>Register</i>	<i>Die Register Innocenz' III</i> , eds. O. Hageneder, A. Haidacher, C. Egger, C. Rudolf, A. Sommerlechner, J. C. Moore, H. Weigl, R. Murauer, 8 vols to date (1964–2007)
<i>RHGF</i>	<i>Recueil des historiens des Gaules et de la France</i> , ed. M. Bouquet and L. Delisle, 25 vols (Paris, 1869–1904)
<i>VL</i>	Villanueva, J., <i>Viage literario a las iglesias de España</i> , 22 vols (Madrid, 1803–52).

## INTRODUCTION

There are few matters in the study of medieval history which receive more attention than crusade, heresy and inquisition. Indeed, it might be felt a disproportionate amount of time is spent focused on these themes. I return to them here because it is the case that the subjects of the crusades (and particularly the Albigensian crusade) involving the Crown of Aragon in the course of the thirteenth century, the spread of heresy in Catalonia and beyond, and the first years of inquisitions in lands which would later become famous for the mythologized Inquisition, have received far less attention than they deserve.

It may seem curious. After all, the driving force in the first years of the *negotium fidei* in Languedoc was Arnau Amalric, a Catalan, who had previously been prior and then abbot at the great Cistercian house of Poblet.<sup>1</sup> In the major battle of the crusade, at Muret, it was the king of Aragon, Peter II, and the knights of Aragon (rather than the Catalans), who met their demise.<sup>2</sup> It was the kingdom of Aragon which Pope Honorius III threatened with invasion in 1217.<sup>3</sup> While it was, a Navarrese, Guillermo de Tudela, who provided us with our most balanced account of the early years of the crusade, it was an Aragonese, Durán de Huesca, who, through an extraordinarily expert knowledge, gave us our most helpful information on the heretics of Languedoc in

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<sup>1</sup> On Arnau, see M. Alvira Cabrer, 'El "venerable" Arnaldo Amalarico (h. 1196–1225): Idea y realidad de un cisterciense entre dos Cruzadas', *Hispania Sacra*, 48 (1996), 569–91; R. Foreville, 'Arnaud Amalric, archevêque de Narbonne (1196–1225)', in *Narbonne. Archéologie et Histoire. XLVe congrès de la Fédération historique du Languedoc méditerranéen et du Roussillon* (Montpellier, 1973), 129–46 (repr. eadem, *Gouvernement et vie de l'Eglise* [London, 1979], XIV); B. Kienzle, 'Innocent III's Papacy and the Crusade Years, 1198–1229: Arnould Amaury, Gui of Vaux-de-Cernay, Foulque of Toulouse', *Heresis*, 29 (1999), 49–81.

<sup>2</sup> Alvira Cabrer, *El Jueves de Muret* (Barcelona, 2002); idem, *Muret 1213: la batalla decisiva de la cruzada contra los cátaros* (Madrid, 2008); J. Ventura i Subirats, *Pere el Catòlic i Simó de Montfort* (Barcelona, 1960).

<sup>3</sup> *La documentación pontificia de Honorio III (1216–1227)*, ed. D. Mansilla (Rome, 1965) [hereafter MDH], 86–8, nos. 106–7.

the period from the 1180s until the 1220s.<sup>4</sup> Those heretics, both the ones we usually call Cathars and the ones we always call Waldensians, were more numerous in the lands of the south than is often realized (though, of course, what characterizes this period is not the level of heresy but the level of orthodoxy).<sup>5</sup> Given that, it is, or should be, unsurprising that it was a Dominican of Catalonia, Ramon de Penyafort, who played such a large part in the development of inquisition.<sup>6</sup>

Part of the neglect is, firstly, no doubt, a result of the shift in Catalan historiography during the last thirty years towards socio-economic history, coupled with what is, at times, a regrettable parochialism (though no more so than elsewhere).<sup>7</sup> Added to this, it is so ingrained in the minds of French historians that the lands of the south are naturally a part of France, that it is difficult for them to roll back eight hundred years and appreciate that but for a few chance happenings the Languedoc might very well have been united to the Crown of Aragon.<sup>8</sup> For English-speaking scholars the barriers are less mental than linguistic (though Catalan is a lot easier to read than they might imagine!). There are only a few historians of the lands of the Crown of Aragon and their hands are very full.

Of course, it would be churlish in the extreme to suggest the neglect of these subjects had been entire, especially given the recent excellent

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<sup>4</sup> See *La Chanson de la Croisade Albigeoise*, ed. E. Martin-Chabot, 3 vols (Paris, 1931), vol. 1; *Der Liber Antiheresis des Durandus von Osca*, in K. Selge, *Die Ersten Waldenser*, vol. 2 (Berlin, 1967); *Une Somme anti-Cathare: Le Liber Contra Manicheos de Durand de Huesca*, ed. C. Thouzellier (Louvain, 1964); and see below, chapter 4.

<sup>5</sup> See below, chapter 3.

<sup>6</sup> L. Galmés, 'San Ramon de Penyafort y la inquisición en la Alta Catalunya' in *Praedicatorum Inquisitores: The Dominicans and the Mediaeval inquisition: Acts of the First International Seminar on the Dominicans and the Inquisition* (Rome, 2004), 85–104; See A. Errera, 'Il Directorium Inquisitoriale', *Magister Raimundus: Atti del Convegno per il IV Centenario della canonizzazione di San Raimondo de Penyafort*, ed. C. Longo (Rome, 2002), 165–91; C. Douais, 'Saint Raymond de Peñafort et les hérétiques. Directoire à l'usage des inquisiteurs aragonais (1242)', *Le Moyen Âge*, 12 (1899), 305–25; and below, chapter 5.

<sup>7</sup> On the state of historical studies in the Iberian peninsula generally and the challenges posed, see, J. E. Ruiz-Domènec, *El reto del historiador* (Barcelona, 2006); idem, 'Which History for the 21st Century?', *Imago Temporis: Medium Aevum*, 1 (2007), 25–30.

<sup>8</sup> Also note the comments of P. Linehan, *Spain 1157–1312: A Partible Inheritance* (Oxford, 2008), x: 'One problem about the crown of Aragon, as the battle of Muret demonstrated, is that the natural affinities of part of it were not with Spain at all but, despite the failure of all previous attempts to establish a regime straddling the Pyrenees, with Languedoc.'

studies of Martín Alvira Cabrer.<sup>9</sup> If I have returned in the first chapter to the theme of Muret it is because, of the three great battles fought in the period 1212–1214, which played such a significant part in Medieval European history, it remains, outside of Spain, the least known and the least understood. Las Navas de Tolosa (16 July 1212), neither saved Europe nor destroyed an Almohad power already in decline. Nevertheless, it is a defining moment because the Christians were always subsequently in the ascendancy in a way that was still not obvious seventeen years before when Alfonso VIII's forces were crushed at Alarcos.<sup>10</sup> The defeat of the Empire and England at Bouvines (27 July 1214) confirmed the shift in the balance of power towards the Capetians, fatally undermining Otto and pushing John towards his ignominious encounter with the barons at Runnymede.<sup>11</sup> Muret (12 September 1213), it is argued here, failed to make a significant impact in breaking the age-old ties of language, culture and civilization which united Catalonia and Occitania. Yet it did break the political power of the Crown of Aragon in lands where that power had been developing over a very long period and it did play a major part in determining that those lands would fall to the Capetians.

If the realistic prospects of further advancement for the Crown in the south of France ended with Muret, the struggle did not. Indeed, the theme of the second chapter here is to show that the conflict between Aragon and France at the end of the thirteenth century was, in part, the continuation of the conflict of Muret. The Crown's invasion of Sicily and the French invasion of Catalonia have as their background Muret, the treaty of Meaux-Paris, Charles of Anjou's acquisition of Provence in 1245, the treaty of Corbeil and other more minor incidents. The interest of James I in Languedoc was far less than the troubadours hoped for but far greater than we might expect. For we tend to suppose that Christian Spanish kings were always intent on fighting the Muslims when in reality they were often far more interested in fighting each other or somewhere else. James generally did opt for war in the south but in large

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<sup>9</sup> Alvira Cabrer, *El Jueves de Muret*; idem, *Muret 1213: la batalla decisiva de la cruzada contra los cátaros*. Alvira Cabrer's fine edition of the documents of the reign of Peter II (*Pedro el Católico, Rey de Aragón y Conde de Barcelona (1196–1213). Documentos, Testimonios y Memoria Histórica*, 2 vols, Colección "Fuentes Históricas Aragonesas", Zaragoza) is forthcoming.

<sup>10</sup> See the excellent study of F. García Fitz, *Las Navas de Tolosa* (Madrid, 2005).

<sup>11</sup> For the historical memory of the battle, see G. Duby, *Le Dimanche de Bouvines, 27 juillet 1214* (Paris, 1973).



measure because that was where his best opportunities lay. The extent to which the ultimate fate of the Midi was decided by Las Navas and the opportunities it presented for the Crown – the conquest of Majorca, the conquest of Valencia, the conquest of Murcia – is a central theme here. Too little notice is generally given to how the restoration of Christian Spain influenced the history of what was to become France.

Equally, little notice is given to the part those heretics we associate with southern France play in the religious history of Catalonia, though study of them helps us to understand not only the nature of heresy but the nature of orthodoxy as well. My interest here has been in tracing the influence of heresy from the last third of the twelfth century until the last years of James I. This, of course, obliges us to begin with some notably controversial sources, and, most particularly the ‘council’ of Saint- Félix. It is not my intention to suggest that Catalonia was swarming with heretics. It was not. There were, however, significant groups of heretics in some areas and my major interest has been in looking at where these areas were and in what circumstances and among which people heresy spread. Many of the answers will be, I suspect, very unsurprising to those familiar with the subject – reconfirming much of what has long been suspected. That heresy had a stronger foothold where royal power was slight, among disaffected lords, who helped it spread across mountains and into towns, will hardly be shocking, but for the sake of balance what is well-known must be stated as well as what is unknown. Concerning the beliefs and rituals of the heretics, I have only related what the sources tell us and have not sought to speculate beyond the facts since there is a danger of presuming that all of the heretics believed in exactly the same things and acted in the same ways. Happily, the beliefs of the heretics are the subject of an excellent new study by Pilar Jiménez-Sánchez.<sup>12</sup>

Although the heretics now usually known as Cathars, at least as they existed in southern France and northern Italy, have been a source of enormous fascination for professional historians and amateur enthusiasts alike, in the main because of their perceived victim status, the Waldensians have, nevertheless, received less attention. Yet, within the lands of the Crown of Aragon there are very good reasons to believe that they were a strong presence (including in lands where royal power prevailed), were feared more than other heretics, and hence legislated against severely. It is perhaps now forgotten that the draconian

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<sup>12</sup> P. Jiménez-Sánchez, *Les catharismes: modèles dissidents du christianisme médiéval (XIIe-XIIIe siècles)* (Universitaires de Rennes, 2008).

legislation of the kings of Aragon of the 1190s and, likewise, the *Directorium* of Ramon de Penyafort (and others) in the 1240s, were primarily directed against the Waldensians.<sup>13</sup> More problematic because closer to the teaching of the Church, and at times indistinguishable from Catholics, the failure of the episcopate of the province of Tarragona to deal with the Waldensians demonstrates to us not only the public enthusiasm for them but the deep-rooted conservatism of the local bishops who were so out of tune with the reforming spirit of Innocent III. The pope's efforts spared for posterity the erudite Durán and others and since Durán's works give us not only a marvelous view of the heretics but also the best view of the attitudes of the Catholic Poor, they form an essential part of this study.

The development of inquisition is also an essential part of this work. The legislation of the kings of Aragon is a very important part of the pre-history of inquisition and inquisitions were to play an important part in the religious, social and political history of the realms. Bishops had more influence in the conduct of inquisitions than is usually realized. While the Dominicans were likewise to play a key role in the development of inquisitions, it should also be remembered that, their inquisitorial role aside, they, and the Franciscans, through preaching, education and pastoral work, persuaded to orthodoxy many who might have been enticed towards heterodoxy. It was undoubtedly the case that it was a Dominican who never acted as an inquisitor, Ramon de Penyafort, who had the greatest long-term influence on the development of the institution's procedures. Though I have no doubt not done him justice here, it was that extraordinary legal mind, with its ability to categorize everybody, combined with a profound sense of justice and equity, which spared inquisitions in the province of Tarragona from developing in the unsavoury way which they did at times in some other areas.<sup>14</sup> That, in the history of inquisitions, as in the history of much else, royal influence was not to be too far away, is the final theme of chapter 5 and if I have ended the sections of this book concerning politics, heresy and, inquisition at the end of the reign of James I, it is not because the story ends with the death of the conqueror but because

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<sup>13</sup> C. Baraut, 'Els inicis de la inquisició a Catalunya i les seves actuacions al bisbat d'Urgell (segles XII–XIII)', *Urgellia*, 13 (1996–7), 419–22, nos. 1–2, 429–34, no. 8.

<sup>14</sup> On Conrad of Marburg and the beginnings of inquisitions in Germany, see D. Kurze, 'Anfänge der Inquisition in Deutschland', in *Die Anfänge der Inquisition im Mittelalter: mit einem Ausblick auf das 20. Jahrhundert und einem Beitrag über religiöse Intoleranz im nichtchristlichen Bereich*, ed. P. Segl (Cologne, 1993), 131–89.

the following years would see myriad developments which could not be dealt with effectively in one and the same book.

For the historian of the thirteenth-century Crown of Aragon cannot lament a lack of source material. As Aurell has pointed out, those working on the Albigensian crusade have an abundance of chronicles at their disposal,<sup>15</sup> and for the conquest of Majorca and Valencia we have an account from none other than the king-conqueror himself.<sup>16</sup> James's description of the Christian advance was not based on some lost epic poem or songs sung by troubadours. It was, rather, an intensely intimate account of his own participation in the restoration of Christian Spain (which some historians, since the nineteenth century, have called the *Reconquista*).<sup>17</sup> It was also a highly selective account and it certainly omits events which the king did not feel demonstrated 'the mercies that Our Lord has shown us'.<sup>18</sup> The *Book of Deeds*, as it is now customarily called, has to be used cautiously and alongside other accounts where they are available to us and, of course, with the abundant documentation for the king's reign. The extent of that documentation reminds us that if James has a lasting place in the memory of the people of the former realms of the Crown (and the celebrations for the eight hundredth anniversary of his birth in 2008 suggest that he does) it is not simply because of the conquest but rather because of the extraordinary expansion of government which took place in his sixty-three year reign.<sup>19</sup>

<sup>15</sup> M. Aurell, 'Les sources de la Croisade albigeoise: bilan et problématiques', in *La Croisade Albigeoise. Actes du colloque du Centre d'études Cathares de Carcassonne octobre 2002*, ed. M. P. Gimenez (Toulouse, 2004), 21–38. In the same volume also see, K. Wagner, 'Les sources de l'historiographie occidentale de la Croisade albigeoise entre 1209 et 1328', 39–54, and the same author's, *Debellare Albigenes: Darstellung und Deutung des Albigenserkreuzzuges in der europäischen Geschichtsschreibung von 1209 bis 1328* (Neuried, 2000).

<sup>16</sup> *Llibre dels Fets*, ed. J. Bruguera, 2 vols (Barcelona, 1991).

<sup>17</sup> On the *Llibre*, see S. Cingolani, *Jaume I: Història i mite d'un rei* (Barcelona, 2007); idem, *La memòria dels reis: les quatre grans cròniques i la historiografia catalana des del segle X fins al XIV* (Barcelona, 2007); D. J. Smith, 'James I and God: legitimacy, protection and consolation in the *Llibre dels Fets*', *Imago Temporis: Medium Aevum*, 1 (2007), 105–119. On the Reconquista, see M. Ríos Saloma, 'La Reconquista: una invención historiográfica (siglos XVI–XIX)', in *Regards croisés sur la guerre sainte. Guerre idéologie et religion dans l'espace méditerranéen latin (XIe–XIIIe siècle)*, ed. D. Baloup and P. Jossierand (Toulouse, 2006), 413–29.

<sup>18</sup> *Llibre dels Fets*, ii, 7, c. 1.

<sup>19</sup> For the published documentation, see especially, *Documentos de Jaime I de Aragón*, 5 vols, ed. A. Huici Miranda and M. Cabanes Pecourt (Valencia-Zaragoza, 1976–82); *Diplomatarium of the Crusader Kingdom of Valencia: the registered charters of its conqueror, Jaume I, 1257–1276*, ed. R. I. Burns, 4 vols to date (Princeton, 1985–2007).

James's was not the only government which was expanding in the thirteenth century and a word should certainly be said here concerning the papal letters. The papal letters are a vital source, not only for the political history of these years but also for the history of heresy and the development of inquisitions. Given that much of the papal correspondence is published, and some of it in splendid editions (most notably the documents of Gregory IX concerning Spain edited by Santiago Domínguez Sánchez)<sup>20</sup> it is somewhat surprising that the local historians of the Iberian Peninsula do not make more use of it. In his account of events, James I may well, for ideological reasons, have wished to downplay the part of the papacy in the affairs of his kingdom.<sup>21</sup> That is no reason for us to do the same. Often the *narratio* of a papal letter, being in large measure the account of events as seen from the viewpoint not of the Roman Curia but rather of the person coming to the Apostolic See to tell the pope about them, is our best and often our only source. Even though we must be fully aware, as the papacy certainly was, that the reports the Curia heard were partial or even, at times, downright deceitful, nevertheless, there are cases of suggested heresy which we know about (for instances, in Palencia and Majorca), only because that correspondence is there.<sup>22</sup>

The papal correspondence also has in its favour that it is far less problematic than the records of the inquisition, which are, of course, the most important source here for chapters three and five. Monsieur Jean de Doat and his team did not undertake a tour of the Catalan archives,<sup>23</sup> and it may well be that even if they had, it would not have yielded us much more information on the current topics than we now possess. The Doat collection, nevertheless, provides much information for the history of heretics and inquisition in the Crown's lands and it is supplemented by other records, particularly from ecclesiastical archives, which allow us to say something of the lives of the heretics and of the inquisitors who operated against them. The records are highly complex and diverse.<sup>24</sup> In this formative period of inquisitions,

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<sup>20</sup> *Documentos de Gregorio IX (1227–1241) referentes a España*, ed. S. Domínguez Sánchez (León, 2004).

<sup>21</sup> See Smith, 'Jaime I y el papado', in *Jaume I: El poder reial. Les institucions. La política internacional*, ed. M. T. Ferrer i Mallol (Barcelona, 2009), forthcoming.

<sup>22</sup> *Documentos de Gregorio IX*, nos. 539, 580, 904–5.

<sup>23</sup> On the construction of the Doat collection and the difficulties they encountered, see H. Omont, 'La Collection Doat à la bibliothèque nationale: documents sur les recherches de Doat dans les archives du sud-ouest de la France de 1663 à 1670', *Bibliothèque de l'École des Chartes*, 77 (1916), 286–336.

<sup>24</sup> See C. Bruschi, '«Magna diligentia est habenda per inquisitorem»: Precautions before reading Doat 21–26', in *Texts and the Repression of Medieval Heresy*, ed.

there existed a range of inquisitorial strategies. While some inquisitors asked very precise questions and expected very precise answers, others accorded the witnesses before them a greater degree of latitude. Most of the depositions were given in the vernacular and written down in Latin (though we do have some written testimonies in the vernacular for the inquisition at Gósol).<sup>25</sup> We are therefore somewhat dependent upon the carefulness and intelligence of the scribes who wrote them down. Even where the accounts are a reasonably accurate reflection of what witnesses said, those witnesses, perhaps through fear, perhaps through forgetfulness, did not always provide very helpful responses to their interrogators. Like the inquisitors themselves, we rarely have the full picture, but, like them, we have enough to go on to be able to form an idea of the identities, whereabouts and connections of the heretics and those who believed in them and those who favoured them.

In the task of interpreting the diverse and complex sources for the political and religious history of the Crown of Aragon in this period, it seems to me that there are three people who deserve mention in despatches. The first of these is Joaquim Miret i Sans (1858–1919).<sup>26</sup> From a well-off Catalan family, he studied law at the Universitat de Barcelona for six years (1874–80) before receiving his doctorate in civil and canon law in Madrid in 1882. His thesis was on the *Usatges de Barcelona* but his medieval interests were put on hold for another decade before a family friend, the erudite Francesc Carreras i Candi, persuaded the much traveled Miret, who was disinterested in legal practice and equally in political activism (which absorbed the efforts of so many of his contemporaries), to undertake research in the Catalan archives. Though not trained in palaeography, Miret was a quiet, meticulous man who both for his garb and his serious, methodical nature was nicknamed *l'anglès*. He was to be well-suited to his task and between 1897 and his death 22 years later he published 120 articles and books. A founding member of the *Institut d'Estudis Catalans* and the original editor of the *Boletín de la Real Academia de Buenas Letras de Barcelona*, Miret's archival investigations have been of lasting value to historians

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P. Biller and C. Bruschi (York, 2002), 81–110; J. Given, *Inquisition and Medieval Society: Power, Discipline and Resistance in Languedoc* (Ithaca, 1997), 2–3; M. Pegg, *The Corruption of Angels: The Great Inquisition of 1245–1246* (Princeton, 2001), 20–27.

<sup>25</sup> P. Pujol, *Obra Completa* (Andorra, 1984), 31–2.

<sup>26</sup> For his life, see M. T. Ferrer i Mallol, *Joaquim Miret i Sans: semblança biogràfica* (Barcelona, 2003); P. D. Rasico, *Cafè i quilombo: els diaris de viatge de Joaquim Miret i Sans (1900–1918)* (Barcelona, 2001).

of the Crown of Aragon. Though on occasion his work lacked structure, Miret's particular interests in Catalan relations with Languedoc, and with the reign of James I, whom he so greatly admired, saw him produce multiple works concerning those themes and make him a vital modern source for our studies.<sup>27</sup>

The second is Cebrià Baraut i Obiols (1917–2003).<sup>28</sup> Born in Vilar de Cabó in Alt Urgell, in 1927 he entered the great Benedictine monastery of Santa Maria de Montserrat and professed as a monk there in 1934. The Civil War brought him exile to Germany and then to Rome, where he undertook intensive studies in palaeography and diplomatic which would serve him throughout his life. He was ordained as a priest in 1941 and in 1949 completed his doctorate entitled 'Joaquim de Fiore i la reforma florense'. Father Baraut then returned to Montserrat to teach ecclesiastical history and history of religions. He edited the *Analecta Montserratensia*, as well as being on the editorial board of *Studia Monastica* and in 1965 he finished his valuable edition of the complete writings of García Jiménez de Cisneros, who was one of Montserrat's most notable abbots, ruling from 1499 until 1510.<sup>29</sup> Between 1963 and 2000, Father Baraut spent much time in Montserrat's house in Andorra and became one of the premier experts on the history of the principate, being founder-editor of the *Monumenta Andorrana* and *Quaderns d'Estudis Andorrans*. Like Miret i Sans, a quiet and indefatigable worker, who nevertheless took time to be courteous and helpful in correspondence, Baraut's foundation of the journal *Urgellia* (the first fourteen volumes of which he edited), his superb editions of the documents of La Seu d'Urgell from the ninth until the end of the twelfth century lodged therein, and his supremely insightful and wide-ranging articles concerning the Church, Catharism and the inquisition in Urgell,<sup>30</sup> leave anybody working on the history of medieval Catalonia in his debt.

<sup>27</sup> J. Miret i Sans, *La expansión y la dominación catalana en los pueblos de la Galia meridional. Discurso leído en la Real Academia de Buenas Letras de Barcelona en la recepción pública de D. Joaquín Miret y Sans, el día 3 de junio de 1900* (Barcelona, 1900); idem, 'Escolars catalans al Estudi de Bolonia en la XIIIa centuria', *BRALB*, 8 (1915–16), 137–55; idem, *Investigación histórica sobre el Vizcondado de Castellbó* (Barcelona, 1900); idem, *Itinerari de Jaume I* (Barcelona, 1908); idem, 'Itinerario del rey Pedro I de Cataluña, II de Aragón', *BRALB*, 3 (1905–6), 78–87, 151–60, 238–49, 265–84, 365–87, 435–50, 497–519; 4 (1907–8), 15–36, 91–114.

<sup>28</sup> See Josep Moran, 'Cebrià Baraut', *Estudis Romanics*, 26 (2004), 523–5.

<sup>29</sup> García Jiménez de Cisneros, *Obras completas*, ed. C. Baraut, 2 vols (Montserrat, 1965).

<sup>30</sup> Baraut, 'Episcopologi de l'església d'Urgell', *Urgellia*, 14 (1998–2001), 7–135; idem, 'Els inicis de la inquisició a Catalunya'; idem, 'Presència i repressió del catarisme al bisbat d'Urgell (segles XII–XIII)', *Urgellia*, 12 (1994–5), 487–524.

The third is the free-thinking Jordi Ventura i Subirats (1932-1999).<sup>31</sup> Having grown up in the sombre period of the Civil War and its aftermath, at the age of nineteen Ventura departed Barcelona to study first in Provence, where he developed his love for the study of Catharism, and then at Brigham Young University, Utah, where he received a Master's degree in business administration (and became a freemason rather than a Mormon), before departing for a short spell in Venezuela, working in advertising. In 1957, Ventura returned to Provence, where he became an enthusiastic member of the Occitan nationalist party. Between 1959 and 1962, he produced a series of excellent studies on Cathars and Waldensians in Catalonia,<sup>32</sup> and three ground-breaking books, *Pere el Catòlic i Simó de Montfort* (1960), *Alfons el Cast: el primer comte-rei* (1961), and *Els heretges catalans* (1962), the later two winning major academic prizes. *Els catalans i l'occitanisme* followed in 1964, by which time Ventura had a research grant from the CSIC in Barcelona. From 1968, he taught at the Universitat de Barcelona, both in the department of economic history (editing the *Cuadernos de Historia Económica de Cataluña* from 1969–81) and in the department of philology. While Ventura still retained an interest in the topics of his first publications, his historical research moved forward to the fifteenth and sixteenth centuries with his still unpublished doctorate, *La Inquisición española y los judíos conversos barceloneses*, and *Inquisició espanyola i cultura renaixentista al País Valencià* (1977). He continued with his studies of Catalonia's modern economic history as well. In his later years, as the subject of the Cathars became increasingly popular and commercialized, Ventura could not but express his bewilderment at the manner in which the serious studies of his youth had become mass-marketed in increasingly bizarre ways, and his reflections from radio interviews in the mid-nineties (published as *L'últim càtar: Conversa amb Jordi Ventura* in 1998) revealed some trace of bitterness.<sup>33</sup>

<sup>31</sup> See F. Sabaté, 'Un précurseur des études sur le catharisme en Catalogne: Jordi Ventura i Subirats (1932–1999)', *Heresis*, 34 (2001), 131–145.

<sup>32</sup> Ventura, 'Catarisme i Valdesia als Països Catalans', *VII. CHCA*, iii. (1962), 123–34; idem, 'El catarismo en Cataluña', *BRALB*, 28 (1959–60), 75–168; idem, 'La Valdesia de Cataluña', *BRALB*, 29 (1961–2), 275–317.

<sup>33</sup> *L'últim càtar: Conversa amb Jordi Ventura*, ed. F. Villagrana Hernández and F. Maestra (Vilassar de Mar, 1998): (p. 65, "...venen formatge càtar, quan ells no en podien menjar! I vi càtar...I ells no en bevien!...Home, no!...Saps, a mi m'han arribat a oferir en un restaurant de Pàmies, Pamiers – per cert que d'aquí ve el cognom català Pàmies -, doncs, em van oferir un bistec càtar."; p. 81, "Tem que el catarisme es pugui convertir també a casa nostra en un producte turístic com ja passa al Lluçanès.")

On the always vexing question of names, I have tended to put the names of prominent people in a form immediately familiar to most readers. I have tended to put Catalan names in modern Catalan and generally to use modern French forms rather than their medieval Occitan forms. While this may detract from the flavour of the work, it seems to me that it will place one more demand on the unfortunate reader if too many names of people and places are in unfamiliar forms. There were no lands called 'Occitania', or 'Languedoc' or the 'south of France' or 'the Midi' in the period studied here, and that the lands later described in all these ways were not so described then is significant. Their fragmentation and the absence of a common identity played a major part in their history. However, I have used all of these words, because it is not clear to me what a satisfactory alternative would be ('Provincia', of course, was used at the time, but it is slightly cumbersome to use it here throughout). On a related matter, there were towns and castles described here which in the course of this period would at one time be in the lands of the Crown of Aragon (as it was, of course, only called, sometimes, from the end of the thirteenth century!) and at another time in the lands of the kingdom of France and some which were in neither, and there were people who were born in Catalonia but lived much of their lives in Languedoc or people from Aragon who emigrated to Valencia and so forth. I have dealt with the problem of how to name them on a case by case basis and no doubt unsatisfactorily. Concerning the heretics, those we now commonly call Cathars went by many names and in calling them Cathars all of the time there is a danger of giving them a unity and cohesion which they did not necessarily possess everywhere all of the time. In this matter, I have tried to reflect the sources. Most of the time the people we tend to call Cathars were simply called heretics and so, where they are called heretics, I call them heretics. The people we almost always call Waldensians were described as Waldensians or the Poor of Lyon or *Insabbatati* (and slight variants thereof) and those are the terms I use here.

Saint Louis, November 2009





## CHAPTER ONE

### THE DEFEAT OF THE CROWN OF ARAGON

#### *Muret*

12 September 1213. Muret. Dalmau de Creixell plunges himself into the waters of the Louge and cries out “God help us! A great misfortune has befallen us! The good king of Aragon is dead and defeated. Never have we received so great a loss!”<sup>1</sup>

The anonymous continuator of the *Chanson* captured a poignant moment well. Dalmau had fled the battle, and, as King James would later recall, not just Dalmau but many others besides had fled, including from Catalonia, Hug de Mataplana, Guillem d’Horta and Berenguer de Castellbisbal.<sup>2</sup> Dalmau de Creixell, however, had been involved from the outset, alongside Guillem de Cervera and Arnau de Castellbò, when ‘the people of those lands’ had first tricked James’s father with fine phrases, promising him their castles and their towns, then their womenfolk (and the prettiest ones at that) if only he would make himself lord of their lands and protect them.<sup>3</sup>

We know that a week before the battle Dalmau had been with the king at Valcabrère, and there had witnessed the donation of the town of Calatarao to the chapter of the cathedral church of Zaragoza.<sup>4</sup> It is the last known document of ‘the good king’, Peter II. Twelve days after the defeat of Muret and the death of the king, we find Dalmau again, at Perpignan, alongside his brother Guillem, and the remnants of the king’s army, led by Nuno Sanç, lord of Roussillon, Conflent and Cerdanya, and Guillem de Montcada, neither of whom had been present

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<sup>1</sup> *La Chanson de la Croisade Albigeoise*, ii, 30, ch. 140.

<sup>2</sup> *Llibre dels Fets*, ii, 13, ch. 9.

<sup>3</sup> *Llibre dels Fets*, ii, 12–13, ch. 8: ‘Car nós hoim a·N Guillem de Cervera e a N’Arnau de Castellbò e a·N Dalmau de Crexel e a altres qui eren ab él, que li deÿen: «Séyner ¿con gitarets nostres muylers de nostres maysons? Mas nós e elles ne serem vostres e·n farem vostra volentat». E per aquesta manera no li atenien re que li promessessen. E mostraven-li lurs muylers e lurs fiyles e lurs parentes, les pus beles que podien trobar. E, quant sabien que él era hom de fempnes, tolien-li son bo propòsit e feÿen-lo mudar en ço que éls volien.’

<sup>4</sup> Archivo de la Catedral de Pilar, Zaragoza [ACPZ], armario 3, cajón 1, legajo 1, n. 1.

at the battle, since the king had not wished to wait for their contingents. At Perpignan, Dalmau and Guillem, alongside Abbot Pere of Sant Miquel de Cuixà, Guillem de Montcada, Berenguer de Cervera, Guillem Durfort, Berenguer de Plegamans, and Guillem Adalbert, acted as witnesses as Nuno received under his special protection the great Cistercian monastery of Poblet and all its cattle and its shepherds.<sup>5</sup>

The safeguard of the possessions of Poblet must have made Nuno likewise painfully conscious of 'so great a loss'. Just over seven months before, on 19 February, Nuno had likewise been at Perpignan, when his cousin, Peter, by the grace of God, king of Aragon and count of Barcelona, in the name of the count of Toulouse and his sons, and in the name of the counts of Foix and Comminges, of Gaston, viscount of Béarn, of Roger Bernard and the consulates of Toulouse and of Montauban, had taken under his special protection the possessions of Poblet. Nuno had witnessed the privilege, as had Peter's right-hand man, Miguel de Luesia, Count Hug of Empúries and others besides.<sup>6</sup> The charter of protection had in fact marked the high point of the crown's fortunes. On Sunday, 27 January, Raymond VI and his son, Raymond, had given Peter an oath of fealty for the city and *bourg* of Toulouse, the town of Montauban and all their possessions, transferring power and authority over all that they possessed to King Peter, while promising to agree to the orders of the pope. The consuls of Toulouse did the same. Then, Raymond Roger I and his son, Roger Bernard, swore in turn, offering all their possessions to the king. Following them, Count Bernard IV of Comminges and his son, also Bernard, placed their possessions in the hands of Pedro de Alcalá, an Aragonese noble. Finally, Viscount Gaston of Béarn had placed his person, his *castra* and his lands under the authority and the power of the king of Aragon.<sup>7</sup>

<sup>5</sup> Archivo Histórico Nacional, Madrid [AHN], Cod. 992-B, fol. 168 v°; published in M. Alvira Cabrer, L. Macé, D. J. Smith, 'Le temps de la *Grande Couronne d'Aragon* du roi Pierre le Catholique. À propos de deux documents relatifs à l'abbaye de Poblet (février et septembre 1213)', *Annales du Midi*, 121 (2009), 5–22 at 22; *Llibre dels Fets*, ch. 9.

<sup>6</sup> AHN, Sección de sigilografía, Sellos reales, armario 1, caj. 15, no. 15; AHN, Cod. 992-B, fol. 168 v°; published in Alvira/Macé/Smith, 'Le temps de la *Grande Couronne d'Aragon*', 21.

<sup>7</sup> *La documentación pontificia hasta Inocencio III (965–1216)*, ed. D. Mansilla (Rome, 1955) [hereafter *MDI*], 465–7, nos. 461–3; *Patrologiae latinae cursus completus*, ed. J.-P. Migne, 221 vols (Paris, 1844–64) [hereafter *PL*], ccxvi, 845–8; *Sacrorum conciliorum nova et amplissima collectio*, ed. G. D. Mansi, 31 vols (Florence, 1759–98) [hereafter *Mansi*], xxii, 875–7; *Petri Vallium Sernaii monachi Hystoria Albigenensis*, ed. P. Guébin and E. Lyons, 3 vols (Paris, 1926–39) [hereafter *PVC*], ch. 389.

On 4 February, Raymond de Turenne received from the king the castle and town of Pals and on the following day, in the château Narbonnais, King Peter received the homage of Olivier and Bernard de Penne, and the Viscount Isarn, the lords of the formidable fortress of Penne d'Albigeois, who passed under his direct authority.<sup>8</sup> Then, on 7 February, King Peter agreed to give his protection and safe-conduct *per omnia loca dominationis nostre* to the cattle, goods and possessions of the Templar houses at Toulouse and Larramet, a hamlet to the west of Toulouse.<sup>9</sup> The safe-conduct was sealed with the king's great seal – a significant moment, the act of a suzerain who considered the lands of southern France to be within his grasp. The privilege to Poblet on 19 February confirmed that new status. The cattle of the Cistercian monks were not only granted protection by the king in Catalonia but also as they entered into the plains of Languedoc, that protection being in response undoubtedly to a clear and present danger as *routiers* further troubled a troubled region.<sup>10</sup> Yet beyond that, the king, acting not only on his own behalf but in the name of the many lords he had listed, made a clear statement about his power and his juridic authority in the lands of those lords.

If, looking back on days of triumph, 'so great a loss' would have been starkly obvious to Dalmau, the king's knight, and Nuno, the king's cousin, then how much more so for Constance, the king's sister? As Alfonso II's eldest daughter, alongside her brother, she had played a major role in expanding the crown's fortunes. Far more able than the average marital bargaining counter, she had proved an able wife to King Imre of Hungary, as well as a brave (though ultimately unsuccessful) defender of the rights of her son Laszlo against the pretensions of Duke Andrew.<sup>11</sup> Afterwards, as queen of Sicily from 1209, and then as empress from 1212, she had provided support and advice for the young Frederick, who loved her. Because of the troubled times of Frederick's youth more than two months had passed before Constance knew of her brother's death. It came as a devastating blow, as we know from the

<sup>8</sup> Arxiu de la Corona d'Aragó, Barcelona [ACA], perg. Pere I, nos. 439–40.

<sup>9</sup> C. Higounet, 'Un diplôme de Pierre II d'Aragon pour les Templiers de Toulouse (7 février 1213)', *Annales du Midi*, 52 (1940), 78–9.

<sup>10</sup> AHN, Sección de sigilografía, Sellos reales, armario 1, caj. 15, no. 15; Alvira/Macé/Smith, 'Le temps de la *Grande Couronne d'Aragon*', 21.

<sup>11</sup> *Continuatio Admuntensis*, MGHSS, ix, 590–1; Ö. Brachfeld, 'Nobilis domina tota: une Catalane mariée en Hongrie au XIIIe siècle', *Estudis Universitaris Catalans*, 16 (1931), 361–73.

anguished letter she wrote to Bishop Pere of Urgell, a staunch supporter of the comital dynasty. Constance was anguished, moved by a multiform sadness, on hearing news of her brother's death, her brother *qui tantus erat*. During all his life, she wrote, he had been a soldier of the Church and a fighter for the faith against the barbarian threat, a *filius specialis* of the Apostolic See. Her agony and her sadness were only increased by the report that her brother's body remained unburied. Each day, because of that, was a new death.<sup>12</sup>

Twenty years later, reflecting on the event, the author of the *Crónica Latina*, most probably Bishop Juan of Osma, reflected that King Peter would have been more fortunate had he ended his life the year before Muret, at the triumphant battle of Las Navas de Tolosa.<sup>13</sup> It was a perceptive comment. At Las Navas, Peter had covered himself in glory. On the campaign he acted with resolve when his cousin, Alfonso VIII of Castile, had thought to turn the Christian troops away from the Almohads and towards his long-term enemy and one-time son-in-law, Alfonso IX of León.<sup>14</sup> Peter had played a major part in the battle itself and in the subsequent taking of the city of Úbeda.<sup>15</sup> After Las Navas, the papal legate in Languedoc, Arnau Amalric, a Catalan who had risen to fame as abbot of Cistercian Poblet, had sung Peter's praises, and the courage of the *miles probissimus* had increased his standing both in Languedoc, some of whose people had looked to him as a potential saviour, and at Rome, where Peter's envoys had sought to convince the pope, and in large measure succeeded in convincing him, that al-Nasir was arming his men for a new battle and therefore the crusade against the heretics, of whom few remained, must be halted and an Aragonese peace plan implemented.<sup>16</sup>

By the time of Muret all the good work had been undone. Courage had given way to overconfidence. Peter had passed the night before the battle with a mistress and was so tired he could not stand for the gospel

<sup>12</sup> *Historia Diplomatica Friderici Secundi*, ed. A. Huillard-Bréholles, 6 vols (Paris, 1852–61), i, 282–3.

<sup>13</sup> *Crónica Latina de los reyes de Castilla*, ed. L. C. Brea (Cádiz, 1984), 40.

<sup>14</sup> *Recueil des historiens des Gaules et de la France*, ed. M. Bouquet and L. Delisle, 25 vols (Paris, 1869–1904) [hereafter *RHGF*], xix, 255.

<sup>15</sup> Rodrigo of Toledo, *Historia de rebus Hispanie sive Historia Gothica*, ed. J. Fernández Valverde, *CChr. CM*, 72 (1987), Bk. VIII, chs. 7–12; Arnau Amalric, 'De Francorum expeditione ac victoria adversus Sarracenos in Hispania reportata', *RHGF*, xix, 253–4.

<sup>16</sup> Amalric, 'De Francorum expeditione', 250–4; *Chanson*, i, 262, ch. 117; *MDI*, nos. 490, 491, 493, 496.

at the morning Mass.<sup>17</sup> It was an entertaining anecdote, recounted by his son, who, whatever he felt about his father, was unlikely to have fabricated such a tale and, indeed, had heard it from somebody who was in the camp.<sup>18</sup> Though James, inappropriately given his own misdeeds, expressed his moral outrage at the sins of his father, he was, nevertheless, well aware that the battle had been lost less because of personal failings than through a failure of military tactics.<sup>19</sup> Peter was undoubtedly overconfident of victory. Not only did he not wait for the contingents of Nuno Sanç and Guillem de Montcada but, in league with his right hand man, Miguel de Luesia, he rejected the plans of Raymond VI of Toulouse, who advised that they fortify their camp with palisades, await a charge from the desperate knights of Montfort, fend off that attack, exhaust their opponents and then put them to flight, since the castle of Muret held no provisions for them. For the king, this was cowardice.<sup>20</sup>

Before the battle, Raymond VII of Toulouse, who was then too young to fight, was led from the camp on an unarmoured horse to high ground and from there he watched the contest. He later recounted what he saw to Master Guillaume de Puylaurens, who was his chaplain during the last years of his life, from 1245 to 1249.<sup>21</sup> Puylaurens, who likewise had been a boy at the time of Muret, much later, in the 1270s, recalled Raymond's eye-witness account of the battle in his own chronicle of the dramatic history of the lands of Toulouse during his own lifetime.<sup>22</sup> King Peter drew up his own lines for battle with the count of Foix, the Catalan troops and a large number of fighting men forming the first line. Simon de Montfort came out of the castle with his forces in three lines. They quickly united as the first assault took place and with a common purpose broke the front line of Peter's army, which was altogether unable to regroup. The knights of Montfort, having recognized the standard of King Peter, rushed upon him with incredible force, so much so that the noise carried to where the young Raymond

<sup>17</sup> *Llibre dels Fets*, ii, 13, ch. 9.

<sup>18</sup> The Gil, later a Hospitaller, who told James this, had crossed the Pyrenees with him the week before (ACPZ, arm. 3, caj. 1, leg. 1, no. 1).

<sup>19</sup> *Llibre dels Fets*, ii, 14, ch. 9.

<sup>20</sup> *Llibre dels Fets*, ii, 13, ch. 9; *Chanson*, ii, 22–4, ch. 139; Guillaume de Puylaurens, *Chronique 1145–1175*, ed. J. Duvernoy (Toulouse, 1996) [hereafter *Puylaurens*], 88, ch. 21.

<sup>21</sup> *Puylaurens*, 88–90, ch. 21.

<sup>22</sup> *Puylaurens*, 7–14; 88–92, ch. 21.

was standing and sounded as if a large number of axes were cutting down a wood. The king and many of his nobles died then and there. Others turned in flight, many of them being cut down as they fled.<sup>23</sup>

James I emphasized that the army of his father had not been united, the lines were not properly drawn up and each man had fought for himself.<sup>24</sup> The anonymous continuator of the *Chanson de la Croisade albigeoise* spoke of the lack of organization and how the people from Toulouse had rushed forward without following any command.<sup>25</sup> The prelates who were inside the castle of Muret also conveyed this sense of disorganization in Peter's army when reporting the matter to the pope. They talked of Peter's army containing many ranks and a vast crowd of ordinary soldiers.<sup>26</sup> There is a sense of a lack of cohesion. Even more tellingly, Pierre Vaux-de-Cernay, admittedly by no means sympathetic to Peter or the region, but of great value in being almost the official spokesman for the crusading side, reported that in his arrogance Peter had placed himself and knights of his household in the second line, although it was the normal practice for kings to stand in the rear line.<sup>27</sup> If this was indeed the case, then it was surely a grave error by a military commander of such experience, thus ceding any vision of how the battle was developing and allowing himself to be trapped in a *mêlée*. Nevertheless, it may well be so. One section of the *Gesta Comitum Barcinonensium* of the monks of Ripoll was written soon after Peter's death and the monks left no doubt that Peter had been greatly excited to anger against Montfort and wished either to defeat him in battle or die.<sup>28</sup>

Did it matter very much? For some, Peter's death and the subsequent long minority of James I greatly diminished the chances of curbing the increased Capetian influence in what was to become the south of France.<sup>29</sup> Yet the most eminent modern historian of the crown of Aragon has insisted that the extent of the disaster of Muret is too easily exaggerated. It was 'an undoubted misfortune' but nothing more than

<sup>23</sup> *Puylaurens*, 88–90, ch. 21.

<sup>24</sup> *Llibre dels Fets*, 14, ch. 9: 'E aquels de la part del rey no saberem rengar la batayla ni anar justats, e ferien cada un rich hom per si e ferien contra natura d'armes.'

<sup>25</sup> *Chanson*, ii, 30, ch. 140.

<sup>26</sup> *PVC*, ch. 476.

<sup>27</sup> *PVC*, ch. 463.

<sup>28</sup> *Gesta Comitum Barcinonensium*, ed. L. Barrau Dihigo and J. Massó Torrents (Barcelona, 1925), 53: 'maluit mori in bello quam si vivus victus exiret de campo.'

<sup>29</sup> Alvira, *Muret*, 231–67; D. Smith, *Innocent III and the Crown of Aragon: the limits of papal authority* (Aldershot, 2004), 140.

that. The suzerainties of Occitania had never been regarded as territorial extensions of Catalonia and if Peter sought their conquest he was the first in his dynasty to do so. There had existed no political idea that the 'count-kings' were the natural protectors of Occitan culture. Provence remained subject to the descendants of Alfonso II.<sup>30</sup>

The objective analysis of Bisson is undoubtedly of greater historical worth than the emotional response of a Dalmau de Creixell or Constance of Aragon. Yet the defeat at Muret and the death of the king were something more than a misfortune. Though the Crown continued to have close cultural and political ties across the Pyrenees, it would never again be in the ascendancy and slowly the lands of the south were to be incorporated into Capetian France. The build-up to Muret was not a matter simply of the pretensions of Peter II. Even if much of it had not been cleverly calculated, it had, nevertheless, been going on for a very very long time.

### *The Long-term Relationship*

There is, of course, no doubt that the Pyrenees formed a barrier, sometimes a significant one, especially in winter and especially in the central Pyrenees. Yet between the Iberian and Ligurian tribes of the mountains there had existed numerous ties. Indeed, the wide diffusion of the money of the Greek Emporion, the linguistic similarities evidenced by toponomy and epigraphy, the identical practice in nailing the heads of their defeated opponents to the gates of their settlements, the winter camps of the shepherds and woodcutters who crossed to and fro, bear witness to the general ineffectiveness of the Pyrenees as a frontier.<sup>31</sup> Rather, for the more important players on the stage, the Ebro would become the focus. Probably due to the commercial interests of Rome's ally Greek Marseille, it was the Ebro which Hannibal was not (in Roman eyes) supposed to cross and did.<sup>32</sup> It was the Ebro valley

<sup>30</sup> T. Bisson, *The Medieval Crown of Aragon* (Oxford, 1991), 39–40.

<sup>31</sup> J. Maluquer de Motes (amb la col·laboració d' A. M. Rauret), *Prehistòria i Edat Antiga [fins al segle III]*. *Historia de Catalunya*, 7 vols, ed. P. Vilar, vol. 1 (Barcelona, 2003), 213–96; G. Fabre and R. Plana, 'El substrat cultural preromà i les relacions entre les terres occitanes i catalanes durant l'antiguitat,' in *Càtars i trobadors: Occitània i Catalunya: renaixença i futur*, ed. M. Miquel (Barcelona, 2003), 24–43.

<sup>32</sup> Maluquer de Motes, *Prehistòria i Edat Antiga*, 299–306; T. Liebmann-Frankfort, 'Du traité de l'Ebre à la paix de Dardanos: variations romaines sur le respect dû à la parole donnée,' *Latomus*, 30 (1971), 585–97.



which formed the main base for the campaigns of the Scipios, as it did for the initial division of the provinces into Hispania Citerior and Hispania Ulterior, and later for the campaigns of Sertorius against first Sulla and then Pompey.<sup>33</sup>

In the Civil War, while Caesar determined to secure the Pyrenean passes, his campaign quickly shifted to Ilerda (Lleida), while Augustus sought to make the superbly-fortified Tarraco (Tarragona) increasingly the administrative centre of a vast new Hispania Citerior as Rome's two provinces became three (Tarraconensis, Baetica, Lusitania). And the mountains in the north? Even though the Pyrenees had come to be the dividing line between Hispania and Gallia, more often than not they were dismissed as an irrelevance.<sup>34</sup> In Book 21 of his history, Livy barely made mention of them before moving on to the well-nigh impossible crossing of the Alps, while Strabo commented that although the historians of his day tended to place the limits of Iberia at the Pyrenees, those of former times had placed them at the Rhône.<sup>35</sup> As the heights of the mountains became controlled by minor Roman families living at their depths, the shepherds and woodcutters continued to flow across, as did the wine of the Tarraconensis, its very fine quality being remarked upon by both Pliny the Elder and Martial. Though a small obstacle before peoples, it should however be pointed out that even in the age of the Antonines, robbers and cutthroats often lurked besides the Pyrenean passes.<sup>36</sup>

Most of what is 'European' came to the peninsula through the mountains. The *barbari* who first attacked Tarragona as early as 261, the Vandals, Suevi, and Alans at the outset of the fifth century, the Bacaudae (if they were not already there), then the Visigoths, who came as allies

<sup>33</sup> Adolf Schulten, *Sertorius* (Leipzig, 1926); Maluquer de Motes, *Prehistòria i Edat Antiga*, 314–27.

<sup>34</sup> Caesar, *The Civil Wars*, ed. A. G. Peskett (Cambridge, Mass., 1979 [1914]), bk. i, 54, ch. 37 (for passes) and bk. i, passim, on the campaign; Maluquer de Motes, *Prehistòria i Edat Antiga*, 328–38; On Augustus, M. Kulikowski, *Late Roman Spain and Its Cities* (Baltimore, 2004), 5–6.

<sup>35</sup> Livy, *History of Rome, Books 21 and 22*, ed. and trans. B. Foster (Cambridge, Mass. 2001 [1929]), xxi, 66–8, ch. 24; Strabo, *The Geography of Strabo in eight volumes*, ed. and trans. H. L. Jones (London, 1924), iii, 116–18, ch. 4; P. Bosch-Gimpera, 'El pas del Pirineu per Aníbal', in *Homenaje a J. Vicens-Vives* (Barcelona, 1965), i, 135–41; J. M. Gázquez, 'Sobre Aníbal y su paso por los Pirineos', *Faventia*, 3/2 (1981), 223–6.

<sup>36</sup> Pliny the Elder, *Natural History*, with an English translation by H. Rackham, 10 vols (Cambridge, Mass, 1945), iv, bk. xiv, 234, ch. 8; Martial, *Epigrams*, ed. and trans. D. R. Shackleton Bailey 3 vols (Cambridge, Mass, 1993), iii, bk. xiii, 220, no. 118; R. Étienne and F. Mayet, *Le vin hispanique* (Paris, 1991), 217–30.

of the Empire, all arrived through the Pyrenees with frightening ease.<sup>37</sup> And, once established in Spain, the Visigothic kingdom and the Visigothic church had only minor difficulties in extending their power back across the mountains to Narbonne and its region.<sup>38</sup> The Pyrenees appeared as ineffective as ever when troops of the Neustrian kingdom crossed to Zaragoza to help overthrow Suintila, as they did when Wamba easily defeated the troops there stationed when putting down the revolt of Paulus, a revolt which revealed the close ties between the important families of Septimania and the Tarraconensis.<sup>39</sup> Last refuge of starving Christians before the Saracens, the mountains neither saved Narbonne, nor Carcassonne nor any of the lands of Gothic Gaul, the advance checked first by internal dissensions, then by Charles Martel at Poitiers.<sup>40</sup> Neither did the Pyrenees stop the incursions of the Franks into Muslim territory, nor Saracen raids into Frankish lands.<sup>41</sup>

Charlemagne and Louis gained possession of Girona, Urgell and Barcelona, imposing Frankish administrative customs and Roman liturgy, the metropolitan of Narbonne protecting the struggling Catalan dioceses which had survived the onslaught of the Arab invasions. The connection was further strengthened by the abandonment of Toledo over the Adoptionist controversy, the adoption of the Roman liturgy, the imposition of the Benedictine form of monasticism and the Aachen rules for canons, as well as the arrival of Carolingian script.<sup>42</sup> When, in

<sup>37</sup> J. M. Salrach, *El procés de feudalització [segles III–XII]. Història de Catalunya*, vol. 2 (Barcelona, 1998), 29–59.

<sup>38</sup> Though not, of course, in the kingdom of Toulouse, which had been the centre of Visigothic power before being lost to the Franks after the battle of Vouillé in 507. On this period generally, see R. Collins, *Visigothic Spain 409–711* (Oxford, 2006).

<sup>39</sup> A. Pladevall, 'Una església comuna. Els lligams espirituals i artístics entre Catalunya i Occitània,' in *Càtars i trobadors*, 56–65; Salrach, *El procés de feudalització*, 60–114.

<sup>40</sup> R. Collins, *The Arab Conquest of Spain* (Oxford, 1998); Salrach, *El procés de feudalització*, 120–7; J. M. Millàs Vallicrosa, 'La conquesta musulmana de la regió pirenaica,' *Pirineos*, 2 (1946), 53–67.

<sup>41</sup> R. d'Abadal, 'El paso de Septimania del dominio godo al franco a través de la invasión sarracena, 720–68,' *Cuadernos de Historia de España*, 19 (1953), 5–54; R-H. Bautier, 'La campagne de Charlemagne en Espagne (778),' *Bulletin de la Société des Sciences, Lettres et Arts de Bayonne*, 135 (1979), 1–51; J. Horrent, 'La bataille des Pyrénées de 778,' *Le Moyen Âge*, 78 (1972), 197–227; Ramon d'Abadal, 'La expedición de Carlomagno a Zaragoza: el hecho histórico, su carácter y su significación,' in *Coloquios de Roncesvalles. Agosto 1955* (Zaragoza-Pamplona, 1956), 39–71.

<sup>42</sup> Salrach, *El procés de feudalització*, 188–252; A. R. Lewis, *The Development of Southern French and Catalan Society, 718–1050* (Austin, 1965), 3–87; R. d'Abadal, *La batalla del adopcionismo en la desintegración de la iglesia visigoda* (Barcelona, 1949); M. Riu, 'Revisión del problema adopcionista en la diócesis de Urgel,' *Anuario de Estudios Medievales*, 1 (1964), 77–96; W. Heil, 'Der Adoptionismus Alkuin und

the third quarter of the ninth century, the counts of the region sought and gained their independence, in the world post-Carolingian but pre-Catalan, while looking to gain spiritual sustenance from the papacy and mercy from al-Andalus, the peoples of the north-eastern part of the peninsula remained tied more to the peoples across the mountains than to anybody else.<sup>43</sup> As comital power increased and the sees of the Tarraconensis were recovered, Narbonne would again find itself influenced by the Catalan dynasties,<sup>44</sup> though it is safe to say that as first Cluny, then the Augustinians of Saint-Ruf at Avignon, and finally the Cistercians exerted their influence in the east of the peninsula, the impact of the north on the south was far greater than that of the south on the north.<sup>45</sup>

Overall, this was the case in architectural styles as well. In terms of pilgrimage, the peoples of Languedoc and Catalonia shared the same local shrines and took the same paths along the route to the increasingly popular Santiago. Likewise, they joined in the enthusiasm for journeys to the Holy Land, and for what we now call crusading, participating in common enterprises, most notably in the capture of Tortosa in 1148.<sup>46</sup> As they shared in the advancing battle against the

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Spanien', *Karl der Grosse: Lebenswerk und nachleben*, vol. 2, *Das geistige Leben*, ed. B. Bischoff (Düsseldorf, 1965), 94–165.

<sup>43</sup> P.Kehr, *El papat i el principat de Catalunya fins a la unió amb Aragó* (Barcelona, 1930); R. d'Abadal, 'L'espirit de Cluny i les relacions de Catalunya amb Roma i la Itàlia en el segle X'; in idem, *Dels visigots als catalans*, 2 vols (Barcelona, 1969–70), ii, 9–24.

<sup>44</sup> A. Pladevall, 'Una església comuna: Els lligams espirituals i artístics entre Catalunya i Occitània', 56–65.

<sup>45</sup> A. Mundó, 'Moissac, Cluny et les mouvements monastiques de l'Est des Pyrénées du Xe au XIIe siècle', *Annales du Midi*, 75 (1963), 551–73; C. Higonet, 'Un mapa de las relaciones monásticas transpirenaicas', *Pirineos*, 7 (1951), 543–53; U. Vones-Liebenstein, *Saint-Ruf und Spanien. Studien zur Verbreitung und zum Wirkung der Regularkanoniker von Saint-Ruf in Avignon auf der iberischen Halbinsel (11. und 12. Jahrhundert)*, 2 vols (Turnhout, 1996); M. Cocheril, 'L'implantation des abbayes cisterciennes dans la péninsule ibérique', *Anuario de Estudios Medievales*, 1 (1964), 217–87.

<sup>46</sup> M. Defourneaux, *Les français en Espagne aux XIe et XII siècles* (Paris, 1949); A. Virgili, *Ad detrimentum Yspanie: La Conquesta de Turtusa i la formació de la societat feudal (1148–1200)* (Valencia, 2001). On Santiago, for the intended visit by Countess Ermesindis *Liber Feudorum Maior*, ed. F. Miquel Rosell (Barcelona, 1945–7) [hereafter *LFM*], no. 232; for Alfonso II of Aragon's pilgrimage, see A. Ubieto Arteta, 'La peregrinación de Alfonso II de Aragón a Santiago', *Estudios de Edad Media de la Corona de Aragón*, 5 (1952), 438–52. The Languedocian participation in the pilgrimages to the Holy Land in the initial period of crusading is well-known but for many pilgrims from the diocese of Urgell, see Baraut, 'Els documents dels anys 1101–1150, de l'arxiu capitular de la Seu d'Urgell', *Urgellia*, 9 (1988–9), nos. 1191, 1197, 1218, 1233, 1244, 1261, 1265, 1280, 1281, 1292, 1337, 1395, 1396, 1452, 1467, 1478. On pilgrimage from Catalonia to the Holy Land generally, J. Gudiol i Cunill, 'De peregrins i perigrinatges religiosos catalans', *Analecta Sacra Tarraconensia*, 3 (1928), 93–119.

Muslims, so too they exchanged ideas concerning the Roman and the canon law, an exchange admittedly still not as fully explored by scholars as it might have been.<sup>47</sup> We should, of course, not exaggerate these connections to suggest we are dealing simply with one people but they were certainly peoples who were spiritually closely linked.

Not only close spiritually but likewise linguistically. The Catalan language was closer to Occitan, and, beyond that, to French, than it was to Castilian or Portuguese. As a general rule, the closer the peoples were together the greater was the ease of comprehension. Generally a man from Barcelona could probably make out what a man from Toulouse was saying and vice-versa.<sup>48</sup> This should not surprise us given what has been said before concerning the historic ties between these lands. They both had a few similar words derived from the Iberian languages, Basque, Greek and Celtic but they were made virtually indistinguishable when Latin took over the profoundly Romanized area.<sup>49</sup>

It was the process of Romanization which was the key factor in establishing linguistic unity. Only in the post-Roman world, as a local vulgar Latin evolved, and as they were divided politically by the failure of the Visigothic kingdom of Toulouse, did distinctive languages grow up in the two areas, the Catalan language, particularly in Catalunya Nova, being influenced by Arabic from the eighth century, though not dramatically. Yet by then, in that period from approximately 500 until 700, the structures were already set and the two languages had developed a remarkably similar vocabulary though, it should be noted, not without important differences.<sup>50</sup> As the vernacular languages came to be written down those differences became set, and as well as this there were some significant differences in pronunciation and the obvious difficulty of coping with regional accents.<sup>51</sup> The languages were sufficiently similar that Catalan troubadours, such as Ramon Vidal de

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<sup>47</sup> See A. Iglesia Ferreiros, 'La creación del derecho en Cataluña', *Anuario de historia del derecho español*, 47 (1977), 99–423; J. Fried, 'Beobachtungen zur Rezeption des Dekretalenrecht in Aragon', *Proceedings of the Eighth International Congress of Medieval Canon Law* (Vatican City, 1992), 505–520.

<sup>48</sup> J. Moran, 'Català i occità: el naixement de dues llengües bessones', in *Càtars i trobadors*, 44–55.

<sup>49</sup> X. Ballester, 'La *adfinitas* de la lengua aquitana e ibérica', *Palaeohispanica*, 1 (2001), 21–33; J. Gorrochategui, 'La onomástica aquitana y su relación con la ibérica', in *Lengua y cultura en la Hispania preromana*, ed. J. Untermann and F. Villar (Salamanca, 1993), 609–34.

<sup>50</sup> On the origins and development of the Catalan language, see A. Badia i Margarit, *La formació de la llengua catalana: assaig d'interpretació històrica* (Montserrat, 1981).

<sup>51</sup> Moran, 'Català i occità', 46.

Besalú, felt that they could produce their work in Provençal without fear of being misunderstood when performing before their Catalan lords, and yet perhaps sufficiently different that preachers felt that it was necessary to translate Occitan sermons into Catalan so that they would be adequately edifying, as may well be evidenced by *Les homilies d'Organyà* in the late twelfth century.<sup>52</sup>

Similarly, when we look at the economic and demographic ties, it would be unwise to sum things up too neatly. What most united the northern and southern parts of the Pyrenees were the differences between them.<sup>53</sup> Had the two sides been the same and yielded the same products then there would have been little occasion for an exchange between them, but the northern side was richer in water, pastures, cattle and flax, while the drier Spanish side brought with it a greater quantity of wine, olive oil, salt, and wool.<sup>54</sup> As the Muslim threat from the south receded and the Spanish kingdoms consolidated, more land became available on which sheep might safely graze. Equally, those settlers who came to the south in the wake of the dramatic conquests saw their lands of pasturage extending across the mountains and into the plains of Languedoc. The monks of Poblet whom we saw at the beginning of this chapter gaining protection for their shepherds and livestock, first from King Peter and then from Nuno, sought, as many others had done, in a wide variety of local pacts, the opportunity to traverse the transpyrenean paths of transhumance, in order to extend their markets in wool and meat from the local to the Languedoc.<sup>55</sup> In all this, the local markets should not be forgotten. Nor should it be forgotten that it was people from what were becoming the Catalan lands who played the major part in settling Catalonia. Yet here again the influx of people from across the Pyrenees is nevertheless of significance in the

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<sup>52</sup> Ramon Vidal de Besalú, *Obra poètica*, 2 vols, ed. H. Field (Barcelona, 1989–91); *Homilies d'Organyà: facsimil del manuscrit*, ed. A. J. Soberanas and A. Rossinyol (Barcelona, 2001).

<sup>53</sup> J. Vicens Vives, *An Economic History of Spain* (Princeton, 1969), 151.

<sup>54</sup> *Ibid.* Note also the comments of P. Horden and N. Purcell, *The Corrupting Sea: a study of Mediterranean history* (Oxford, 2000), 81: 'Mountains can seem hostile and marginal areas; yet they are actually closely integrated into the patterns of production and communication that abut them. That explains why mountain zones unexpectedly – and even paradoxically – become regions with wide internal coherence and close contact and interchange across what appear, to the outsider, to be formidable physical obstacles.'

<sup>55</sup> Alvira/Macé/Smith, 'Le temps de la *Grande Couronne d'Aragon*'; cf. M. Mousnier, *Labbaye cistercienne de Grandselve et sa place dans l'économie et la société méridionales (XII<sup>e</sup>–XIV<sup>e</sup> siècles)* (Toulouse, 2007).

settlement of the frontiers just as it has been argued that, in a later era, following the Hundred Years' War, families from Spain would play a significant part in repopulating depopulated Aquitaine.<sup>56</sup>

The battle of Muret could not really be said to have provided a major break economically or demographically, linguistically or culturally. People on both sides continued to trade, continued to move their cattle back and forth, entering into *lligues* and *patzeries* for many centuries to come. When this tie loosened, it was a matter of new roads and new markets, sometimes political decisions, and especially the damaging aftermath of the French Revolution.<sup>57</sup> Demographically, while in La Seu d'Urgell in the twelfth century only a very few people seem to have been from immigrant families of Languedoc, by the late sixteenth century it was reported that this was the case for the majority of families.<sup>58</sup> Culturally, to state the obvious, the two areas remained tied by the same religion and shrines grew in popularity which would attract the Pyrenean peoples, most obviously Montserrat, while across the centuries more and more students from Catalonia would travel to study at the university at Toulouse.<sup>59</sup> Linguistically, the break was very gradual indeed, due to the decline in the usage of Occitan, its prohibition in public documents in the sixteenth century and, again, the impact of the French Revolution which sought a common French language in which to express its unity and its radical ideas.<sup>60</sup> Even after defeat, there were those in the mid-nineteenth century ready to take up the fight, most notably Fredric Mistral, and in combination with the Catalans of the *Renaixença* (with whom relations were not always amicable), they harked back to a united pure Pyrenean past pre-Muret, a Catalano-Occitan (or Occitano-Catalan) world, an idea of unity which, however, even with hostility towards Paris and Madrid, and even in the Europe of the regions has borne little fruit, as the advance of Catalonia had very far outpaced that of Occitania.<sup>61</sup>

<sup>56</sup> Vicens Vives, *An Economic History of Spain*, 138–52.

<sup>57</sup> P. Poujade, 'Cap a la frontera política als Pirineus: Occitània i Catalunya (1258–1815)', in *Càtars i trobadors*, 138–55.

<sup>58</sup> Batlle, 'Notes sobre l'aportació francesa a la demografia de la Seu d'Urgell (1150–1348)', *Urgellia*, 4 (1981), 261–92.

<sup>59</sup> P. Ferté, 'La *Natio Hispánica* en Toulouse: para una prosopografía de los estudiantes españoles en Toulouse en los siglos XVII y XVIII', *Historia de la educación*, 19 (2000), 373–412; A. Albareda, *Historia de Montserrat* (Barcelona, 1988).

<sup>60</sup> P. Gardy, 'L'occità entre la «dessocialització» i les vel·leïtats renaixentistes. De l'edict de Villers-Cotterêts a la Revolució', in *Càtars i trobadors*, 156–63.

<sup>61</sup> P. Martel, 'Els Jocs Florals, el Felibritge i la Renaixença', and V. Panyella, '«La causa occitana». Les relacions occitanocatalanes a la primera meitat del segle XX' in *Càtars i trobadors*, 194–211.

*The Build-Up of Power*

The question is whether given the long-term cultural, linguistic, economic and demographic unity of the lands of the two sides of the Pyrenees they could have or would have formed into a state had it not been for the disaster at Muret? There may be a strong objection that the Catalan lands were very different from the Occitan lands. A Catalonia was developing, whereas in reality there was no Occitania. Partly aided by the necessity of unity before the threat of Muslim invasion, the Catalan families had formed themselves around the counts of the house of Barcelona, who as they consolidated were aided by the money they received from the *taifa* kingdoms.<sup>62</sup> For the lands of southern France, the Muslims were further away, both the threat and the opportunities were diminished, and the count of Toulouse could not become the same focus of unity in a common cause.<sup>63</sup> There were to be many families of some power rather than one of much power and while the feudal mutation took place in the Languedoc, it did not generally benefit the lords there to the extent that it benefited the Barcelonan house, as lords did not develop those precise and detailed *convenientiae* outlining the role of lord and vassal or the recognition of their power within a defined territorial area which were so prevalent in Catalonia. The region rather gave the appearance of chaos, with the major lords lacking the means to control their people, castles or areas.<sup>64</sup>

So if there was ever to be any possibility of the development of any Catalano-Occitan 'state' then Catalonia would, indeed, have to come first and impose comital authority and institutions on the lands to the north. Was that ever likely to be so? The first major advance of the power of the count of Barcelona in the region had come in 1068 when, with the weighty influence of Muslim gold, Ramon Berenguer I and his wife Almodis had, following the death of Count Roger of Carcassonne, acquired the rights to Carcassonne and Razès (rights which could actually have been claimed through Ramon Berenguer's grandmother the Countess Ermessenda).<sup>65</sup> From the point of view of Almodis, the

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<sup>62</sup> P. Bonnassie, 'L'Occitanie, un État Manqué?', *L'Histoire*, 14 (1979), 31–40; H. Débax, 'El fracàs de l'Estat occità. Les divergències de l'evolució entre Occitània i Catalunya (segles IX–XIII)', in *Càtars i trobadors*, 68–75.

<sup>63</sup> Débax, 'El fracàs de l'Estat occità', 68–70.

<sup>64</sup> Débax, 'El fracàs de l'Estat occità', 73–5; A. Kostó, *Making Agreements in Medieval Catalonia: Power, Order, and the Written Word, 1000–1200* (Cambridge, 2001).

<sup>65</sup> *LFM*, nos. 814–37; F. Cheyette, 'The "sale" of Carcassonne to the counts of Barcelona (1067–1070) and the rise of the Trencavels', *Speculum* 63 (1988), 826–64;

motive may have been to provide for Pere Ramon, son of a previous marriage of Ramon Berenguer I, while the county of Barcelona would fall to her own sons Ramon Berenguer II and Berenguer Ramon II.<sup>66</sup>

In a scramble for power typical of the period, Pere Ramon was to murder Almodis, while Berenguer Ramon II was to be credited with murdering his brother, Ramon Berenguer II.<sup>67</sup> Yet what matters here is that, though certainly in no attempt at state-building, the count of Barcelona in 1068 had gained the fidelity of the men of the region, the right to judge major crimes, the control of the episcopal city at Carcassonne, the bishopric and its territorial rights, the castle of the Razès and other major castles, the major monastic houses, and control of taxation on markets and roads, as well as the usual income from seigniorial rights.<sup>68</sup> Even though the various political machinations of the next generation meant that the actual participation of the counts of Barcelona in the region was very limited, nevertheless a claim to hegemony over Carcassonne had been established and would be re-established when in 1113 Bernard Ato, having previously accepted the county from the count of Toulouse in fief, was forced to recognize that he held the county from Count Ramon Berenguer III of Barcelona.<sup>69</sup>

That recognition, alongside sworn fidelity for castles in the viscounties of Ambialet, Béziers and Agde first agreed in the previous year,<sup>70</sup> was connected with the second great moment in the expansion of the power of the house of Barcelona in the region. For, in a deal probably brokered by Cardinal Richard of Millau, on 3 February 1112, Ramon Berenguer III had married Douce, whose late father had possessed Gévaudan, the Carladès and a part of the territory of Rodez and whose mother had held all of Provence to the south of the Durance.<sup>71</sup> On 1 February, Gerberge, Douce's mother, had given all her dominions to her daughter and two days later had given Douce with this patrimony to Ramon Berenguer III, probably wishing to encourage a powerful

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M. Aurell, *Les noces del comte: matrimoni i poder a Catalunya (785–1213)* (Barcelona, 1998), 257–8.

<sup>66</sup> Aurell, *Les noces del comte*, 260.

<sup>67</sup> S. Sobrequés Vidal, *Els grans comtes de Barcelona* (Barcelona, 1961), 92–8, 127–9.

<sup>68</sup> Cheyette, 'The "sale" of Carcassonne', 861–2.

<sup>69</sup> *LFM*, no. 843; Cheyette, 'The "sale" of Carcassonne', 859.

<sup>70</sup> *Histoire générale de Languedoc*, ed. C. Devic and J. Vaissète (5th edition, Toulouse, 2003) [hereafter *HGL*], v, 827; *LFM*, no. 844.

<sup>71</sup> *LFM*, no. 876; Aurell, *Les noces del comte*, 372–3; P. Amargier, 'Saint-Victor de Marseille et l'Église de Narbonne au temps du cardinal Richard (+1121)', *Annales du Midi*, 97 (1980), 335–43.



lord into the region to counteract the men who had been responsible for the death of her husband in 1110.<sup>72</sup> The count duly obliged, pacifying the county of Provence, and in January 1113, Douce entrusted all the rights she had inherited from her parents to her husband.<sup>73</sup> While Ramon Berenguer III did not long indulge himself in the affairs of Provence, rather going off to undertake the ephemeral conquest of Majorca, as was the case with Carcassonne an important foothold had been established. And if, again, the intention was to solve future problems in the succession, then on this occasion the architect of the agreement had more success. On Ramon Berenguer III's death in 1131, Provence, Gévaudan, the Carladès and the territories in Rodez fell to his youngest son Berenguer Ramon, while his eldest son, Ramon Berenguer IV, succeeded to the peninsula lands and the suzerainties of Carcassonne and Razès.<sup>74</sup>

The build-up of the power of the counts of Barcelona in Provence led unsurprisingly to that third stage on the Catalan path towards dominance through the conflict between their family and that of the counts of Toulouse, the other main power in the Midi. This conflict would last from 1120 until 1190, involving a wide range of allies, many of whom moved from one camp to the other depending upon who appeared better to serve their interests.<sup>75</sup> There were major military campaigns in the period 1120–5 and again 1131–4, followed by negotiations and compromises, the most important of these undoubtedly being in 1125, when Provence was partitioned, with the Durance for the frontier, the lands to the north (the march) falling to Alphonse-Jourdain of Toulouse and those to the south (the county) remaining to Barcelona.<sup>76</sup> This first period of dispute was followed by the battles against the Baux, allied to Toulouse and later to the Emperor, with Raymond of Les Baux holding the county of Provence from 1144–7

<sup>72</sup> LFM, no. 875.

<sup>73</sup> LFM, no. 877.

<sup>74</sup> LFM, no. 493.

<sup>75</sup> C. Higounet, 'Un grand chapitre de l'histoire du XIIe siècle: La rivalité des maisons de Toulouse et Barcelone pour la prépondérance méridionale', *Mélanges Louis Halphen* (Paris, 1951), 313–22; J. Caille, 'Les seigneurs de Narbonne dans le conflit Toulouse-Barcelone au XIIe siècle', *Annales du Midi*, 171 (1985), 227–44; R. Benjamin, 'A Forty-years' War: Toulouse and the Plantagenets, 1156–1196', *Historical Research*, 61 (1988), 270–85; F. Cheyette, *Ermengard of Narbonne and the World of the Troubadours* (Cornell, 2001); L. Macé, *Les comtes de Toulouse et leur entourage* (Toulouse, 2000), 22–33.

<sup>76</sup> HGL, v, no. 492; LFM, no. 895.

until ousted by Ramon Berenguer IV of Barcelona.<sup>77</sup> The next phase of war internationalized the conflict, involving not only Frederick Barbarossa, but also Henry II and Louis VII, while the Baux, the Trencavel lords at Béziers-Carcassonne and even rulers of the comital house in the county of Provence were willing to ally against their traditional masters.<sup>78</sup> When peace was finally agreed in 1190, at a time when Raymond V of Toulouse was facing problems enough with the commune without continuing the battle, it was Barcelona which was clearly in the ascendancy allied to the major lords, with the county of Provence firmly in its hands, and within three years it would, through the marriage of Alfonso II of Provence to Garsende, gain a claim to the county of Forcalquier.<sup>79</sup>

Two further factors worked in Barcelona's favour. Firstly, after 1137 the status of the ruler had changed. The abdication of Ramiro II and the betrothal of Petronilla of Aragon to Ramon Berenguer IV meant that the count was now also ruler of a kingdom, a dual task he performed admirably, his personal standing being greatly enhanced by the capture of Tortosa in 1148, where he had been supported by his firm allies Guillaume VI of Montpellier and Ermengard of Narbonne, and, by that of Lleida in 1149, the crucial capture for establishing the crown of Aragon, cemented by the actual marriage to Petronilla in 1150.<sup>80</sup> Ramon Berenguer IV was always careful to balance his interests and not antagonize the men of Aragon but he had no doubt that

<sup>77</sup> On the Baux, see E. Smyrl, 'La famille des Baux (Xe–XIIIe siècles)', *Cahiers du Centre d'Études des Sociétés*, 2 (1968), 5–108; Aurell, 'L'expansion catalane en Provence au XIIe siècle' in *La formació i expansió del feudalisme català. Actes del col·loqui organitzat pel Col·legi Universitari de Girona* (8–11 de gener de 1985), ed. J. Portella (Girona, 1986), 175–95.

<sup>78</sup> Smyrl, 'La famille', 37–44, 75–104; Cheyette, *Ermengard of Narbonne*, 254, 258–60, 337–8; Aurell, *Les nocces du comte*, 375–80. On the Trencavel, see E. Graham–Leigh, *The Southern-French Nobility and the Albigensian Crusade* (Woodbridge, 2005). In 1183, Alfons II enfeoffed the counties of Rodez, Gévaudan and Carlat to Sanç (ACA, perg. Alfons I, no. 364; *Alfonso II Rey de Aragón, Conde de Barcelona y Marqués de Provenza. Documentos (1162–1196)*, ed. A. I. Sánchez Casabón (Zaragoza, 1995), no. 367) but in the following year Sanç concluded a treaty with Raymond V of Toulouse and the count of Forcalquier and the Genoese in order to take Marseille from Alfonso (*Liber Iurium reipublicae genuensis. Monumentae historiae patriae* (Turin, 1854), i, no. 313).

<sup>79</sup> Archives Départementales des Bouches-du-Rhône (Marseille), série B. 295, cit. Aurell, *Les nocces del comte*, 381.

<sup>80</sup> A. Ubieto Arteta, *Los esponsales de la reina Petronila y la creación de la corona de Aragón* (Zaragoza, 1987); Aurell, *Les nocces del comte*, 340–51; Virgili, *Ad detrimentum Spanie*; J. Tortosa Durán, 'La conquista de la ciudad de Lérida por Ramon Berenguer IV, conde de Barcelona', *Ilerda*, 17 (1953), 27–66.

whereas he had been prince, his son would be king.<sup>81</sup> And Alfonso II was, from 1162, a king.<sup>82</sup> There is no such title as count-king and it is important to remember that the count of Toulouse, with all the divisions in his region, now was faced with the authority of a king (though admittedly, at that stage, a very young one), and, moreover, from a kingdom which itself through matrimonial ties had also built up considerable connections with important families of *Provenza*.<sup>83</sup>

Secondly, the rise to power of the Almohads and their advances in the peninsula from the 1150s onwards meant that the opportunities for Aragon and Catalonia to expand southwards were severely diminished.<sup>84</sup> For the rest of the twelfth century, the Christians spent much time on the defensive, more so indeed at the end of the century than before, because of the terrible Castilian defeat at Alarcos in 1195.<sup>85</sup> If the Crown was to expand, it really had little choice but to concentrate its politics northwards and the period saw an immense step forward in the consolidation of the Crown's northern holdings. In 1170, Viscountess Marie of Béarn rendered homage to Alfonso II for her lands, and in the following year, her husband Guillem de Montcada did homage to Alfonso, confirming his lordship over Béarn.<sup>86</sup> In 1172 Girard II of Roussillon on his deathbed named Alfonso as heir to his county.<sup>87</sup> Centulle of Bigorre was a vassal for the Val d'Aran from 1175,<sup>88</sup> while the Trencavels were pushed firmly into the Barcelonan camp in 1177 by the insatiable ambition of Raymond V of Toulouse.<sup>89</sup> In the late 1180s Count Roger Bernard of Foix acted as the crown's procurator

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<sup>81</sup> Much work remains to be done on the architect of the Arago-Catalan union, but see F. Soldevila, *Ramon Berenguer IV el Sant* (Barcelona, 1955); P. Schramm, 'Ramón Berenguer IV', in *Els primers comtes-reis: Ramon Berenguer IV, Alfons el Cast, Pere el Catòlic*, ed. E. Bagué, J. Cabestany, P. Schramm (Barcelona, 1960).

<sup>82</sup> On the reign of Alfonso II, see J. Ventura i Subirats, *Alfons 'el Cast': El primer comte-rei* (Barcelona, 1961). A full revision of this reign is also long overdue.

<sup>83</sup> Alvira, *Muret*, 22.

<sup>84</sup> On the Almohad movement, see M-J. Viguera Molins, *Los Reinos de Taifas y Las Invasiones Magrebíes* (Madrid, 1992); A. Huici Miranda, *Historia política del imperio almohade*, 2 vols (Tetuán, 1956); P. Guichard, *al-Andalus frente a la Conquista Cristiana* (Valencia, 2001), 85–112; R. Le Tourneau, *The Almohad Movement in North Africa in the Twelfth and Thirteenth Centuries* (Princeton, 1969), ch. 1.

<sup>85</sup> On Alarcos, see *Actas de Alarcos 1195. Congreso Internacional Conmemorativo de VII centenario de la batalla de Alarcos*, ed. R. Izquierdo (Cuenca, 1996).

<sup>86</sup> P. Tucó-Chala, *La vicomté de Béarn et le problème de sa souveraineté* (Bordeaux, 1961), 147, nos. 6–7.

<sup>87</sup> *LFM*, no. 792.

<sup>88</sup> S. Sobrequés Vidal, *Els barons de Catalunya*, (Barcelona, 1989), 16–17.

<sup>89</sup> *LFM*, no. 854; *HGL*, viii, 339; F. Cheyette, *Ermengard of Narbonne*, 275.

in Provence (after Alfonso's younger brother Sanç had proved unreliable), while, adding another piece to the jigsaw, on 27 May 1192, Countess Dolça solemnly ceded to Alfonso the county of Pallars Jussà.<sup>90</sup> A year previously, Alfonso's half-brother Berenguer had been made archbishop of Narbonne.<sup>91</sup> Alfonso II's reign also saw a strengthening of ties with the cities of Arles, Nice and Marseille.<sup>92</sup>

When Alfonso died in April 1196, it was undoubtedly the case that, although, under the influence of his mother Sancha of Castile, Peter II's first military adventures would be in support of Alfonso VIII in his struggles with the Almohads, his best prospects lay in the north.<sup>93</sup> Peter, it should be said, did not spend much time in the Midi when compared with the time he spent in Aragon and Catalonia.<sup>94</sup> Their affairs were his first concern. With regard to the Occitan nobles he certainly does not appear to have had any idea of making himself 'lord of all their lands' at this early stage. Yet political ties with the region were growing stronger. In September 1201, at Bagnères-de-Luchon, the highly influential Count Bernard IV, in return for the cession of the Val d'Aran, made himself vassal of Peter for his county of Comminges.<sup>95</sup> In February 1198, Archbishop Berenguer and Count Bernard brought together Peter and Raymond VI of Toulouse to reaffirm the peace established in 1190.<sup>96</sup> In January 1204, the end to the old conflicts was dramatically confirmed when Raymond married Peter's sister Eleanor.<sup>97</sup> In April of that year Raymond, Peter and his brother Alfonso II of Provence signed a pact of mutual assistance in case of war.<sup>98</sup> More dramatically still, in June, in an extraordinary coup, masterminded by

<sup>90</sup> F. Valls i Taberner, 'Els comtats de Pallars i Ribagorça a partir del segle XI', *Obras selectas* (Barcelona, 1961), iv, 158–9.

<sup>91</sup> *Gallia Christiana in provincias ecclesiasticas distributa*, 16 vols (Paris 1715–1865), vi, 49.

<sup>92</sup> *Alfonso II. Documentos*, nos. 634 (Arles), 501 (Nice), 590 (Marseille).

<sup>93</sup> Smith, *Innocent III and the Crown of Aragon*, 15–42.

<sup>94</sup> According to the tables of Alvira Cabrer (*Pedro el Católico, Rey de Aragón y Conde de Barcelona*, ii, 1419–44) less than five per cent of Peter's reign in total. My thanks to Dr. Alvira Cabrer for providing me with this information.

<sup>95</sup> ACA, perg. Pere I, no. 118; Higounet, *Le comté de Comminges de ses origines à son annexion à la couronne*, 2 vols (Paris, 1949), i, 320; idem, 'Comté et maison de Comminges: entre France et Aragon au Moyen Âge', *Bulletin Hispanique*, 49 (1947), 320.

<sup>96</sup> Miret, 'Itinerario', iii, 153.

<sup>97</sup> *HGL*, v, 35; Miret, 'Itinerario', iii, 238, 274; *Chanson*, i, 46, ch. 15; M. Ibarra Oroz, 'Nuevas aportaciones para el itinerario de Pedro el Católico', *VII.CHCA*, ii (1962), 74.

<sup>98</sup> ACA, perg. Pere I, no. 184; *Recueil des actes des comtes de Provence appartenant à la maison de Barcelone. Alphonse II et Raimond Bérenger V (1196–1245)*, ed. F. Benoit, 2 vols (Paris, 1925) [hereafter *Benoit*], ii, 40–1, no. 32.

Guy de Ventadour, Peter married Marie of Montpellier, the legitimate ruler of Montpellier, and took control of a town and region noted for its learning and prosperity.<sup>99</sup> Probably most importantly of all, in terms of the consolidation of the lands of the crown, in the period 1208–11 Peter would find himself immersed in the affairs of Urgell, where Countess Elvira donated to him the county saving the rights of her daughter, Aurembiaix, who was then betrothed to Peter's infant son, the later James I, moves which led to war and victory over Guerau de Cabrera who had a claim on the county.<sup>100</sup>

### *The Albigensian Crusade*

Given the gradual build-up of power in the region, it might be a matter of surprise that when Pierre de Castelnau was murdered on 14 January 1208, the Crown did not actively intervene at an early stage. If it had simply been a matter of dealing with heresy then the king of Aragon would have been the ideal candidate. Peter II had legislated with severity against heretics, had been crowned by the pope in Rome in 1204 and in his coronation oath had sworn to defend the Catholic Faith and persecute heretical wickedness.<sup>101</sup> In June 1205, two papal letters conceded to Peter possession of lands captured from heretics, while a third urged churchmen to help the king expel heretics.<sup>102</sup> In early 1207, Peter, together with other lords of the Languedoc, entered into a peace league against heretics and mercenaries.<sup>103</sup> However, since blame for the assassination, rightly or wrongly, fell at the door of Raymond VI of Toulouse, Pope Innocent III undoubtedly considered it a matter to be dealt with by the king of France and the knights of France.<sup>104</sup> For the king of Aragon to pit himself into conflict with the papacy and France at that moment would have been political folly and, moreover, fifty years after

<sup>99</sup> Miret, 'Itinerario', iii, 278–9; *Layettes du Trésor des Chartes*, 5 vols, ed. A. Teulet, J. de LaBorde, E. Berger, H-F. Delaborde (Paris, 1863–1909), 252–4, no. 717 [hereafter, *Layettes*]; H. Vidal, 'L'Aragon et le révolution montpelliéraine de 1204', *XII.CHCA*, i (1987), 43–60.

<sup>100</sup> ACA, perg. Pere I, nos. 343–5, 374, 378, 404; extraintentari 3652; *Colección de documentos inéditos del Archivo de la Corona de Aragón*, ed. P. de Bofarull y Mascaró (Barcelona, 1847–1910) [hereafter *CDIACA*], ix, 440–3.

<sup>101</sup> C. Baraut, 'Els inicis de la inquisició', *Urgellia*, 13 (1996–7), 420–2, no. 2; *Die Register Innocenz' III* [hereafter *Register*], vii, 406–9, no. 229; *MDI*, 339–41, no. 337.

<sup>102</sup> *Register*, viii, 174, nos. 95–6; 176, no. 98; *MDI*, 350, nos. 319–20; 351–2.

<sup>103</sup> *Register*, x, 119–20, no. 69; *PVC*, ch. 27; *MDI*, no. 367.

<sup>104</sup> *Register*, x, 254–7, no. 149.

the Almohads had first advanced, there now seemed real possibilities of a serious Christian response. Indeed, Peter spent much of 1208 in Aragon, perhaps preparing for a campaign which the state of royal finances ultimately ruled out.<sup>105</sup>

Faced with the reality of a military campaign in Languedoc, Peter determined to proceed by negotiation. Whether he played any part in advising Raymond VI before the count's reconciliation is not known, but almost certainly he did advise both Trencavel and Raymond-Roger of Foix to come to terms with the crusaders.<sup>106</sup> In January 1209, Raymond-Roger had made himself vassal to Peter for castles in Cerdanya, Conflent and the Baridà,<sup>107</sup> and it would be surprising if it did not occur to Peter that the military action could work to his advantage, providing the crusade was a short affair. Yet the events of the summer were hugely disappointing. The sack of Béziers and the massacre there were followed by the siege of Carcassonne, where Peter's attempts to negotiate between the crusaders and Trencavel fell on deaf ears.<sup>108</sup> Guillerme de Tudela's account of those negotiations is probably not far wide of the mark. Peter expressed his annoyance that Trencavel was in trouble for the foolish errors of foolish people and said he could not help him without bringing dishonour upon himself.<sup>109</sup> His negotiations with the crusaders on the viscount's behalf came to nothing and the king was angered and frustrated by the whole business.<sup>110</sup> Frustration increased when Simon de Montfort as new military leader of the crusade was given the lands and goods of Trencavel, who died in prison soon after.<sup>111</sup> Peter had not been consulted concerning the investiture of Montfort and the pope ratified it (admittedly advising him to respect the rights of the principal lords) without any word to the king except the promise that his new Catholic neighbours would aid him in the battle against the Moors.<sup>112</sup> For Peter, the unwelcome arrival of the northern knight could hardly have been a worse result and it is not

<sup>105</sup> ACA perg. Pere I, nos. 310, 313–5; AHN, Cód. 653b, Cartulario Magno de la Castellania de Amposta, 137–9, no. 140; AHN, OOMM, Amposta, encomienda Miravete, carp. 608, no. 29; AHN, Cód. 648b, 404–5, no. 355.

<sup>106</sup> Both of them met Peter II at Colliure on 27 June 1209 (ACA, perg. Pere I, no. 328).

<sup>107</sup> *Layettes*, v, 62–4, no. 176.

<sup>108</sup> *Chanson*, i, 68–74, chs. 26–30.

<sup>109</sup> *Chanson*, i, 70, ch. 28.

<sup>110</sup> *Chanson*, i, 74, ch. 30.

<sup>111</sup> *PVC*, chs. 101, 124; *HGL*, v, 36; *Chanson*, i, 93, ch. 37; 99, ch. 40.

<sup>112</sup> *MDI*, 429–31, nos. 410–11.

unlikely that Vaux-de-Cernay is correct when he accuses Peter of vacillating over Simon's vassalage and inciting revolt against him.<sup>113</sup>

Peter's tactics were essentially to strive for peace, while making things as awkward as possible for Simon, further tying the lords of the region to himself, but making sure he did not give the appearance of aiding heresy. In May 1210, he met with Raymond VI and Foix at Pamiers, hoping to arrange a peace with Simon and, during the siege of Bellegarde, Simon acceded to Peter's request for a truce with Raymond-Roger until Easter 1211.<sup>114</sup> Peter also negotiated with Pierre-Roger de Cabaret, Raymond de Termes, Aimery de Montréal, and other knights, who had appealed to him for help, promising that in exchange they would deliver him their whole region. The prospect must have been tempting for the king but the conditions he placed on them (that they must hand over to him Cabaret and all their other castles before he would receive them as his vassals) were such that they decided not to trust to his mercy.<sup>115</sup> The move disconcerted Simon, as it was probably supposed to, but events in south and north in the following months were such that Peter's tactics were to change with a greater emphasis placed on compromise. Between June and August Peter conducted an important campaign in Valencia, his successes forcing an Almohad response and, in turn, a renewal of Castilian efforts.<sup>116</sup> It was the beginning of the road to Las Navas and it was to be Peter's main focus of attention during the next two years.

While Catalans, Aragonese, and men of Roussillon had participated in the defence of Termes until late in the year, at the beginning of 1211, with the position of the crusade having strengthened, Peter negotiated the reconciliation of Raymond-Roger. Finally, though somewhat unwillingly, Peter accepted Simon's vassalage, and arranged a marriage between his son Peter (James I – now almost three) and Amicie, Simon's daughter, handing Peter over for Simon to be his guardian.<sup>117</sup> All this, and even his thwarted attempts to have Raymond VI reconciled at

<sup>113</sup> PVC, ch. 121.

<sup>114</sup> PVC, chs. 146, 150.

<sup>115</sup> PVC, chs. 148–9.

<sup>116</sup> M. Gual Camarena, *Precedentes de le Reconquista Valenciana* (Valencia, 1952) 208–12; Smith, *Innocent III and the Crown of Aragon*, 91–2.

<sup>117</sup> (Termes) PVC, chs. 168–93; *Chanson*, i, 140, ch. 58; (Raymond-Roger) PVC, chs. 195–6; *Chanson*, i, 144, ch. 59; Ventura, *Pere el Catòlic*, 146–7; P. Belperron, *La Croisade contre les Albigeois et l'union du Languedoc à la France (1209–49)* (Paris, 1946), 215. (Vassalage/marriage) PVC, chs. 210–11; ACA, perg. Pere I, no. 379; Miret, 'Itinerario', iv, 16–7.

Montpellier in early February, when the legates left him waiting outside on a cold and windy day,<sup>118</sup> were surely of secondary importance in 1211 since the king appears to have been convinced that al-Nasir was ready to attack the kingdom of Valencia in retaliation for his own campaign there in the previous year.<sup>119</sup>

There was a heightened sense of urgency within the lands of the Crown which made Simon's decision to withdraw Guy de Lucy and fifty knights from the projected campaign against the Almohads, in order that they help him in his precarious position following the failed siege of Toulouse, a fateful one for the maintenance of good relations between Aragon and the crusade.<sup>120</sup> For Simon, it was a necessary precaution but for the Crown it was an unforgivable act of treachery and if, as Vaux-de-Cernay maintained, Peter attempted to ambush the departing knights, such a move was comprehensible.<sup>121</sup> Letters reaching the king from the consuls of Toulouse relating the bad faith of Simon and Arnau Amalric would have had special resonance, as would their warning from Horace that it is your business when your neighbour's wall is burning down.<sup>122</sup>

What changed the course of the Albigensian crusade so dramatically was the success of Peter II in dealing with his Castilian neighbour's burning wall in central Spain. The king's participation in the victory of Las Navas in July 1212,<sup>123</sup> meant that the threat from the Almohads was significantly diminished (it had not disappeared) and more attention could be paid to the problems in the North. It also meant that Peter could approach those problems as the champion of Christendom, while it had been the case that Frankish knights had departed the crusade before the battle.<sup>124</sup> Arnau Amalric, who had readily acknowledged the significant part which the Aragonese ruler

<sup>118</sup> *Chanson*, i, 144–6, chs. 59–60.

<sup>119</sup> Forces of Peter II, though not the king himself, appear to have been in Jérica in February 1211 (Miret, 'Itinerario', iv, 30; Gual Camarena, *Precedentes*, 211).

<sup>120</sup> *PVC*, ch. 255.

<sup>121</sup> *PVC*, ch. 255; *MDI*, 525, no. 493.

<sup>122</sup> *HGL*, viii, 612–19.

<sup>123</sup> Rodrigo of Toledo, *De rebus Hispanie*, Bk. VIII, chs. 7–12; Amalric, 'De Francorum expeditione', 253–4.

<sup>124</sup> *MDI*, 511, no. 483; Rodrigo of Toledo, *De rebus Hispanie*, Bk. VIII, 265–6, ch. 6; Lucas Tudensis, *Chronicon Mundi*, ed. E. Falque, *CChr.CM*, 74 (Turnhout, 2003), Bk. 4, ch. 89; *Crónica Latina*, 30; *Primera Crónica General General de España*, ed. R. Menéndez Pidal, 2 vols (Madrid, 1955), 696, ch. 1015; *Los Anales Toledanos I–II*, ed. J.P. Martín Cleto (Toledo, 1993), 172–3.



had played in the victory, was not alone in his conviction that as one *Tolosa* had fallen now another would fall.<sup>125</sup>

Innocent III was so certain that the defeat of the Muslims at Las Navas was a clear apocalyptic sign that surely the Christian victory played a significant part in the pope's decision to call a council.<sup>126</sup> His desire for church reform and a new crusade to the Holy Land meant that Innocent was to be very receptive to the noises coming from Aragon concerning what was really going on in Languedoc. For, against his traditional image of the hotheaded womanizing young king who flung himself wildly into the midst of battle, Peter was far calmer than either the pope or the abbot of Cîteaux in the months after Las Navas.<sup>127</sup> Through negotiations with Rome, the Cistercians, the Toulousains and the French and English kings, he sought to isolate Montfort diplomatically and bring an end to the crusade.<sup>128</sup>

The success or failure of the grand plans of Peter II in the winter of 1212 hinged upon his dealings with the church and particularly the pope. His strategy was to use advisers who were well-trained in law to argue before the prelates in the Languedoc and Innocent that the *negotium fidei* had been successful and heresy uprooted; that the Almohads were planning a new war in the south; that Montfort had moved from attacking the lands of heretics to taking the lands of innocent men, including lands where there had never been any heretics; that Montfort had failed to fulfill his role as Peter's vassal and had even usurped the goods of Peter's vassals while he had been on crusade.<sup>129</sup> Moreover, Peter put forward a peace plan which saw Raymond VI giving satisfaction to the Church and, if his lands were not to be restored to him, then while he went away on crusade, his lands should be restored to his blameless son with Peter acting as guardian for him. The counts of Comminges, Foix and Béarn, who had never been heretics or their

<sup>125</sup> Amalric, 'De Francorum expeditione', 253–4. Innocent III declared to the Milanese that victories in Provence and Spain demonstrated that a multitude of armies could not destroy the Lord (*PL*, ccxvi, 710–14).

<sup>126</sup> *PL*, ccxvi, 818: 'Confidimus tamen in Domino, qui iam fecit nobiscum signum in bonum, quod finis huius bestiae appropinquat, cuius numerus secundum Apocalypsum Joannis intra sexcenta sexaginta clauditur, ex quibus iam pene sexcenti sunt completi.'

<sup>127</sup> Part of this may have been due to the fact that his troops and money were spent during the campaign. Bernat Desclot later reported that the returning army's horses were wounded, the shields and helmets broken and the knights battered and bruised (*Crònica de Bernat Desclot*, ed. M. Coll i Allentorn [Barcelona, 1999], 57–8, ch. 5).

<sup>128</sup> Smith, *Innocent III and the Crown of Aragon*, 116–7; 119–24, 130.

<sup>129</sup> *MDI*, nos. 490–1, 493, 496.

protectors should have their lands restored to them and give satisfaction to the Church if it was deemed necessary. With the support of these lords and the count of Montfort the *negotium Christianitatis* in Spain could prosper.<sup>130</sup>

The major problem for Peter II was that while Innocent III was extremely receptive to his proposals, the prelates who assembled at the council of Lavaur were not. Ultimately the opinion of the prelates would carry more weight with the pope than the words of the king and his envoys. Peter had given the pope exactly the news that he wanted to hear. It was news which would allow him to launch his plan for a new crusade to the East, convinced that the problem of heresy in Languedoc had disappeared and that the king would be on hand to make sure that it did not reappear.<sup>131</sup> Indeed, initially when the prelates sent messages saying otherwise then they received a rather cold welcome in Rome.<sup>132</sup> Yet, in the mind of the pope, whatever injustices had been done to the crown or others, all was a question of whether in reality heresy had disappeared or not. The pope, however much he wished to, could not abandon the crusade if heresy remained. That was precisely what Bishop Bertrand of Béziers warned Innocent about when he wrote him.<sup>133</sup> If the heresy was left without having been uprooted in entirety it would prove worse than before. Not only Bertrand but many prelates insisted to the pope that Toulouse was the watchtower of error and that the lands of Comminges, Foix and Béarn had been, and remained, riddled with heresy.<sup>134</sup> Peter II's argument rested on heresy having been defeated and there were insufficient people in a position to act who actually believed this to be true.

The path from diplomacy to action followed the failure of Peter's intervention. The formation of what might have but never did become the *Gran Corona de Aragón* followed the failure of the king's arguments before the council of Lavaur. The definitive break with Montfort followed in due course.<sup>135</sup> The attempts to ally with the King of France through a marriage between Peter and a daughter of Philip floundered on reception of the news that Peter's marriage to Marie of Montpellier

<sup>130</sup> *MDI*, no. 492.

<sup>131</sup> (Lavaur) *MDI*, nos. 494–5. On 19 April 1213, *Vineam Domini* was sent by Innocent to Peter (*MDI*, 543–5, no. 503).

<sup>132</sup> *PVC*, ch. 440.

<sup>133</sup> *PL*, ccxvi, 843; *RHGF*, xix, 575.

<sup>134</sup> *PL*, ccxvi, 833, 835, 839, 844; *RHGF*, xix, 570–5.

<sup>135</sup> *PVC*, chs. 412–16, 429; *Chanson*, ii, 6, ch. 133.

had been upheld by the pope, while whatever plan was hatched with John of England came to naught.<sup>136</sup> The alliance which mattered most was broken in the summer months. Counts of Barcelona and kings of Aragon had not always behaved themselves perfectly but the ties to the Apostolic See were strong and of long standing.<sup>137</sup> Rejecting the king's petitions, in May 1213 Innocent warned Peter that if he provoked divine indignation against himself he would incur grave and irreparable damage and the pope would be unable to protect him against the *negotium fidei*.<sup>138</sup> In July, the pope reissued the privilege *Cum universis sancte* whereby no prelate could excommunicate the king or queen of Aragon without the express order of the pope but advised the king not to lose the privilege through abuse of it.<sup>139</sup> Yet by then the king was organized for war. The opportunities appeared too great to let go and the opposition too puny to concern him. Peter crossed the Pyrenees at the end of August, a week later he had arrived at Toulouse, and, a few days after that, at Muret.<sup>140</sup> The king sought the judgment of God on the rectitude of his actions and, all negotiations by the prelates of the crusading forces having failed,<sup>141</sup> Montfort had no option but to take on the king in battle.

We can speculate concerning what might have happened if Peter had won at Muret. Would Innocent III have been forced to call a crusade against the king of Aragon or would he have accepted the political realities and sought to enforce the peace plan which the king had formerly proposed? Would a victory for Peter at Muret have led to the ultimate formation of that Pyrenean state which never appeared? How

<sup>136</sup> *MDI*, 537–8, no. 498; *PVC*, ch. 419. John paid expenses for Peter's envoy, the Cistercian Griso, between 15 April and 8 May (*Documents Illustrative of English History in the Thirteenth and Fourteenth Centuries*, ed. H. Cole (London, 1844), 262).

<sup>137</sup> The two notable occasions of difficulty in the Twelfth Century had been firstly over the accession of Ramiro II 'the monk' in 1134, who was never recognized by the papacy (Smith, 'The Abbot-Crusader: Nicholas Breakspear in Catalonia', in *Adrian IV: the English Pope (1154–1159)*, ed. B. Bolton and A. Duggan (Aldershot, 2003), 36–8; Aurell, *Les Noces del Comte*, 347) and, secondly, in 1161–2 when Ramon Berenguer IV had been willing to recognize the antipope Victor IV in Provence so as to hold that county (*Papsturkunden in Spanien. Vorarbeiten zur Hispania Pontificia: I Katalonien*, ed. P. Kehr (Berlin, 1926), 371–2, no. 87; *LFM*, ii, 366–71, nos. 901–2).

<sup>138</sup> *MDI*, 546–50, no. 505.

<sup>139</sup> *MDI*, 550–1, no. 507. 'Cum universis sancte' was initially a privilege of Urban II to Peter I of Aragon in 1095 (*MDI*, 53, no. 34; *Papsturkunden in Spanien. Vorarbeiten zur Hispania Pontificia: II Navarra und Aragon*, ed. P. Kehr (Berlin, 1928), 120).

<sup>140</sup> Muret, 'Itinerario', iv, 104; *PVC*, chs. 447–8; *Chanson*, ii, ch. 135; Smith, *Innocent III and the Crown of Aragon*, 136–7.

<sup>141</sup> *PVC*, chs. 471–5.

would Philip II of France have reacted to Aragonese dominance in Languedoc? Such questions are entertaining for a parlour game and not without their uses, but the study of history is about what happened not what might have happened.<sup>142</sup> The battle of Muret, as we have seen, was not just a minor incident, not simply the result of the overambition of a charismatic but unwise king, but rather a dramatic and significant moment in the history of a relationship between the lands of southern France and north-eastern Spain which had evolved over many centuries, and which had seen a significant build-up of the political power of the house of Barcelona during the eleventh and twelfth centuries. The path to Muret was long and winding. At the same time, while the battle proved a turning-point, it would be a grave error to imagine that Muret meant an end to the story of the involvement of Catalans and Aragonese in the affairs of Languedoc or to the influence of the lands of the north upon the lands of the south.

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<sup>142</sup> Alvira, *Muret*, 268: 'Quienes todavía añoran una historia que nunca existió y que nunca sabremos cómo habría terminado, suelen olvidar que hoy no estamos en septiembre de 1213. Han pasado casi ocho siglos, demasiadas cosas para seguir lamentando una evolución histórica que fue posible, que tuvo su oportunidad, y que, como otras muchas a lo largo de la Historia, sencillamente no prosperó.'



## CHAPTER TWO

### WARS, NORTH AND SOUTH (1213–76)

#### *The Minority of James I*

After the death of Peter II at Muret, the crown of Aragon faced the possibility of break-up.<sup>1</sup> The heir to the throne, James, was a five-year old, whose right was disputable, and who, moreover, was in the hands of Simon de Montfort.<sup>2</sup> The most important nobleman in the kingdom of Aragon was Peter II's younger brother, Ferdinand, abbot of Montearagón, who countenanced the possibility of taking the throne for himself. Ferdinand would long remain a thorn in the side of his nephew.<sup>3</sup> In Provence, Count Sanç, Peter II's uncle, a man whose career can at best be described as checkered, held the reins of power for James's cousin Ramon Berenguer V (though Arles was in revolt) and was determined to avenge the king's death at whatever price.<sup>4</sup> In Catalonia, there was no clear leading figure, and, in a contemporary section of the *Gesta Comitum Barcinonensium*, the monks of Ripoll described with alarm how evils spread across the land and unheard-of confederations and conspiracies arose.<sup>5</sup> Important barons, most notably Guillem de Montcada and Guillem de Cervera profited from the crisis and secured financial and jurisdictional control of vast areas, while Guerau de Cabrera seized power in the county of Urgell.<sup>6</sup> The mortgaging of the king's domains to meet Peter's ambitions meant that the financial situation was parlous in Catalonia and only a little better

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<sup>1</sup> The classic work on this period is F. Soldevila, *Els primers temps de Jaume I* (Barcelona, 1962).

<sup>2</sup> On the first years of the minority, see Smith, 'Innocent III and the Minority of James I', *Anuario de Estudios Medievales*, 31 (2000), 19–50.

<sup>3</sup> Smith, *Innocent III and the Crown of Aragon*, 143.

<sup>4</sup> A notable defence of the actions of Sanç is S. Sanpere y Miquel, 'Minoría de Jaime I. Vindicación del procurador Conde Sancho, años 1214–1219', *I. CHCA*, ii (1908), 580–694.

<sup>5</sup> *Gesta Comitum Barcinonensium*, 56, ch. 27.

<sup>6</sup> Sobrequés, *Els barons de Catalunya*, 65–6; Bisson, 'The Finances of the Young James I (1213–1228)', idem, *Medieval France and her Pyrenean Neighbours: Studies in early Institutional History* (London, 1989), 351–92.

in Aragon.<sup>7</sup> Both the kingdoms of Navarre and France (as Diego García would lament) sought to profit from the crisis, although, on the plus side, neither the Almohads post-Las Navas nor Castile, soon to be faced with its own minority, were in a position to exploit the crown's misfortune.<sup>8</sup>

Given this generally unhappy state of affairs, it would seem safe to say that the last thing that the crown needed was to renew the war with the crusaders. Yet that is precisely what a number of people wished to do. As is well-known, the defeat of Muret was not followed by submission to Montfort but rather resistance with renewed fervour, with substantial revolt in winter 1213–4.<sup>9</sup> Some Provençal nobles were, according to Vaux-de-Cernay, occupying the public roads, and harassing crusaders arriving from the North.<sup>10</sup> Both at Narbonne and Montpellier, Montfort and the crusaders were refused entry into the towns and had to pass the night outside the walls, while at Nîmes they were only grudgingly granted permission to enter.<sup>11</sup> While Montfort was in Provence, soldiers from the lands of the crown attacked his position at Béziers.<sup>12</sup> In February 1214, Count Baldwin, the crusader-brother of Raymond VI of Toulouse was captured, imprisoned at Montauban, and then hanged from a walnut tree by the count of Foix, his son and the Lleidan knight Bernat de Portella, in order, according to Puylaurens, 'to avenge the king of Aragon, since he had been at that battle'.<sup>13</sup> On 20 March 1214, Viscount Guillem de Cardona made his will, intending to go to the region of Toulouse 'to avenge the death of my lord king and to recover his son who is held as if he were a captive' and by the spring, with the support of Viscount Aimery of Narbonne, a formidable group of nobles and clergy of the crown had assembled

<sup>7</sup> *Llibre dels Fets*, ii, 48, ch. 11; Bisson, 'Finances', passim.

<sup>8</sup> *Colección diplomática del Concejo de Zaragoza I, 1119–1276; II, 1276–85*, ed. A. Canellas López (Zaragoza, 1972–5) [hereafter CDCZ], i, 135, no. 45; *Colección Diplomática del rey Don Sancho VII*, ed. C. Marichalar (Pamplona, 1934), 134–5, no. 87; *The Chronicle of San Juan de la Peña*, ed. L. Nelson (Philadelphia, 1991), 61, ch. 35 and note 242; J. González, *El reino de Castilla en la Época de Alfonso VIII*, 3 vols (Madrid, 1960), i, 1072; *Catalogue des actes de Philippe-Auguste*, ed. L. Delisle (Paris, 1856), 352, no. 158; Diego García, *Planeta*, ed. M. Alonso (Madrid, 1943), 195–6.

<sup>9</sup> See M. Roquebert, *L'Épopée Cathare*, 2 vols (Toulouse, 2001), i, 769–83.

<sup>10</sup> PVC, ch. 487.

<sup>11</sup> PVC, ch. 488.

<sup>12</sup> PVC, chs. 487–91, 493 (Aragonese at Béziers); Roquebert, *L'Épopée Cathare*, i, 773–8.

<sup>13</sup> PVC, chs. 495–500; Puylaurens, 92–4, ch. 22.

near Narbonne, determined to recover James by negotiation or war.<sup>14</sup> Vaux-de-Cernay recognized that the men of Aragon and Catalonia were attacking the count to avenge their king.<sup>15</sup> Their number included Count Sanç, Nuno Sanç, Count Hug d'Empúries, Guillem de Montcada, Guillem de Cardona, the masters of the Templars and the Hospitallers, and, of course, Dalmau de Creixell.<sup>16</sup>

The arrival at Narbonne in the first days of April 1214 of Cardinal Peter of Benevento and his entourage was to be of crucial importance in the subsequent history of the crown of Aragon.<sup>17</sup> The new legate had been first of all promised by Innocent III to Peter II in *Is, in cuius* and then again, after Peter's death, by Bishop Hispan of Segorbe and the nobles, when it had become apparent that Montfort would not surrender James.<sup>18</sup> Cardinal Peter, considered one of the top lawyers in Rome at the time, and responsible for *Compilatio III*, proved himself a man of great diplomatic and administrative skill as he diffused the tension in Languedoc and then undertook the organization of the government of the minority.<sup>19</sup> Aided by thinly veiled threats from Innocent, he was able to recover the young king from Montfort at Capestang, before reconciling a number of the southern French lords.<sup>20</sup> Many of their oaths of obedience to the Church were sworn in the presence of nobles and clergy of the crown, an effective use of ceremony by the cardinal, which was even more evident in the *Cort* held at Lleida in early August 1214, where Bishop Aspàreg of Pamplona held up the young James for all the Aragonese and Catalans present to swear to him the oath of fealty.<sup>21</sup> The cardinal's arrangements for the government of the minority are

<sup>14</sup> *Diplomatari de la vila de Cardona (anys 966–1276)*, ed. A. Galera i Pedrosa (Barcelona, 1998), 585, no. 316; *PVC*, ch. 501; *Llibre dels Fets*, ii, ch. 10; Roquebert, *L'Épopée Cathare*, i, 781–3.

<sup>15</sup> *PVC*, ch. 501.

<sup>16</sup> *HGL*, viii, 645–6, 650–1.

<sup>17</sup> Smith, *Innocent III and the Crown of Aragon*, 145–9.

<sup>18</sup> *MDI*, 546–50, no. 505; *PL*, ccxvi, 955; *RHGF*, xix, 587.

<sup>19</sup> J. Powell, 'Innocent III and Petrus Beneventanus: Reconstructing a Career at the Papal Curia' in *Pope Innocent III and his World*, ed. J. C. Moore (Aldershot, 1999), 51–62; W. Maleczek, *Papst und Kardinalskolleg von 1191 bis 1216* (Vienna, 1984), 172–4; K. Pennington, 'The Making of a Decretal Collection: the genesis of *Compilatio tertia*', *Fifth International Congress on Medieval Canon Law*, ed. S. Kuttner and K. Pennington (Vatican City, 1980), 68–9.

<sup>20</sup> *MDI*, 556, no. 516; *PVC*, chs. 503–7; *Llibre dels Fets*, ii, ch. 10; Rodrigo of Toledo, *De rebus Hispanie*, Bk. VI, 182, ch. 5; *Gesta Comitum Barcinonensium*, 56, ch. 27; *HGL*, viii, 643–51; *RHGF*, xix, 210.

<sup>21</sup> *Llibre dels Fets*, ii, 48, ch. 11; Smith, *Innocent III and the Crown of Aragon*, 150–3.



not the subject of this book but it should be said that generally his measures were sound and his wise intervention at the council of Montpellier in January 1215, where he held back from granting to Montfort all the lands he had conquered, as well as his protection of Montpellier from the eager enthusiasm of Prince Louis, showed his determination to fulfill his task to the letter and protect the position of the orphan king.<sup>22</sup>

If one criticism is allowed of him here it may be that he initially left too much power in the hands of Sanç as the appointed procurator in the crown's lands, given Sanç's determination to continue the war and his lack of a power base outside of Provence. Sanç had resolved to continue the struggle with Montfort until Peter was avenged and he concentrated his attention on the northern holdings more than on the problems within Catalonia and Aragon. In August 1214, a treaty of alliance between Nuno Sanç and Hugh of the Baux improved the situation in Arles.<sup>23</sup> More importantly, Sanç arranged the marriage of Nuno to Peronella, widow of the viscount of Béarn.<sup>24</sup> When Gastón of Béarn had died in 1214, the counties of Béarn and Bigorre were split. Sanç calculated (and quite rightly) that if Peronella was left unmarried in Bigorre then Montfort would force her into a marriage favourable to him and consolidate his position through control of the western county. That might have led Montfort still further west, since the new viscount of Béarn, Guillem Ramon de Montcada, was in a precarious position since he had never been reconciled by the Church after his brutal assassination of Archbishop Berenguer of Tarragona twenty years previously.<sup>25</sup> Sanç's preoccupation with Montfort and the crusade meant that he paid little attention to what was going on further south. In Aragon, there were uprisings at Huesca, Jaca and Zaragoza, nurtured by Ferdinand, and generally there were a substantial number of barons and clergy who did not agree with the course Sanç was taking and had little confidence in his handling of affairs.<sup>26</sup>

<sup>22</sup> *Mansi*, xxii, 935–54; *PVC*, chs. 543–52; *Puylaurens*, 98, ch. 24; Ventura, *Pere el Catòlic*, 239–47.

<sup>23</sup> *Benoit*, ii, 97–100, no. 18.

<sup>24</sup> *ACA*, perg. Jaume I, no. 26; Soldevila, *Els primers temps*, 101–2; J. Shideler, *A Medieval Noble Catalan Family: the Montcadas 1000–1230* (Berkeley, 1983), 139.

<sup>25</sup> *LFM*, no. 21; *ACA*, perg. Jaume I, no. 26; *HGL*, vi, 498; Shideler, *Montcadas*, 139, 142; Roquebert, *L'Épopée Cathare*, i, 791; Ventura, *Pere el Catòlic*, 248–9, 278.

<sup>26</sup> *El Libro de la Cadena del Concejo de Jaca*, ed. D. Sangorrín (Zaragoza, 1985), 279–94, nos. 25–7; *CDCZ*, 134, no. 44; B. Palacios Martín, *La Coronación de los Reyes de Aragón: Aportación al estudio de las estructuras medievales* (Valencia, 1975), 302–3.

The weakness of Sanç's power in Aragon and Catalonia is most clearly indicated by the fact that the envoys to the Fourth Lateran council, Pedro Ahones and Guillem de Cervera, whose expenses Sanç had to pay, along with Bishop Hispan, would use the occasion of the council to undermine both Sanç's position and the opportunities for continuing the war.<sup>27</sup> Although the anonymous continuator of the *Chanson de la croisade Albigeoise* depicts for us a hesitant and troubled Innocent III,<sup>28</sup> there is little doubt that in the months leading up to the council the Curia had convinced itself of the rectitude of Montfort's actions and that his victory at Muret proved that he was, indeed, the athlete of Christ. Indeed, six letters of the papal chancery in favour of Montfort written between February and December 1215, have written on the dorse the motto "Christus Vincit".<sup>29</sup> Whatever doubts the pope may have had concerning the legal ramifications of the case, the Council deprived Raymond VI of his property and conceded all the lands taken from heretics to Montfort.<sup>30</sup> There is no indication that either the envoys or the bishops of the lands of the crown did anything to oppose this decision. Furthermore, the envoys came home with letters giving to Sanç seven deputy councillors, the overwhelming majority of whom were opposed to a continuation of the struggle in the north; instructions that he should carry out the office of procurator committed to him according to the instructions of the cardinal-legate; and an order to all the barons of Aragon and Catalonia that they must inviolably observe the truce with Montfort.<sup>31</sup>

Even though the crown received some welcome news in the harsh but endurable terms of the reconciliation of Guillem Ramon de Montcada,<sup>32</sup> the decision of the council ended all realistic hope for the wider Languedocian ambitions of the crown. Furthermore, in April 1216, Philip II of France invested Montfort with the county of Toulouse and granted him the viscounties of Béziers and Carcassonne, while

<sup>27</sup> *CDIACA*, vi, 78–9; Smith, *Innocent III and the Crown of Aragon*, 168.

<sup>28</sup> *Chanson*, ii, 40–89.

<sup>29</sup> *Les actes pontificaux originaux des archives nationales de Paris. Index Actorum Romanorum Pontificum ab Innocentio III ad Martinum V electum*, 1–3, ed. B. Barbiche (Roma, 1975–82), i, 452; P. Zutshi, 'Letters of Pope Honorius III concerning the Order of Preachers', in *Pope, Church and City: Essays in honour of Brenda M. Bolton*, ed. F. Andrews and C. Egger (Leiden 2004), 277.

<sup>30</sup> *HGL*, viii, 681; *RHGF*, xix, 598–9.

<sup>31</sup> *MDI*, nos. 537, 554, 565.

<sup>32</sup> J. Villanueva, *Viage literario a las iglesias de España*, 22 vols (Madrid, 1803–52) [hereafter *VL*], xix, 304–5; Shideler, *Montcadas*, 139–40.

recognizing him as duke of Narbonne.<sup>33</sup> Sanç, however, was not motivated by political realism but by a sense of honour. That this sense of honour was not going to be sufficient to entice the nobility of Aragon and Catalonia en masse to return to the fray should have been evident when Raymond VI's journey through those lands in spring 1216 failed to recruit quite as many knights as had been expected.<sup>34</sup> In many areas, the voices of the members of the royal council carried more weight than that of the procurator. Sanç was, therefore, reliant on a small number of knights, most of whom had contacts with the region, as well as dissident knights in Languedoc and Provence.

In June 1216, while Raymond VII besieged Beaucaire, Sanç, at Balaguer, signed a treaty of friendship with the confraternity of Marseille, in which mutual assistance in case of outside aggression was agreed between the two parties.<sup>35</sup> Then, on 26 October, at Barcelona, a treaty of peace was signed between Sanç and Nuno on the one side, and Guillem Ramon de Montcada, his son, Guillem, and Guillem de Cervera, on the other, in order to facilitate the protection of both Béarn and Bigorre before the crusade.<sup>36</sup> Though the Council had strengthened Guillem Ramon's hold over Béarn, plans in Bigorre had gone awry since Montfort had been able to persuade the clergy of the region to annul the marriage between Nuno and Peronella on grounds of consanguinity.<sup>37</sup> Furthermore, in November, at Tarbes, Peronella was married to Montfort's son, Guy, 'in order that he could strengthen the boundaries of his county on the Gascon side', as Puylaurens rightly put it.<sup>38</sup> As Guillem Ramon considered Béarn under threat, and Nuno had lost a county, they determined to oppose Montfort by invading Bigorre with their troops, and, indeed, Montfort was forced to retreat from the siege of Lourdes because of them.<sup>39</sup>

Though the efforts of Guillem Ramon and Nuno, as well as those of Raymond VII and others, had made life extremely difficult for Montfort, it was only in September 1217, that Raymond VI, with typical caution,

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<sup>33</sup> *Catalogue des actes de Philippe-Auguste*, nos. 1659–61; *Catalogue des actes de Simon de Montfort*, ed. A. Molinier (Paris, 1873), nos. 127–127b; *PVC*, ch. 573.

<sup>34</sup> *PVC*, ch. 583; *Chanson*, ii, 148.

<sup>35</sup> *PVC*, chs. 575–85; *Benoit*, 102–4, no. 21.

<sup>36</sup> *Benoit*, 104–5, no. 22.

<sup>37</sup> *Chanson*, ii, 256–7, 304–5; *Puylaurens*, 100, ch. 24; Roquebert, *L'Épopée Cathare*, i, 1029–30.

<sup>38</sup> *Catalogue des actes de Simon de Montfort*, no. 136; *Puylaurens*, 100, ch. 24; *PVC*, ch. 587.

<sup>39</sup> *Chanson*, ii, 256.

and after many negotiations, returned from his exile in Spain.<sup>40</sup> How many of the troops which Raymond VI brought with him across the Pyrenees were actually Aragonese and Catalan remains a matter of conjecture.<sup>41</sup> Perhaps the number was relatively small, but they were at least numerous enough to have participated in the council at the church of Taur in October (with Dalmau de Creixell again leading the way), where they urged attack upon the crusade but negotiation with the Church. Moreover, they were sufficient in number for Honorius III to be made aware of their presence and to react dramatically against their perceived threat.<sup>42</sup> In these crucial months for the crusade, Honorius left his legate Cardinal Bertrand in no doubt as to the danger of Aragonese intervention. In a letter dated to 23 October 1217, he had told Bertrand that James (by now an experienced campaigner aged nine) and his nobles must not wage war against Montfort.<sup>43</sup> At the end of December, the pope wrote to the king personally, as well as to the procurator Sanç, urging them not to give any help to the Toulousains.<sup>44</sup> The pope did not fail to remind them that the kingdom was recognized to pertain to the Roman church, and that if they provoked the pope and the Roman church, then the kingdom itself would face the threat of invasion.<sup>45</sup> The following year, the pope ordered that the excommunication of Nuno Sanç and Guillem Ramon de Montcada for their actions at Lourdes should be promulgated through the provinces of Narbonne, Tarragona and Aquitaine.<sup>46</sup>

The letters must be understood in context. Sent by a generally mild-mannered pope, they reflect the profound desire that he felt to see that there should be no catastrophic escalation of a conflict he wished to bring to an end. Honorius had also written in December to Philip II and the French bishops urging them to give help to Montfort, to Raymond VII and the inhabitants of Toulouse that they might end the revolt, and to the count of Foix, as well as the peoples of Avignon, Beaucaire, Marseille, Saint-Gilles and Tarascon, criticizing them for

<sup>40</sup> *Puylaurens*, 106, ch. 28; *PVC*, ch. 600.

<sup>41</sup> Alvira, *Muret*, 244–5: 'Más que un ejército, se trataba de viejos compañeros de Pedro el Católico que no habían olvidado Muret.'

<sup>42</sup> *Chanson*, iii, 51; D. Smith, 'Aragon, Catalogne et papauté pendant la Croisade contre les Albigeois', in *La Croisade Albigeoise. Actes du colloque du Centre d'études Cathares de Carcassonne octobre 2002*, ed. M. Gimenez (Toulouse, 2004), 166–7.

<sup>43</sup> *MDH*, 75, no. 94.

<sup>44</sup> *MDH*, 86–8, nos. 106–7.

<sup>45</sup> *MDH*, 86–7, no. 106.

<sup>46</sup> *MDH*, 154, no. 195.

their continued opposition towards Montfort.<sup>47</sup> Yet beyond this, Honorius was conscious of his role to protect the well-being of the young James and, from his viewpoint, this was consistent with his other measures on behalf of the king. Already in February 1217, he had permitted the translation from Toulouse to Sixena of the remains of James's father.<sup>48</sup> Two months later, he had advised Philip II not to encroach upon James's rights in Montpellier.<sup>49</sup> Two months after that, he had ordered the county of Millau restored to the king.<sup>50</sup> In the summer of 1219, he was to renew the papal protection to the king, his kingdom and Montpellier,<sup>51</sup> and when Prince Louis was set to renew his efforts in the south, the pope was quick to advise him against invading or allowing to be invaded any of the lands of the king of Aragon, whose care had been entrusted to the Apostolic See by his mother, Marie of Montpellier, before her death.<sup>52</sup>

<sup>47</sup> *Regesta Pontificum Romanorum inde ab anno 1198 ad annum 1304*, ed. A. Potthast, 2 vols (2nd edition, Graz, 1957) [hereafter *Potthast*], 5642, 5645–6; *HGL*, vi, 514; Roquebert, *L'Épopée Cathare*, i, 1092–3.

<sup>48</sup> *MDH*, 28, no. 34.

<sup>49</sup> *MDH*, 45–6, no. 57: 'Cum dominum Montis Pesulani ad inclite recordationis Mariam reginam Aragonum iure hereditario pertinuerit, et dilectus filius Iacobus clare memorie [Petri] regis Aragonum et ipsius regine natus, utrique in hereditate successerit, utpote heres legitimus eorundem, serenitatem regiam rogamus attente monemus et exhortamus in Domino, quatinus eum super predicto dominio, quod hereditario iure spectat ad illum, nec tu ipse impedias vel molestes, nec permittas a tuis, quantum in te fuerit, molestari; presertim cum eadem reginam, dum ageret in extremis, ipsum et terram suam nec non et alia bona, in quibus erat successoris eidem sub apostolica protectione reliquerit et tutela.'

<sup>50</sup> *MDH*, 50, no. 61: 'Carissimus in Christo filius noster I[acobus] Aragonum rex illustris nobis exponere procuravit, quod cum clare memorie P[etrus] rex Aragonum, pater eius, comitatum Amiliuensem ad eum hereditario iure spectantem nobili viro, quondam comiti Tolosano titulo pignoris obligasset, ac venerabilis frater noster, [Raimundus] Uticensis episcopus et socii eius apostolice sedis legati comitatum eundem ipsi comiti, propter eius heresim substratentes, ipsum tibi commiserint conservandum, licet tam dictus comes quam tu ex eodem comitatu perceperitis ultra sortem, nondum tamen ipsi regi extitit restitutus.'

<sup>51</sup> *MDH*, 171, no. 224: 'Hac itaque consideratione inductus nobis, fili Karissime, supplicasti, ut te sub alarum nostrarum umbra dignaremur protegere ac protectionis apostolice clippeo communire; nos igitur preclare devotionis et fidei puritatem, quam ad Deum et ipsam ecclesiam proenitores tuos habuisse didicimus recolentes, attendentes quoque, quod te inclite recordationis M[aria] regina Aragonum mater tua cum terra et aliis bonis tuis eidem ecclesie commendavit, agens dudum apud sedem apostolicam in extremis nostre tibi dilectionis precordia dignum duximus aperire, quatinus qui in etate tenera esse dinosceris constitutos dum favoris apostolici brachiis sustentatus fueris roborari, adiuvante Domino valeas et suscipere incrementum.'

<sup>52</sup> *MDH*, 178–9, no. 235: 'Istud igitur ignorare te nolumus, quod cum carissimus in Christo filius noster Iacobus Aragonum rex illustris sub apostolice sedis et nostra protectione consistat, utpote quem inclite recordationis M[aria] regina Aragonum mater

Yet by 1219 the world had changed a great deal. The great siege of Toulouse by the crusaders had been matched by the stalwart defense of its inhabitants, aided by, among others, the ubiquitous Dalmau de Creixell, who had reached such a position of prominence that at the end of May 1218 he was one of the four witnesses to the will of Raymond VI.<sup>53</sup> On 25 June, a stone fired from a mangonel struck Montfort on the head and he was instantly killed.<sup>54</sup> The crusade had lost a leader of exceptional ability and courage and, at the same time, the crown had lost much of its incentive for intervention. Whether Sanç had stepped down as procurator before or after news of Montfort's death would have reached him remains a matter of debate.<sup>55</sup> It does not seem coincidental that he disappeared from the scene at the time when Peter had finally been avenged. Honour had been the major motivating force in his actions during the previous five years.

That the crown had no intention of supporting heretics was clearly demonstrated by the severe legislation against heresy of the General *Cort* at Vilafranca in that year, and the new royal council appointed by the pope in 1219 was evermore determined to steer the crown's interests away from the lands to the north.<sup>56</sup> James was powerless in his kingdom, where factional fighting was rife, alliances were made and broken with bewildering regularity, and, as the king would delight in recalling in his old age, war had broken out between Nuno Sanç and Guillem de Montcada after a quarrel over a goshawk.<sup>57</sup> Whatever his personal feelings about his natal city of Montpellier and the lands in which his father died, intervention was impossible. The customs of Montpellier had been confirmed, after some contentions, in September 1218.<sup>58</sup> In 1223, with Raymond VII claiming the county of Millau,

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eius apud sedem apostolicam dudum decedens Romane ecclesie commendavit ipsum sub alarum nostrarum umbra protegere ac manutenere propensius nos oportet, cum ipsius precipue merita id exposcant, qui se totum nostre subiciens voluntati ad mandatum nostrum restrinxit hactenus se ac suos firme pacis federa observando.

<sup>53</sup> G. Lafaille, *Annales de Toulouse* (Toulouse, 1687), i, 124; Roquebert, *L'Épopée Cathare*, i, 1102–3.

<sup>54</sup> PVC, ch. 612; *Chanson*, iii, 208.

<sup>55</sup> Soldevila, *Primers temps*, 148–65; *Documentos de Jaime I*, i., no. 14; Alvira, *Muret*, 'La hora de la venganza catalano-aragonesa llegó con la piedra que aplastó la cabeza de Simon de Montfort el 25 de junio de 1218. Lavada con sangre la sangre de su rey, la afrenta de Muret quedó satisfecha.'

<sup>56</sup> *Documentos de Jaime*, i., 35–9, no. 9; MDH, no. 234.

<sup>57</sup> *Llibre dels Fets*, ii, ch. 92.

<sup>58</sup> HGL, viii, 714–5; Roquebert, *L'Épopée Cathare*, i, 1132.

James, or his advisors, could do little except suggest that the notables of the region have recourse to the cardinal-legate Conrad for lands the count had already taken.<sup>59</sup>

The king's desire to win his spurs against the Muslims in the south, the subsequent struggle with the once faithful Pedro Ahones, and the ensuing Aragonese revolt, meant that in the vital years, between 1224 and 1227, when Louis VIII and the crusade were advancing, the crown would give little by way of support to the cause of the dispossessed nobles, even though young Trencavel was, at least for a time, with the royal court.<sup>60</sup> At the *Corts* of Tortosa, in April 1225, the king had reiterated the severe legislation of the crown against heretics.<sup>61</sup> When, in the first months of 1226, Honorius, through the cardinal-legate Bertrand, made clear to the king and his nobles, as well as other interested parties, that Louis should rightfully possess the lands of the count of Toulouse and described the punishments awaiting those who opposed his crusade, the crown was swift to react.<sup>62</sup> In April 1226, James issued an edict from Barcelona to all the peoples of his kingdom, in which he emphasized that he was a special son of the Holy See under its protection and that in response to appeals from the cardinal-legate and the king of France, he ordered that nobody should help any heretics and enemies of the Church or their protectors but rather they should study to avoid them and if they did not do so they would have to face the king's wrath.<sup>63</sup> In the same month, Nuno Sanç placed himself, his men and his land at the service of Louis in order to extirpate the enemies of the faith.<sup>64</sup> In June, Ramon Berenguer V allied himself to Louis and promised to help him in Provence in the war he undertook against Raymond VII.<sup>65</sup> One brighter note, for those happy few who wished to continue the struggles, was that the bishop of Girona had the bones of Dalmau de Creixell, who had died excommunicate due to a dispute with the diocese, disinterred and

<sup>59</sup> *HGL*, viii, 763–5; *Documentos de Jaime*, i, 103–5, no. 44.

<sup>60</sup> *Llibre dels Fets*, ii, chs. 21–33; L. González Antón, 'La revuelta de la nobleza aragonesa contra Jaime I en 1224–1227', *Estudios Medievales*, 2 (1977), 143–63; Roquebert, *L'Épopée Cathare*, i, 1229–1340; ii, 108; Alvira Cabrer, *El Jueves de Muret*, 529.

<sup>61</sup> *Documentos de Jaime*, i, no. 67.

<sup>62</sup> *HGL*, viii, 817–9.

<sup>63</sup> *HGL*, viii, 830–1; *Documentos de Jaime*, i, 162, no. 80.

<sup>64</sup> *HGL*, viii, 831.

<sup>65</sup> *Benoit*, 195, no. 99.

reburied in consecrated ground. A relief for the family, no doubt, but of no wider significance.<sup>66</sup>

It was the case that the crown had gone so far at this point in abandoning its pretensions in the Midi that when a real opportunity arrived allowing it to intervene anew in the area, its king and nobles were psychologically ill-prepared to do so. The death of Louis VIII and the subsequent regency of Blanche of Castile placed the Capetians in unusual difficulties. Raymond VII battled on, and the setbacks for the crusade coincided with the end of James's own minority and his gradual assumption of control.<sup>67</sup> In 1228, on behalf of the rights of Aurembiaix, daughter of Ermengol VIII, the young king waged war on the de facto count of Urgell, Guerau de Cabrera, defeated him, and took control of the county.<sup>68</sup> A pact with Aurembiaix consolidated his position in the north of Catalonia and undoubtedly had the king wished to do so, he could have responded to troubadour appeals for his decisive intervention further north.<sup>69</sup>

But he did not. The scar of Muret, the duty not to make war on other Christian kings instilled in him by the Templars who had nurtured him, the danger of confronting France and the papacy, and the greater opportunities in the south must have weighed with the king. As Raymond VII's resources were gradually exhausted, James's mind was elsewhere and neither when the treaty was agreed at Meaux in January 1229 nor when it was ratified at Paris on 12 April, was there a murmur of protest from Aragon.<sup>70</sup> Raymond VII would hold the diocese of Toulouse, the Albigeois north of the Tarn, the Rouerge, Quercy, saving Cahors, and the Agenais, as a vassal of the king of France. The march of Provence, east of the Rhône, was surrendered to the church. Crucially, Jeanne, the daughter of Raymond was to be espoused to a brother of Louis IX, and at Raymond's death the town and diocese of Toulouse would fall to them. If they died without heirs, the land would revert to the French crown.<sup>71</sup> Only in the instance that Raymond VII had other children, and Jeanne and her husband died without issue, would the lands remain in the hands of the comital

<sup>66</sup> R. Torrent Orri, 'Genealogía y gestas de los condes de Crexell', *Anales del Instituto de Estudios Ampurdanenses*, 5 (1964–5), 117.

<sup>67</sup> *Llibre dels Fets*, ii, ch. 29; Roquebert, *L'Épopée Cathare*, i, 1339–53.

<sup>68</sup> *Llibre dels Fets*, ii, chs. 34–46.

<sup>69</sup> Soldevila, *Primers temps*, 298–300; Alvira, *Muret*, 247.

<sup>70</sup> *HGL*, viii, 878–93.

<sup>71</sup> *HGL*, viii, 887.



dynasty. The catastrophic consequences of defeat were now painfully apparent.

### *The Conqueror*

Already when protecting Aurembiaix, James had indicated his desire to undertake the conquest of Majorca.<sup>72</sup> That the venture was the result of a dinner conversation at the house of Pere Martell in Tarragona is a delightful piece of artistic license on James's part ("And we asked what land was Majorca and how great its kingdom").<sup>73</sup> Rather it was an old ambition of the crown and a particularly pressing one for the young king. The expedition could unite the factional forces within the crown lands in a way that continued conflict in the south of France could not. A war against the Moors, which could both direct the bellicose tendencies of the nobles towards a religious end and satisfy commercial interests, was the perfect remedy for a ruler who had had to survive fifteen years of fractious fighting. When the *Corts* at the Palau Major at Barcelona in December 1229 brought together the clergy, nobles and townsmen on whom James would rely heavily, they included men who might otherwise have continued to focus their attention either on one another or, more damagingly, on the north.<sup>74</sup> Most notable among these were Nuno Sanç, Count Hug d'Empúries, and the Montcadas.<sup>75</sup> The campaign received the significant support of fleets from Provence (the king himself sailing in the galley of Montpellier) and Languedoc, lords who had ties with heresy, and some heretics themselves.<sup>76</sup> Thus the conquest not only channeled the energies of the Catalans (and not an insubstantial number of Aragonese)<sup>77</sup> but it also drew away from Languedoc some potential enemies of the Capetians and the Church.

<sup>72</sup> Soldevila, *Primers temps*, 298–300.

<sup>73</sup> *Llibre dels Fets*, ii, ch. 47. See M. Barceló, 'Expedicions militars i projectes d'atac contra les Illes Orientals d'Al-Andalus', idem, *Sobre Mayürqa* (Palma de Mallorca, 1984), 144–64.

<sup>74</sup> *Documentos de Jaime*, i, nos. 111–15.

<sup>75</sup> *Llibre dels Fets*, ii, chs. 50–1.

<sup>76</sup> A. Santamaria, 'Comunidades Occitanas en la conquista y repoblación de Mallorca', *Jornades d'Estudis Històrics Locals*, 4 (1986), 9–19; *Llibre dels Fets*, ii, ch. 56; and below, ch. 3.

<sup>77</sup> P. Cateura, 'Sobre la aportación Aragonesa a la conquista de Mallorca (1229–32)', *X CHCA* (1980), ii, 17–40.

Even though the voyage was achieved in normal time, the king's account in the *Llibre dels Fets* of the crossing to Majorca gives a sense of how thrilling it must have been to participate in the adventure.<sup>78</sup> They faced little serious opposition when landing but at the battle of Porto Pí, on 12 September 1229, both Guillem and Ramon de Montcada were killed.<sup>79</sup> James, who had only played a minor part in the battle, never personally faced a Muslim force in open combat again. Rather, he would proceed by siege warfare and negotiation, as he did during the next three months, as he sought the surrender of Palma de Mallorca.<sup>80</sup> While Nuno Sanç led diplomatic efforts, Jaspert de Barberà, who would have plenty of tussles with the Inquisition ahead of him, conducted siege operations overland, while the count of Empúries undermined the city.<sup>81</sup> Oliver de Termes, son of the notorious heretic, Raymond de Termes, also played a significant part in the siege.<sup>82</sup> After the city was taken, on 31 December 1229, the lands of the island were, after much controversy, divided up among those who had participated in the siege and some who had not, with the merchants of Montpellier and Marseille being particularly well-rewarded in the *Repartiment*, as were Nuno Sanç and his men.<sup>83</sup> In 1231, James would return and the Muslims of the smaller island of Menorca would recognize his overlordship, perhaps as the result of an ingenious military ruse on the part of the king, but most probably above all because the Menorcans were, in return for a tribute, granted free practice of their religion and relative autonomy.<sup>84</sup> In 1235 the archbishop-elect of Tarragona, Guillem de

<sup>78</sup> *Llibre dels Fets*, ii, chs. 56–9; Santamaria, 'La expansión políticomilitar de la Corona de Aragón bajo la dirección de Jaime I', *X CHCA* (1979), i, 91–146.

<sup>79</sup> *Llibre dels Fets*, ii, ch. 66.

<sup>80</sup> *Llibre dels Fets*, ii, chs. 67–87.

<sup>81</sup> *Llibre dels Fets*, ii, chs. 69, 74–8.

<sup>82</sup> *Llibre dels Fets*, ii, chs. 63, 67.

<sup>83</sup> D. Abulafia, *A Mediterranean emporium: The Catalan Kingdom of Majorca* (Cambridge, 1994), 7, 113–17; *Còdex Català del Llibre del Repartiment de Mallorca*, ed. R. Soto Company (Majorca, 1984), 25r, 26v, 27r, 27v, 29r, 34v/35v, 45v, 48r, 83v, 86r, 86v/87r, 88v/89r; R. Soto i Company, 'La porció de Nunó Sanç: repartiment i repoblació de les terres, del sudest de Mallorca', *Afers*, 18 (1994), 347–65; Santamaria, 'Comunidades Occitanas'; J. Baumel, *Histoire d'une seigneurie du Midi de la France, 2. Montpellier sous la Seigneurie de Jacques le Conquérant et des rois de Majorque* (Montpellier, 1971), 75–6.

<sup>84</sup> *Llibre dels Fets*, ii, chs. 119–24; Barceló, 'El tractat de Capdepera de 17 de juny de 1231 entre Jaume I i Abü 'Abd Allāh b. Muhammad de Manūrqa: sobre la funció social i política dels fuqahā', *Bolletí de la societat arqueològica lulliana*, 38 (1991), 233–49; R. I. Burns, *Islam under the Crusaders: Colonial Survival in the Thirteenth-Century Kingdom of Valencia* (Princeton, 1973), 167; Abulafia, *A Mediterranean Emporium*, 65.

Montgrí, having had made a *trebuchet* and a *fenèvol*, captured Ibiza, with the aid of Prince Peter of Portugal and Nuno Sanç.<sup>85</sup>

The successful conquest of Majorca, achieved with the significant support of the Occitan contingent (as well as more Aragonese help than is often realized by Catalan historiography), did not mean a renewed focus on the lands of the north. Rather, and logically, interests there and possibilities in the kingdoms of León, after the death of Alfonso IX, and Navarre, since Sancho VII had no legitimate heir, were rejected in favour of the conquest of Valencia.<sup>86</sup> That kingdom was weakened and in a state of internal strife following the meltdown of Almohad authority in the years following Las Navas and appeared ripe for the taking, though the fragmentation of power meant that the major towns would have to be overcome one by one.<sup>87</sup> The project of the conquest of Valencia had predated that of Majorca, and some Aragonese and Lleidans had argued for an attack on Valencia first.<sup>88</sup> But the Catalans had carried the day since James decided that cutting off Muslim maritime support through the Balearic campaign would aid the Valencian conquest. The key question in the Valencian campaigns was whether the lands would ultimately be controlled by the Aragonese nobles or by the king. After all, an initial campaign by the king against Peníscola in 1225 had failed miserably, while it was Blasco de Alagón who took Morella in winter 1232–3, thus initiating the major conquest by forcing the king to vie for control.<sup>89</sup> That James would be the driving force was decided by his capture, in July 1233, of Borriana, the key to winning the northern part of the kingdom.<sup>90</sup> Given

<sup>85</sup> *Llibre dels Fets*, ii, chs. 125–6.

<sup>86</sup> *Llibre dels Fets*, ii, ch. 106, 138–53; J. González, *Alfonso IX*, 2 vols (Madrid, 1944), i, 212; *Documentos de Jaime*, i, nos. 147, 149, 151, 202; J. Baró y Comas, 'Relaciones entre Aragón y Navarra en la época de Jaime I el conquistador,' *Anales del Centro de Cultura Valenciana*, 12 (1944), 159–193.

<sup>87</sup> See P. López Elum, *La Conquista y repoblación Valenciana durante el reinado de Jaime I* (Valencian, 1995); idem, 'La conquesta,' *Historia del País Valencià*, ii, 57–85; A. Ubieta Arteta, *Orígenes del Reino de Valencia. Cuestiones cronológicas sobre su reconquista* (Valencia, 1975); idem, 'La reconquista de Valencia y Murcia,' *X CHCA*, i (1979), 147–65; P. Guichard, *Les Musulmans de Valence et la reconquête (XIe–XIIIe siècles)*, 2 vols (Damascus, 1991).

<sup>88</sup> R. I. Burns, 'El rei Jaume i València: perfil d'un conqueridor,' *Història del país valencià*, ii, 43–56.

<sup>89</sup> *Llibre dels Fets*, ii, chs. 133–7; V. García Edo, 'Blasco de Alagón,' *Boletín de la Sociedad Castellonense de Cultura*, 62 (1986), 415–6; F. Arroyo, 'Blasco de Alagón y el comienzo de la reconquista valenciana,' *Estudios de Edad Media de la Corona de Aragón*, 9 (1973), 71–99.

<sup>90</sup> *Llibre dels Fets*, ii, ch. 178.

that many of the Aragonese felt that the victories were benefiting the king far more than they benefited them, unsurprisingly their support at Borriana was lukewarm, as it was in 1235, when James failed to capture Cullera.<sup>91</sup>

The concentration of the crown's resources in these years meant that less attention was paid to matters in Languedoc and Provence. The attempts of Raymond VII to recover land belonging to him under the terms of the Meaux-Paris treaty, the rebellion of Marseille against Ramon Berenguer V, the establishment of the Inquisition and the resistance to it, the revolt at Narbonne, where the consuls of the Bourg appealed to, among others, the veteran of the Majorcan campaigns, Oliver de Termes, the expulsion of the Dominicans from Toulouse and the suspension and 'crisis' of the Inquisition, all took place without any indication of concern from King James.<sup>92</sup>

Moreover, two marriages of great significance took place, which were potentially detrimental to the traditional interests of the crown. Firstly, that in 1234 of Louis IX to Marguerite, eldest daughter of Ramon Berenguer V of Provence.<sup>93</sup> Even though Blanche of Castile had matters other than Aragon to worry about when she arranged the marriage, it drew James's cousin and his family into a close alliance with the Capetians, in order to protect their position before the ambitions of Raymond VII and Frederick II. The second was that which had already been agreed in 1229. Jeanne, the daughter of Raymond VII was, in 1237, married to Louis IX's younger brother, Alphonse of Poitiers.<sup>94</sup> Raymond's wife, Sancha, James's aunt, had produced no children other than Jeanne, thus increasing the probability that the county of Toulouse would ultimately fall to the Capetian dynasty.

At the same time, James's own second wife, Yolanda of Hungary, played a vital role in the history of the crown, not only by producing a great many children but also by acting as a key advisor to the king as he undertook the conquest of the city of Valencia.<sup>95</sup> In the teeth of opposition from the Aragonese, but with strong backing from Pope

<sup>91</sup> *Llibre dels Fets*, ii, chs. 166–7, 195.

<sup>92</sup> W. Wakefield, *Heresy, Crusade and Inquisition in Southern France, 1100–1250* (Berkeley, 1974), 130–50; Roquebert, *L'Épopée Cathare*, ii, 231–85.

<sup>93</sup> *Chronica Albrici monachi Trium Fontium*, MGHSS, xxiii, 935.

<sup>94</sup> *Chronica Albrici monachi Trium Fontium*, 941; HGL, viii, 900–1; Roquebert, *L'Épopée Cathare*, i, 1403–6; Wakefield, *Heresy, Crusade and Inquisition*, 127.

<sup>95</sup> *Llibre dels Fets*, ii, chs. 237, 239–40, 242, 248, 271, 276–7; Oliver Brachfeld, *Violante de Hungría* (Madrid, 1942).

Gregory IX, the conquest resumed in spring 1237. The castle of El Puig, rebuilt and maintained, formed the base of operations from where the king's army could ravage the lands around Valencia and thus leave the city ill-provisioned for a lengthy siege.<sup>96</sup> The Muslim governor of Valencia, Zayyān, recognized the strategic value of the castle and attempted its recapture but the Christian garrison established there under Bernat Guillem d'Entença drove them off.<sup>97</sup> When Bernat Guillem died towards the end of the year, many of the knights, according to James's account, were determined to abandon the castle, until James rallied them, promising to bring Yolanda and his daughter to the region to demonstrate his determination and vowing that he would not go beyond the Riera d'Ulldecona until Valencia was captured.<sup>98</sup> Zayyān's attempts to buy James off failed. In spring, Almenara surrendered, and soon after that the major surrounding castles.<sup>99</sup> From 22 April until 28 September 1238 James besieged Valencia, supported by, among others, the archbishop of Narbonne, Pierre Amiel, with forty knights and six hundred infantry. Pierre played a notable role, as did the queen, as the king carefully and secretly negotiated the surrender of the city, allowing the Muslims to retreat under his protection to Cullera and Dénia, while leaving his own nobles dismayed and disappointed.<sup>100</sup> When the king saw his standard raised upon a tower, he turned towards the East, with tears falling from his eyes and kissed the ground.<sup>101</sup>

With the conquest of Valencia, James's star was rising in Christendom. His long-term supporter Gregory IX was no less than ecstatic when describing the victory to all the faithful of Tarragona and the southern French provinces, as well as Genoa, while conceding to them the Holy Land indulgence if they would help in the kingdom's defense.<sup>102</sup> Milan,

<sup>96</sup> *Llibre dels Fets*, ii, chs. 206–55; *Documentos de Gregorio IX (1227–1241)*, nos. 623–4, 626–31.

<sup>97</sup> *Llibre dels Fets*, ii, chs. 206–18; *Crònica de Bernat Desclot*, ch. 49.

<sup>98</sup> *Llibre dels Fets*, ii, ch. 231–7; Ubieto Arteta, 'Reconquista de Valencia', 159–60.

<sup>99</sup> *Llibre dels Fets*, ii, ch. 242–53; López, *Conquista y Repoblación*, 61; Guichard, *Musulmans de Valence*, ii, 264–5; Burns, *Islam under the Crusaders*, 122.

<sup>100</sup> *Llibre dels Fets*, ii, chs. 256–81; *Documentos de Jaime*, ii, 39–40, no. 273.

<sup>101</sup> *Llibre dels Fets*, ii, ch. 282.

<sup>102</sup> *Documentos de Gregorio IX*, 639–40, no. 814. As the pope congratulated all and sundry, his joy was manifest: 'Olim enim regnum Valentie habitatoribus suis, qui terram eius multa, sicut creditur, peccatorum abhominacione repleuerant, a testamento sancto recesserant, et oculos Maiestatis excelsae multis contra se criminibus prouacarent, datis in captiuitatem et gladium, meruit exterum effici, et ferrea Pharaonis seruitute compressum iugo subiectum fuit seminis peregrini, ut per penitentie fletum sibi

Piacenza, Bologna and Faenza would then recognize, as the pope had long recognized, that the king of Aragon could be a vital player in the battles against Frederick.<sup>103</sup> In England, Matthew Paris sang the praises of ‘the splendid and indefatigable warrior the lord king of Aragon’ and Louis IX too would, at least eventually, acknowledge the significance of the triumph when sending James a thorn from Christ’s crown of thorns.<sup>104</sup>

Yet, as the pope, at least, was fully aware, the kingdom of Valencia was not won when Valencia was won. A long and bitter struggle lay ahead, one which, indeed, would outlast the king’s lifetime. After the surrender of Bairén in early 1239, the key to the campaign south of the River Xúquer rested with the capture of Xàtiva, but that was a long and drawn out process, which required multiple sieges and difficult negotiations across a series of years, further complicated by the ambitions of Prince Alfonso (later Alfonso X) of Castile.<sup>105</sup> Only in June 1244 would the treaty for the eventual transference of power be agreed and only at Pentecost of 1246 was the major castle of Xàtiva surrendered to the Christians.<sup>106</sup> James claimed that after the capture of Biar in early 1245 ‘we had it all’ but with the southern kingdom remaining overwhelmingly Muslim having it all was by no means the same as keeping it all.<sup>107</sup> Between 1247 and 1258, James would face magnificent resistance from his most formidable foe al-Azraq,

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Dominum placabilem redderet et a suis quiescens excessibus sabbata celebraret. Diebus autem nostris in ira memor misericordie Dominus extitit, et, ad saluandam dictum regnum, carissimum in Cristo filium nostrum. . regem Aragonum excitauit, qui ad commonitionem nostram cum multis uiris catholicis accensis zelo fidei et crucis signaculo insignitis in pluribus laboribus et expensis dictum regnum de manibus paganorum eripuit, illudque multo christianorum sanguine fuso, habens de celo auxilium, ad cultum fidei christiane reduxit. Quis ergo laudes et gratias suo Creatori non referet? Quis duri cordis in hec gaudia letus et tripudians non exurget?, qui in liberatione valentiane ecclesie toti mundo magna dignatus est Dominus pietate conferre.’

<sup>103</sup> Zurita, J., *Anales de la Corona de Aragón*, ed. A. Canellas López, 8 vols (Zaragoza, 1967–86 [1562–80]), 1, bk. iii, ch. 32; Burns, *Crusader kingdom of Valencia: Reconstruction of a Thirteenth-Century Frontier*, 2 vols (Cambridge, Mass, 1967), i, 1.

<sup>104</sup> J. Sanchis y Severa, *La catedral de Valencia, guía histórica y artística* (Valencia, 1909), 372; Burns, *Crusader kingdom of Valencia*, i, 2; Matthew Paris, *Chronica Majora*, ed. H. R. Luard, 7 vols, Rolls Series (London, 1872–83), iii, 517; Guillaume de Nangis, ‘Gesta Sanctae memoriae Ludovici regis Francia’, *RHGF*, xx, 326, has the crown of thorns arriving in Paris in 1239.

<sup>105</sup> R. L., Burns and P. Chevedden, *Negotiating Cultures: Bilingual Surrender Treaties in Muslim-Crusader Spain under James the Conqueror* (Leiden, 1999), 63–105.

<sup>106</sup> *Llibre dels Fets*, ii, chs. 339–54; Burns/Chevedden, *Negotiating cultures*, 96–103.

<sup>107</sup> *Llibre dels Fets*, ii, chs. 360.

whose persistence saw not only the south but Valencia itself under renewed threat.<sup>108</sup>

*The Path to Corbeil*

While the troubadours would lament long and loudly the failure of James to intervene in the affairs of their region,<sup>109</sup> what might be considered most remarkable is that in the years after the conquest of the city of Valencia until the negotiated surrender of Xàtiva, the king on various occasions *did* involve himself in the affairs of the north, when it was not obvious that it would be in his interests to do so and when the southern conquests surely required all of his attention. We know from the *Llibre dels Fets* that an initial siege of Xàtiva in May 1239 was broken off precisely because of the king's greater interest in affairs in Provence.<sup>110</sup> On that occasion, the official reason for the king's visit to his natal city of Montpellier was the need for the help of the wealthy Montpellerians in covering the expenses of the king's conquests.<sup>111</sup> That James needed the eighty-oared ship of Montpellier for the protection of Valencia is undoubtedly so but, as so often, James's own account of events is slightly misleading. The reason for the three-month stay at Montpellier was that James had been informed that the town was on the brink of revolt and it was surely because of these troubles, which centred on the struggle of power between the king's bailiff, Atbrand, and a group within the consulate, led by Pierre Boniface, that he had found it necessary to break off the first siege of Xàtiva, and reassert royal authority within the town.<sup>112</sup>

While James was in the town, probably in July 1239, 'the counts of Toulouse and Provence came to see us'.<sup>113</sup> If it had simply been Raymond VII at Montpellier with James then we might well conclude that the

<sup>108</sup> Burns, 'The Crusade against al-Azraq: A Thirteenth-Century Mudejar revolt in International Perspective', *American Historical Review*, 93 (1988), 80–106; idem, 'A Lost Crusade: Unpublished Bulls of Innocent IV on al-Azraq's Revolt in Thirteenth-Century Spain', *Catholic Historical Review*, 74 (1988), 440–9.

<sup>109</sup> L. Nicolau y d'Olwer, 'Jaume I y los trovadors provensals', *I. CHCA*, i (1909), 389–407; Alvira, *Muret*, 245–66.

<sup>110</sup> *Llibre dels Fets*, ii, ch. 295; Burns/Chevedden, *Negotiating cultures*, 79–82.

<sup>111</sup> *Llibre dels Fets*, ii, ch. 295.

<sup>112</sup> Baumel, *Histoire d'une seigneurie*, ii, 86.

<sup>113</sup> *Llibre dels Fets*, ii, ch. 305; Baumel, *Histoire d'une seigneurie*, ii, 86.

reason for his presence was to come to terms with the king, since the bishop of Maguelonne and others had attempted to transfer jurisdictional control of Montpellier to him in James's absence.<sup>114</sup> However, the presence of both Raymond VII and Ramon Berenguer V, who had themselves been involved in bitter disputes over Marseille and the Venaissin, suggests that they were already hatching a plot to undermine the increasing Capetian influence in the region.<sup>115</sup> At the centre of that plot was an alliance between Toulouse and Provence, to be cemented by a marriage, which would provide an heir to both their houses.<sup>116</sup> This meant that Raymond VII would need his marriage to Sancha of Aragon, James's aunt, annulled, and a marriage to one of the unmarried daughters of Ramon Berenguer V, Sancha and Beatrice, agreed upon. For Raymond to end the marriage to Sancha was not without its difficulties but fortunately his father, Raymond VI, had apparently acted as godfather at Sancha's baptism more than forty years before.<sup>117</sup> But for Raymond to marry either Sancha or Beatrice was also slightly problematic, especially since they were nieces of Sancha of Aragon.

The likelihood of these plans coming to fruition diminished dramatically in winter 1239–40 as relations between Raymond VII and Ramon Berenguer broke down again and war escalated in Provence to include both Frederick II and Louis IX.<sup>118</sup> But simultaneously new possibilities for opposing the Capetians increased as Trencavel, seizing the opportunity of the disarray caused by this conflict, in the late summer of 1240 returned from Catalonia to the lands of his father, hoping to recapture the city of Carcassonne.<sup>119</sup> If James gave support to Trencavel's operations then it was tacit rather than open and the majority of the nobles who marched with the viscount across the Pyrenees were exiles from the southern French lands, some of them with known heretical sympathies, as well as mercenaries from both Aragon and Catalonia, rather than the leading nobles of the crown who had fought in the campaigns of Majorca and Valencia.<sup>120</sup> It was the likes of Oliver de Termes, himself admittedly a crusading veteran,

<sup>114</sup> Baumel, *Histoire d'une seigneurie*, ii, 86.

<sup>115</sup> Wakefield, *Heresy, Crusade and Inquisition*, 156–7.

<sup>116</sup> Wakefield, *Heresy, Crusade and Inquisition*, 157–8.

<sup>117</sup> *Puylaurens*, 173, ch. 42.

<sup>118</sup> *Puylaurens*, 163, ch. 41, n. 279; *HGL*, vi, 716–724.

<sup>119</sup> *Puylaurens*, 165, ch. 41.

<sup>120</sup> *Ibid.*



and Géraud (or Guillem) de Niort, who were to the fore in the rebellion of 1240, rather than Nuno Sañç, the Montcadas or the count of Empúries.<sup>121</sup>

The policy of the crown, as that of Raymond VII, was that of waiting to see what would happen before deciding on any course of action. The course of the rebellion would ultimately have confirmed doubts about the possibility of military success in the region. Trencavel's arrival from Catalonia was met by great enthusiasm and Montréal, Montolieu, Saissac, Limoux, Azille and Laure passed to the side of the viscount.<sup>122</sup> As Trencavel advanced, a number of disaffected nobles of the region rallied to his cause.<sup>123</sup> But his army remained small and undisciplined, as was exhibited first of all in the pillaging of the abbey at Montolieu and subsequently, on arriving at Carcassonne, with the massacre, on 8 September 1240, of thirty-three clerics who had been promised safe-conduct in leaving the town.<sup>124</sup> The subsequent siege is well-known, above all from the splendidly detailed letter sent by the seneschal of Carcassonne, Guillaume de Ormes, to Blanche of Castile.<sup>125</sup> The difficulties of Trencavel's forces in sustaining the siege of the city contrast markedly with the successes of James in siege operations against the Muslims in Valencia. Not only was Trencavel lacking in men, effective equipment and initiative, but the French royal forces were determined, well-provisioned, prepared to counter-attack and after little more than a month were relieved by an army sent by Louis under his chamberlain, Jean de Beaumont.<sup>126</sup> The attacks on the house of the Franciscans and the Notre-Dame abbey by the departing forces of Trencavel were hardly likely to win orthodox nobles to his cause, and after the viscount was himself besieged at Montréal, where there were heretics aplenty in residence, he only managed to escape to Catalonia again after Raymond VII and the count of Foix intervened to obtain for him a safe-conduct. The action taken by Beaumont against the remaining rebels was severe.<sup>127</sup>

The failure and return of Trencavel must have further convinced James that renewed military action in the north would be inadvisable

<sup>121</sup> *HGL*, viii, 1043.

<sup>122</sup> *Puylaurens*, 163, ch. 41; *Chronica Albrici monachi Trium Fontium*, 948.

<sup>123</sup> *Puylaurens*, 165, ch. 41.

<sup>124</sup> *HGL*, viii, 1045.

<sup>125</sup> *HGL*, viii, 1042–5.

<sup>126</sup> *Puylaurens*, 169, ch. 41; Guillaume de Nangis, 'Gesta sancti Ludovici', 328–9.

<sup>127</sup> *HGL*, viii, 1044.

and that if Capetian power were to be halted then political solutions would be preferable. The course of action probably discussed in summer 1239, whereby the count of Toulouse would divorce Sancha of Aragon, marry a daughter of Ramon Berenguer V, unite the counties in the person of an heir of that marriage, and thus override the rights of his daughter Jeanne and Alphonse of Poitiers, was now brought into effect. On 18 and 23 April 1241, James agreed a treaty with Raymond VII of Toulouse, in which the Crown's own perceived rights across the Pyrenees were clearly stated.<sup>128</sup> Still at Montpellier, on 2 June, James was asked to arbitrate in the disputes which had arisen between Raymond VII and Ramon Berenguer V.<sup>129</sup> On 5 June, James ordered Ramon Berenguer that he should see to it that his aunt, Sancha, would ask of the Holy See the annulment of her marriage with Raymond VII.<sup>130</sup> Two days later, James promised to Raymond VII that he would approve of his petitions to Rome concerning the lifting of his sentence of excommunication and the interdict on his lands and the annulment of his marriage with Sancha. Ramon Berenguer acted as witness to James's promise.<sup>131</sup> Then on 11 August, at Aix, a marriage was contracted (with James standing proxy for the count) between Raymond VII and Sancha, daughter of Ramon Berenguer V, on the condition of papal authorization and a papal dispensation before Septuagesima next (16 February 1242).<sup>132</sup>

Unfortunately, by the time the envoys had reached Pisa, they had heard that Gregory IX was dead.<sup>133</sup> His successor, Celestine IV, would last just seventeen days, after which there was an eighteen month vacancy before the election of Innocent IV in June 1243.<sup>134</sup> The plan came to naught as the young Sancha was married not to Raymond VII but rather to Richard of Cornwall, brother of Henry III of England.<sup>135</sup> Nevertheless, all these machinations had at least indicated to the nobles of the region that the king of Aragon was willing

<sup>128</sup> *HGL*, viii, 1055–8; *Documentos de Jaime*, ii, 99–101, nos. 326–7; *Puylarens*, 171, ch. 42; Alvira, *Muret*, 250.

<sup>129</sup> *Benoit*, 413–4, no. 334.

<sup>130</sup> *Benoit*, 414, no. 335; *Documentos de Jaime*, ii, 103–4, no. 329.

<sup>131</sup> *Benoit*, 414, no. 336; *Documentos de Jaime*, ii, 104–5, no. 330.

<sup>132</sup> *Benoit*, 425, no. 346.

<sup>133</sup> *Puylarens*, 175, ch. 43.

<sup>134</sup> K. Hampe, 'Ein ungedruckter Bericht über das Konklave von 1241 im römischen septizonium', *Sitzungsberichte der Heidelberger Akademie der Wissenschaften*, 4 (1913), 1–31.

<sup>135</sup> *Puylarens*, 175, ch. 43.

to interest himself somewhat in their struggle, an interest which was clearly confirmed in the king's will of 1 January 1242, where the infant second son of James, Prince Peter, was left, among much else, the dominion and city of Montpellier, Castelnaud, the castle of Lattes, that of Frontignan and all that he acquired there, the castle of Omelàs and all the Omeladés, the castle of Balaruc, the rights in the county of Melgueil and of Montferrand, the castle of Pouzolles, the rights that the king held at Lupian and the castle of Montferrier, and all the rights the king held or might hold in the Carcassès, Termes and the Termenès, Razès and the Fenouillèdes, Millau, the Millavois and Gévaudan.<sup>136</sup>

The testament makes it clear that James had not abandoned his rights in Occitania and it is probably the case that he gave some support to *La grande coalition* which was forming against the Capetians in 1241–2.<sup>137</sup> That involved not only the usual suspects in the form of Raymond VII, Trencavel and various southern French lords, but Count Hugh of La Marche, many of the nobles of Gascony and the king of England himself.<sup>138</sup> Probably there were three main reasons, however, why James was not keen to commit himself too deeply into this enterprise. Firstly, there was the memory of Muret. When James came to dictate his autobiography, his own analysis of the battle in which his father was killed emphasized that his father had been lured by men whose interests were not his own, that the knights fought for themselves, and that some of the Occitan lords did not fight.<sup>139</sup> Given the very varied motives of the nobles, the count of La Marche and the king of England, James would surely have had misgivings about them fighting as a unit. Secondly, there was James's determination to continue the conquest of the kingdom of Valencia south of the Xúquer, which saw him undertaking the siege of Alzira as the forces of the coalition were assembling.<sup>140</sup> Thirdly, and very probably decisively, were the events of the night of 28–9 May at Avignonet, with the savage murder of the papal inquisitors, Guillaume Arnaud and Étienne de

<sup>136</sup> *Els testaments dels comtes de Barcelona i dels reis de la Corona d'Aragó: De Guifré Borrell a Joan II*, ed. A. Udina i Abelló (Barcelona, 2001), 138–42, no. 20; *Documentos de Jaime*, ii, 116–20, no. 340.

<sup>137</sup> As suggested by Matthew Paris, *Chronica Majora*, iv, 179; Roquebert, *L'Épopée Cathare*, i, 318–21.

<sup>138</sup> *Puylaurens*, 177, ch. 43.

<sup>139</sup> *Llibre dels Fets*, ii, ch. 9.

<sup>140</sup> *Llibre dels Fets*, ii, chs. 329–32.

Saint-Thibéry, by heretics from Montségur under Pierre-Roger de Mirepoix.<sup>141</sup> The event was notorious, and associated with the coincidental actions of Raymond VII and his allies.<sup>142</sup> The heretics had simultaneously brought about their own end and weakened the position of the count, as many who had been sympathetic until that point withdrew their support.

James was probably among these. The defeat of Henry at Taillebourg in July, the surrender of Hugh of La Marche in August, and the final capitulation of Raymond in October would have only confirmed to James that which his experiences in Majorca and Valencia had already taught him – that you should only involve yourself in a military enterprise when you were certain that you were going to win.<sup>143</sup> Victory in the kingdom was probable, while victory in Languedoc was extremely unlikely and the credibility of the chief architect of revolt Raymond VII, whose relations with the crown had always been somewhat difficult, was now in tatters. James was too preoccupied with his contentions with Prince Alfonso of Castile, following the surrender of the kingdom of Murcia to Castile in 1243, to worry too much about a cause which appeared lost.<sup>144</sup>

Yet while James would have to accept this situation in Languedoc, he could not so easily allow a similar reverse to occur in Provence, a land which, as he later recalled, ‘belonged to my family’ and, indeed, had belonged to his family for a very long time.<sup>145</sup> Nor did he expect such a reverse to occur. His cousin Ramon Berenguer V, who had been brought up with the king at Monzón, was still a reasonably young man, less than forty years old, when he died on 19 August 1245.<sup>146</sup> Ramon Berenguer’s first three surviving daughters were married to the king of France, the king of England and the brother of the king of England, leaving his fourth daughter, the young Beatrice, as heiress to

<sup>141</sup> *Puyllaurens*, 176, ch. 43; *HGL*, viii, 1151–9; Y. Dossat, ‘La massacre d’Avignonet’, *Cahiers de Fanjeaux*, 6 (1971), 343–59.

<sup>142</sup> Wakefield, *Crusade, Heresy and Inquisition*, 169–71.

<sup>143</sup> *HGL*, vi, 741–58; Roquebert, *L’Épopée Cathare*, ii, 318–49. Matthew Paris, *Chronica Majora*, iv, 216, indicates that, after Taillebourg, James was either unable or unwilling to give Henry III any help.

<sup>144</sup> *Libre dels Fets*, ii, chs. 339–49; Burns/Chevedden, *Negotiating Cultures*, 87–95.

<sup>145</sup> ACA, Jaume I, Reg. 12, fol. 47v; C. de Tourtoulon, *Don Jaime I el Conquistador, rey de Aragón*, 2 vols (Valencia, 1874), ii, 449, no. 16.

<sup>146</sup> R. I. Burns, ‘The Loss of Provence. King James’s Raid to Kidnap its Heiress (1245): Documenting a Legend’, *XII. CHCA*, iii (1987–8), 201.

the county.<sup>147</sup> James was swift to realize the danger of leaving Beatrice unmarried for any length of time and moved into Provence at the first opportunity.<sup>148</sup> His intention was even then probably not to arrange a marriage between Raymond VII and Beatrice, although that union had been one of which Ramon Berenguer V had approved, but rather to marry her to his own eldest son, Alfonso, even though Beatrice and Alfonso shared the same great-grandfather in the person of Alfonso II of Aragon.<sup>149</sup> By this means Provence would remain in the hands of the crown.

The problem for the crown was that most of its forces were involved in the military conquest and other rulers had quickly grasped the importance of Ramon Berenguer's death. Frederick II hoped that Beatrice might be wed to his son, Conrad, though this seemed a slightly forlorn hope given that Beatrice and Conrad were also related within the forbidden degrees and the chance of obtaining a dispensation from Innocent IV was fairly remote.<sup>150</sup> More significantly, Louis IX intended to marry Beatrice to his brother Charles of Anjou (himself related to Beatrice in the fourth degree) and had accordingly moved his forces into the region.<sup>151</sup> When James arrived at Aix to gain possession of Beatrice and presumably take her into his safe keeping, he found himself opposed militarily, much to his consternation, and unable to succeed in his plan.<sup>152</sup> While Innocent IV initially lent a sympathetic ear to James's protests in November 1245, in that same month the pope famously met with Louis at Cluny, primarily to talk of Louis' crusade to the East, but probably secondarily to arrange the dispensation for the marriage of Charles and Beatrice.<sup>153</sup> When James sent a second set of envoys to the pope in winter 1245–6, this time openly proposing the

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<sup>147</sup> On Raymond Berenguer generally, see T. Pécout, *Raymond Berenguer V: L'invention de la Provence* (Paris, 2004).

<sup>148</sup> *La documentación pontificia de Inocencio IV*, ed. A. Quintana Prieto, 2 vols (Rome, 1987), 275, no. 243; Guillaume de Nangis, 'Gesta Sancti Ludovici', 352–3; Burns, 'The Loss of Provence', 227–8, no. 15; idem, *Muslims, Christians and Jews in the Crusader kingdom of Valencia* (Cambridge, 1984), 274–5.

<sup>149</sup> Guillaume de Nangis, 'Gesta Sancti Ludovici', 354.

<sup>150</sup> Guillaume de Nangis, 'Gesta Sancti Ludovici', 354; Burns, 'The Loss of Provence', 201; O. Engels, 'Der Vertrag von Corbeil (1258)', *Gesammelte Aufsätze zur Kulturgeschichte Spaniens*, 19 (1962), 115–16.

<sup>151</sup> E. Berger, *Saint Louis et Innocent IV* (Paris, 1893), 164.

<sup>152</sup> Guillaume de Nangis, 'Gesta Sancti Ludovici', 354; *La documentación pontificia de Inocencio IV*, 275, no. 243; Burns, 'The Loss of Provence', 227–8, no. 15.

<sup>153</sup> *La documentación pontificia de Inocencio IV*, 275, no. 243; Burns, 'The Loss of Provence', 227–8, no. 15.

marriage of Beatrice to one of his sons, in reply, on 24 January 1246, Innocent's tone had changed somewhat.<sup>154</sup> While he claimed to be delighted by the king's proposal, Innocent then broke it to James that Charles of Anjou had already entered into Provence for the purpose of marrying Beatrice and further advised James that any attempt to oppose Charles's designs would prove fruitless and damaging to the king.<sup>155</sup>

James's intervention in Provence at this moment had long been played down in a modern historiography, not entirely unreasonably, unwilling to trust itself to the account of events of the chronicle of Guillaume de Nangis, and very reasonably even more dismissive of the garbled account of the same events recorded by Matthew of Paris. Only with the careful investigation of the papal letters of the *Arxiu de la Corona d'Aragó* undertaken by Robert Ignatius Burns was it recognized that James had indeed been to the fore in a major plan to seize Beatrice and thus keep Provence within the lands of his family and simultaneously diminish the opportunities of the Capetians to expand into the Mediterranean region.<sup>156</sup> The French were so convinced of the seriousness of James's intent, that the marriage of Charles of Anjou to Beatrice was brought forward (much to Charles's consternation) to 31 January 1246, just a week after Innocent had sent his letter to James.<sup>157</sup>

The matter rankled in James's breast for a long time, understandably so when we consider just how high the stakes had been, and it is therefore of little surprise that he showed no interest in participating in the crusade of Louis IX, but rather proposed his own crusade to give aid to the Latin empire of Constantinople, an offer of help which Innocent IV

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<sup>154</sup> *La documentación pontificia de Inocencio IV*, 283, no. 252; Burns, 'The Loss of Provence', 229, no. 17: 'Celsitudinis tue litteras et nuntium affectione paterna recipimus; et spe de contrahendo matrimonio inter natum tuum et nobilem mulierem natam clare/ memorie comitis Provincie, ex ipsarum tenore concepta, multa fuimus exultatione gavisi.'

<sup>155</sup> *La documentación pontificia de Inocencio IV*, 283, no. 252; Burns, 'The Loss of Provence', 230, no. 17: 'Sed quia postmodum intelleximus quod nobilis vir Karolus, carissimi in Christo filii nostri regis Francie illustris germanus, in Provinciam ad eandem mulierem desponsandam accedit (quod non creditur fieri sine ipsius mulieris beneplacito et assensu), dubitamus ne per hoc eiusdem nati tui impediatur negotium, cum eidem Karolo non posset super hoc de facili contradici. Quocirca magnificentiam tuam duximus attente rogandam quatinus, licet id tibi forsitan non placeat, non tamen ostendas ex hoc adeo te turbatum ut inconsulte in iracundie calore proceas, ad faciendum super hoc aliquid per quod posset excellentie tue quod absit dispendium generari.'

<sup>156</sup> Burns, 'The Loss of Provence,' passim.

<sup>157</sup> Matthew Paris, *Chronica Majora*, iv, 546.

was very happy to approve, although renewed trouble in Valencia would make such a venture practically impossible.<sup>158</sup> Though the king's infamous mutilation of the tongue of Bishop Berenguer of Girona in that same year was related to other matters (James believed the former Dominican preacher to have revealed his personal confession), it is reasonable to ask the question whether James would have behaved so precipitously had he not just lost out so spectacularly because of a failure of ecclesiastical support for his ambitions.<sup>159</sup>

Even though the loss of Provence, followed by the cession of his rights by Trencavel to the French crown between 1246 and 1248, then the death of Raymond VII in September 1249, should finally have put paid to any schemes to recapture lands lost, nevertheless it remained the case that in January 1248, when constructing his third will, James still continued to insist on many of his rights north of the Pyrenees.<sup>160</sup>

Undoubtedly of the utmost importance to the king was that he should maintain control of his natal city of Montpellier and it was precisely at Montpellier that the greatest threat to his authority arose. Although James faced the continued problems of quelling revolts in Valencia, as well as political contentions with Castile and Navarre, the king never altogether took his eye off Montpellier. In 1255, after various contentions between James and the Montpellerians, that masterly lawyer and servant of France, Gui Faucoi (the later Pope Clement IV) managed to persuade the bishop of Maguelonne to make himself a vassal of the king of France for the fief of Montpellier, and the castles of La Palu and Lattes. The bishop agreed to hold them in subfief from the king of Aragon 'not as king but as lord of Montpellier', and this move gained the support of many of the burghers of Montpellier. James took a stand, at the same time reclaiming his wider rights.<sup>161</sup> Louis, in the circumstances, was equally quick to reassert his ancient rights over

<sup>158</sup> *La documentació pontificia de Inocencio IV*, 104–6, no. 94; 285–6, no. 257. In 1262, an irritated James recalled to Charles of Anjou that he could have taken Provence but he gave it up out of love for Louis and Charles himself (Tourtoulon, *Don Jaime I*, ii, 449, no. 15: 'Satis et enim debeatis esse paccati a nobis de Comitatu Provincie quem nos habere potuimus eo quod fuerat de genere nostro et propter amorem et propinquitatem quos cum Illustri Rege Francie fratre vestro et vobiscum habemus ipsum recipere noluimus.')

<sup>159</sup> *La documentació pontificia de Inocencio IV*, 319–20, no. 304; *Documentos de Jaime*, 443–4; nos. 432–3.

<sup>160</sup> *HGL*, viii, 394, 413, 415; Alvira Cabrer, *El Jueves de Muret*, 555; On the now lost will of 1248, see F. Soldevila, *Pere el Gran*, 2 vols, ed. M. T. Ferrer i Mallol (Barcelona, 1995), i, 26–8 and Zurita, *Anales*, vol. 1, bk. iii, c. 43.

<sup>161</sup> *Gallia Christiana*, vi, 370; Engels, 'Der Vertrag von Corbeil', 118.

many of the Catalan lands.<sup>162</sup> While Louis had little intention of entering the fray militarily, and sought a diplomatic solution, the extraordinary impetuosity of James's sons (either Alfonso and the young Prince Peter or Prince Peter and the even younger Prince James), who appear in 1256 or 1257 to have entered into the lands of Carcassonne at the head of some sort of army, placed their father in a diplomatically difficult position and increased the chances of an escalation in what had been a local conflict.<sup>163</sup>

No more did James wish to fight against Louis than Louis with James. Both sincerely wished to avoid major conflicts with other Christian kings. The outcome of long and careful negotiations between the two sides was the agreement at Tortosa, on 11 March 1258 of the marriage of Philip, the second son of Louis, with Isabel, the third surviving daughter of James.<sup>164</sup> The terms of the marriage agreement were to be fixed on 11 May of the same year at Corbeil, at which time a treaty was also agreed between the envoys of James and Louis about their various rights in Southern France and Catalonia.<sup>165</sup> The treaty was ratified by James at Barcelona on 16 July of that same year.<sup>166</sup> James renounced all the rights he had claimed on the Occitan lands with the exception of Montpellier and the Catalan counties north of the Pyrenees. That is to say he gave up all his claims on Carcassonne and the Carcassès, the city and lands of Razès, Laurac and the Lauragais, Termes and the Termenès, Minerve and the Minervois, Fenouillet and the Fenouillèdes, the castle of Peyrepertuse and its lands, the county of Millau and Gévaudan, Nîmes and its viscounties and the counties of Toulouse and Saint Gilles, Béziers and the Biterrois, the city of Agde and its lands, Albi and the

<sup>162</sup> Petrus de Marca, *Marca Hispanica sive Limes Hispanicus* (Paris, 1688), app. 519.

<sup>163</sup> *HGL*, viii, 1411 (Lettres des commissaires du roi au sénéchal de Carcassonne): 'Cum dominus rex predictus ad istas partes nos duxerit destinandos, occasione invasionis sibi facte ab infantibus regis Aragonum vel hominibus eorundem, ex parte et speciali mandato domini regis vos rogamus et requirimus modis omnibus, quatenus visis litteris convocetis sine dilatione quacumque Oliverium de Terminis et alios tres vel quatuor de fidelioribus domini regis apud Narbonam vel Bedier aut Carcassonam, seu ubi dictorum locorum eos competentiarius habere poteritis, ut vestri et ipsorum super hoc possimus habere consilium, quia predictum fratrem Joannem ad regem Aragonie ex parte regis Francie incontinenti oportet accedere, aliqua verba vestro consilio habita referendo, scientes quod dominus rex Francie quemdam nuntium recepit a dicto rege Aragonie, postquam recessimus ab eo, qui factum huiusmodi aliter proposuit quam scripsistis, sicut dominus rex inter multa alia verba die mercurii apud Montempessulanum nobis litteratorie nunciavit.' Soldevila, *Pere el Gran*, i, 87–8.

<sup>164</sup> *Documentos de Jaime*, iv, 70–1, no. 976.

<sup>165</sup> *Documentos de Jaime*, iv, 97–9, no. 1004.

<sup>166</sup> *Documentos de Jaime*, iv, 109–112, no. 1018.



viscounty of the Albigeois, Rodez and the Rouergue, Cahors and the Quercy, Narbonne and the duchy of Narbonne, the castles of Puilaurens, Quéribus, Castelfixel and the land of Sault, the viscounty of Grèzes, the Agenais and the Venaissin, as well as whatever was held in the county of Foix.<sup>167</sup> On 17 July, the king of Aragon likewise renounced his rights on Provence, with the cities of Arles, Avignon, Marseille and their dependencies, in favour of his cousin Marguerite, the wife of Louis.<sup>168</sup> By the treaty at Corbeil, Louis renounced all the rights he claimed in the Catalan counties of Barcelona, Urgell, Besalú, Roussillon, Empúries, Cerdanya, Conflent, Vic, Girona and Ausona.<sup>169</sup> The Carladès, the Omeladés and, all importantly from James's point of view, Montpellier, remained to the crown.

### *The Resistance*

Nobody would reasonably suggest that the treaty of Corbeil represented a success for the crown of Aragon. It was agreed to by James in politically difficult circumstances, with the kingdom of Valencia still not fully subdued, Montpellier reacting against his rule, and (possibly) some overzealous actions of his young sons placing him in an awkward situation. Louis renounced rights which had been a dead letter for centuries, while James renounced rights many of which had been lost within living memory. The agreements of 1258 were the long-term result of the defeat at Muret, the treaty of Paris, the failures of the revolt of Trencavel and the grand alliance, the loss of Provence and the decline of royal authority in Montpellier. In the circumstances, it can certainly be argued that one of the features of Corbeil is that Louis could have 'had it all' and did not pursue it all. That he left James with anything is an indication of his magnanimity. At the same time, James is unlikely to have avoided mention of Corbeil in his own account of his reign out of any deep sense of shame. Rather his work was about the victories God had given him and the issues he felt would be pertinent to his successors.<sup>170</sup> The treaty did not fit into either category.

<sup>167</sup> *Documentos de Jaime*, iv, 109–112, no. 1018.

<sup>168</sup> *Documentos de Jaime*, iv, 112–3, no. 1019.

<sup>169</sup> *Layettes*, iii, 406–7, no. 4412.

<sup>170</sup> We should take into account the arguments of J. Pujol ('The *Llibre del Rei En Jaume*: A matter of style', in *Historical Literature in Medieval Iberia* ed. A. Deyermann [London, 1996]), 35–65 and S. Cingolani (*Jaume I: Història i mite d'un rei*

For James's assessment was that continued political involvement in the lands to the north was unrealistic and that those lands, his mother's city aside, had ceased to be of relevance to the interests of the crown. Though he was not always the greatest of politicians, in this instance he may well have been right in letting go.

Others, of course, did not think so, and even for James there were lingering doubts. In 1262, when Marseille and many of the Provençal lords revolted against the rule of Charles of Anjou, James promised Louis that he would not give them aid.<sup>171</sup> But when Charles counter-attacked and besieged Marseille, the leaders of the revolt, and most notably Boniface de Castellana and Hugh of the Baux, escaped to the city of Montpellier, then in the hands of Prince James, the king's second surviving son.<sup>172</sup> Others had fled to Lattes and the surrounding region. It appears very likely that Prince James not only gave refuge to the rebels but, beyond this, allowed men of Montpellier to go by sea to help Marseille.<sup>173</sup> Charles had decided to pursue the fleeing rebels and thus entered into the seigneurie of Montpellier.<sup>174</sup>

Prince James had placed his father in difficulties which the king sought to overcome with diplomacy. When, on 3 November 1262, James demanded that Charles withdraw from the lands of the crown without delay, insisting that he had given strict instructions that Montpellier must not help Marseille, Charles countered that he had already arrested Montpellerians who had come to the aid of Marseille, and he demanded reclamation.<sup>175</sup> James asked Charles to return the ringleader of the Montpellerians to the city where the prince would punish him fittingly and at the same time he sent a letter to his son telling him to do just that.<sup>176</sup> Three days later, on the basis of complaints received from his son that Charles intended to seize the men of Marseille who were inside the castle of Lattes and to take everything that they had there, James besought Charles to desist from doing harm

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[Barcelona, 2007]) that the *Llibre dels Fets* was constructed wholly in the last years of the king's reign. If that is so, then the treaty may well have seemed *very much* something finished in the past which had little bearing on the future.

<sup>171</sup> *Documentos de Jaime*, iv, 344, no. 1277.

<sup>172</sup> Soldevila, *Pere El Gran*, i, 180.

<sup>173</sup> Soldevila, *Pere El Gran*, i, 181; R. Sternfeld, *Karl von Anjou als Graf von Provence* (Berlin, 1888), 170–1. Sternfeld appears to infer these developments from the letter of James cited at n. 172.

<sup>174</sup> *Documentos de Jaime*, iv, 359–60, nos. 1294–5.

<sup>175</sup> *Ibid.*

<sup>176</sup> *Ibid.*

to men who were there under his power (for the men had broken faith with Charles but not with James). If Charles did not do so, the king would order his son forcefully to defend them and their goods.<sup>177</sup>

By the time those letters arrived, Charles had already come to terms with Prince James, the men of Montpellier and Marseille.<sup>178</sup> The prince was the hero of the hour, and the enemies of Charles looked to him, as they looked to Prince Peter, and to Manfred, and to Prince Edward of England, and to anybody else who might help them.<sup>179</sup> But further revolt at Marseille in the following year was not treated so kindly by the count, though the major conspirators fled and thus kept their heads (unlike those who were caught).<sup>180</sup> The crown gave the rebels refuge. In early 1265, Boniface of Castellana, was dining at Prince Peter's table, and by the end of that year Albert of Lavanaia was acting as judge in some of the most important cases put before the king, as he continued to do for the rest of the reign, becoming one of James's most important advisors.<sup>181</sup> Hugh of the Baux also ended up in the lands of the crown, first appearing with Prince James at Perpignan in June 1267 and then regularly with the king thereafter.<sup>182</sup> James was willing, as he always had been willing, to provide a home for the disaffected sons of the Midi.

But he was not willing to do more. The reconquest of Murcia on behalf of Castile (though wholly within the interests of his own realms) had pushed James further to the south and when all had been won which could be won, it was to the East that the conqueror looked, first with his anticlimactic crusade of 1269, and with no less enthusiasm before Gregory X at the second council of Lyon in 1274.<sup>183</sup> He would

<sup>177</sup> *Documentos de Jaime*, iv, 360–1, no. 1296.

<sup>178</sup> A. Germain, *Histoire du Commerce de Montpellier* (Montpellier, 1861), 249–53; Sternfeld, *Karl von Anjou*, 302; Soldevila, *Pere El Gran*, i, 183–5.

<sup>179</sup> Soldevila, *Pere El Gran*, i, 185–90.

<sup>180</sup> L. Blancard, 'Documents inédits sur l'histoire politique de Marseille au XIIIe siècle', *Bibliothèque de l'École des chartes*, 21 (1860), 521; Sternfeld, *Karl von Anjou*, 194–5; Soldevila, *Pere El Gran*, i, 196.

<sup>181</sup> (Boniface) ACA, Jaume I, Reg. 29, f. 63; (Albert) Soldevila, *Pere el Gran*, i, 454, no. 23: 'Comitimus vobis Alberto de Lavanya, jurisperito, legum professori, in omnes causas, tam principales quam appellacionum que ad nos devolute sunt vel devoluntur decetero. Ita quod ipsas audiatis vice nostra, examinatis et fine debito terminatis, exceptis appellacionibus factis et faciendis in civitate et baiulia Valencie.'

<sup>182</sup> J. Mirret i Sans, *Itinerari de Jaume I*, 402; Soldevila, *Pere el Gran*, i, 199–202.

<sup>183</sup> *Llibre dels Fets*, ii, chs. 378–542; J. Torres Fontes, *La reconquista de Murcia en 1266 por Jaime I de Aragón* (Murcia, 1987); D. Garrido, *Jaume I i el regne de Múrcia* (Barcelona, 1997); E. Marcos Hierro, *La croada catalana. L'exèrcit de Jaume I a Terra*

not support military action in the north. In August 1271, when Alphonse of Poitiers and Jeanne died without heirs, by the Treaty of Meaux-Paris the county of Toulouse was to pass to the crown of France.<sup>184</sup> Whether petitioned by the Toulousains or acting on his own initiative, Prince Peter decided to seize the opportunity to seize control of the county and acted with the same enthusiasm which his grandfather had shown sixty years before, recruiting forces from the nobles and the towns.<sup>185</sup> His father was far from being amused and on 15 October 1271 addressed a letter to all the barons and *concejos*, ordering them that they were to give Prince Peter no help and if they did so they would lose all they had. The king's reasoning for his action was quite straightforward – his son would not gain in honour and would not be able to do what he set out to do.<sup>186</sup> Likewise, two days later, James ordered the *alcaldes* and justiciars of the major towns in Aragon to confiscate all the goods of anybody who participated in the prince's venture.<sup>187</sup>

James was not the only who was quick to act. After the death of Alphonse, the seneschal of Carcassonne, Guillaume de Cohardon, made haste to Toulouse in order to secure the oath of fealty of the Toulousains to the new king of France, Philip III.<sup>188</sup> It is possible that

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*Santa* (Barcelona, 2007); D. Smith, 'Guerra Santa y Tierra Santa en el pensamiento y la acción del rey Jaime I de Aragón', in *Regards croisés sur la guerre sainte. Guerre idéologie et religion dans l'espace méditerranéen latin (XIe–XIIIe siècle)*, ed. D. Baloup and P. Josserand (Toulouse, 2006), 305–21; L. Gatto, *Il Pontificato di Gregorio X (1271–1276)* (Rome, 1959), 91–2, 105, 128–32.

<sup>184</sup> *HGL*, vi, 927; viii, 887.

<sup>185</sup> Zurita, *Anales*, vol. 1, bk. iii, ch. 79.

<sup>186</sup> F. Fondevilla, 'La nobleza catalano-aragonesa capitaneada por Ferrán Sanchez de Castro', *I. CHCA*, ii (1908), 1099: 'Noveritis quod Infans Petrus, filius noster, vadit nunc apud Tholosam contra prohibitionem et mandatum nostrum. Quare vobis firmiter dicimus et mandamus, sub pena omnium bonorum vestrorum que habetis in terra nostra, quatenus non sitis ausus sequi ipsum, nec donetis eidem consilio et iuvamen de militibus, equis, armis, denariis vel aliis necessariis suis ad dictum viaticum faciendum. . . . Scire enim potestis quod si nobis videretur dictum viaticum esse ad utilitatem et honorem filii nostri quod nos iuvaremus eundem ad dictum viaticum faciendum. Set quare videremus quod illud quod incipit non poterit ducere ad effectum, ideo displicet nobis plurimum et est grave.'

<sup>187</sup> Fondevilla, 'La nobleza catalano-aragonesa', 1099: 'Et, si aliquem, contra dictam prohibitionem nostram inveneritis venisse, statim in continenti, tam de illis qui iam iverunt quam de ipsis qui de cetero ibunt, omnis bona sua emparetis et emparata teneatis quousque a nobis aliud habeatis mandatum.'

<sup>188</sup> Alvira Cabrer, *El Jueves de Muret*, 565; Soldevila, *Pere el Gran*, i, 205; Y. Dossat, 'Les deux serments de fidélité des consuls de Toulouse en septembre 1271', *Bulletin philologique et historique (jusqu'en 1610)* (Paris, 1961), 703–11.

the Toulousains had notice of Prince Peter's plans but they were as realistic as the Aragonese king. At first they stalled, and on 16 September the consuls of Toulouse refused to take an oath of fealty to the king of France which did not guarantee their privileges and customs.<sup>189</sup> But after four days of negotiations and concessions they decided to change their stance and take the oath.<sup>190</sup> That Guillaume was expecting trouble was undoubtedly the case and either before entering Toulouse or when there he must have heard rumours that Prince Peter was on his way. When two and half weeks later the envoys of Philip III arrived at Toulouse and the consuls of Toulouse renewed their oaths and were joined in doing so by many of the local nobility, Guillaume de Cohardon insisted on having read out loud the treaty of Corbeil to make it absolutely clear to the Toulousains that the king of Aragon had renounced all his rights in the county.<sup>191</sup> The swift action of the seneschal on the one hand and the king on the other had averted a potential conflict and forced Peter to abandon his expedition.<sup>192</sup>

That even as late as 1271 there were still those on both sides of the Pyrenees who held out some hope for that world which had existed so briefly pre-Muret is testimony to the depth of feeling in its favour. But James was not an especially sentimental man and the prince would have to wait for other occasions when he could take on the French. That struggle – the war of the Sicilian Vespers, the excommunication of Peter by Martin IV, the subsequent invasion of Catalonia, the defeat of the French by Ruggerio di Loria – was, of course, not simply the chance result of an opportunistic response to some disgruntled natives whose womenfolk had been harassed.<sup>193</sup> Rather it was the consequence (at least, in part) of the fourth king of the union's deep awareness of all that had gone before – of Muret, Meaux-Paris, the loss of Provence, the treaty of Corbeil – and of the bitter hatred he had consequently developed for the French generally and for Charles of Anjou in particular.

<sup>189</sup> Y. Dossat, *Saisimentum Comitatus Tholosani* (Paris, 1966), 77–9, no. 1.

<sup>190</sup> Dossat, *Saisimentum Comitatus Tholosani*, 80–2, nos. 2–3.

<sup>191</sup> Dossat, *Saisimentum Comitatus Tholosani*, 87–9, no. 6.

<sup>192</sup> Peter was in Barcelona from mid-October, then in Lleida in November and in Zaragoza with his father in December (Miret, *Itinerari*, 454).

<sup>193</sup> See *Crònica de Bernat Desclot*; *Crònica de Ramon Muntaner*, 2 vols, ed. V. J. Escartí (Valencia, 1999); O. Cartellieri, *Peter von Aragon und die Sizilianische Vesper* (Heidelberg, 1904); H. Wieruszowski, 'Politische Verschwörungen und Bündnisse König Peters von Aragon gegen Karl von Anjou am Vorabend der Sizilianischen Vesper', *Quellen und Forschungen aus italienischen Archiven und Bibliotheken*, 37 (1957), 136–91; F. Soldevila, 'Pere II el Gran: el desafiament amb Carles d'Anjou', *Estudis universitaris catalans*, 9 (1915–6), 123–72.

## CHAPTER THREE

### HERETICS IN THE LANDS OF THE CROWN AND BEYOND

#### *The Spread of Heresy and the Meeting at Saint-Félix*

Given the similarities in terms of belief and practice between the Bogomils and some of the diverse range of heretical groups which were developing in the west in the first half of the twelfth century, it is not implausible to suggest some link between them.<sup>1</sup> Considering the generally increased contacts between the peoples of the west and the Byzantine empire, it is quite possible that by the 1080s, if not before, the heresies of the Bogomils had reached the west, as may well be suggested in a problematic passage from a vision of Hildegard of Bingen, written down in 1163.<sup>2</sup> If that is not the case then at least an exchange of ideas may well have existed in the wake of the First Crusade, as the same comments of Hildegard might indeed indicate, and which might further be implied by an equally problematic passage of Anselm of Alessandria, in which the late thirteenth-century inquisitor describes how Frenchmen, at an unspecified date, went to Constantinople, intending to conquer the land, discovered the Bulgarian sect and later returned to their homelands, preaching and growing in numbers to the point where they were able to establish a bishop for France.<sup>3</sup>

If this is so, and indeed it could be so, regrettably we know nothing in detail either of the members of the sect who first persuaded the Frenchmen to alter their beliefs or of the Frenchmen who went home to preach, unless it is the case that the peasants Clement and Everard of Bucy, tried by Bishop Lisiard of Soissons in 1114, had connections

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<sup>1</sup> See B. Hamilton, 'Bogomil influences on Western Heresy', in *Heresy and the Persecuting Society in the Middle Ages*, ed. M. Frassetto (Leiden, 2006), 93–114.

<sup>2</sup> Hildegard, *Epistola X. De Catharis*, ed. J. B. Pitra, *Analecta Sacra*, 8 vols. (Paris, 1876–82), viii, 349; B. Hamilton, 'Wisdom from the East: the reception by the Cathars of eastern dualist texts', in *Heresy and Literacy, 1000–1530*, ed. P. Biller and A. Hudson (Cambridge, 1994), 43.

<sup>3</sup> Hildegard of Bingen, 349; A. Dondaine, 'Le "Tractatus de hereticis" d'Anselme d'Alexandrie', *Archivum Fratrum Praedicatorum*, 20 (1950), 308; Hamilton, 'Wisdom from the East', 43–4.

with the East, though this seems unlikely.<sup>4</sup> And if the heretics then grew in numbers, it must surely have been very slowly, since they do not appear to have come to the attention of the ecclesiastical authorities. If they existed, it seems likely that they are now lost to us. But while the question of when and where the devil had been released from the bottomless pit remains debatable, Hildegard secures for us greater certainty when she dates to 1140 the time when the four winds had been set in motion by the four angels of the corners, causing great destruction.<sup>5</sup> From this period, we have more concrete evidence of heretics who may well have some relevance to our story, first of all from a letter written in 1143 or 1144 by Everwin, prior of the Premonstratensian house of Steinfeld, to the greatest churchman of the age, Bernard of Clairvaux.<sup>6</sup>

In Everwin's account of heretics at Cologne we have not only a heretical bishop but his assistant as well determined to defend their beliefs, and equally stubborn in refusing to recant them after three days of solid reasoning, after which time, they were seized by the people, thrown into a fire and burnt.<sup>7</sup> What is of greater interest than their predictable demise is the beliefs and structure which Everwin described.<sup>8</sup> The heretics said that theirs alone was the Church and that they were the true imitators of the apostolic life. They were the poor of Christ, while the possessive Catholic clergy were false apostles. They rejected milk and whatever was born of coition. By the Lord's Prayer they consecrated their food and drink, changing it into the body and blood of Christ, but declared that their opponents did not hold to the truth in the sacraments but to a sort of shadow, a tradition of men. Their baptism was performed by the imposition of hands and the

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<sup>4</sup> Guibert of Nogent, *Histoire de sa vie (1053–1124)*, ed. G. Bourgin (Paris, 1907), 212–15.

<sup>5</sup> Hildegard, 349: 'Nam viginti et tres anni et quatuor menses sunt, quod a perversis operibus hominum, quod ab ore nigrae bestiae efflantur, quatuor venti per quatuor angelos angularum in magnam ruinam moti sunt.'

<sup>6</sup> *PL*, clxxxii, 676–80; R. Manselli, 'Evervino di Steinfeld e S. Bernardo di Clairvaux', in idem, *Studi sulle eresie del secolo XII* (Rome, 1953), 89–109; L. Paolini, 'Esiti ereticali della conversione alla povertà: La conversione alla povertà nell'Italia dei secoli XI–XIV', *Atti del Convegno dell'Accademia Tudertina e del Centro di Studi sulla Spiritualità medievale*, ed. E. Menestò (Spoleto, 1991), 127–86.

<sup>7</sup> *Ibid.*

<sup>8</sup> A. Brenon, 'La lettre d'Evervin de Steinfeld à Bernard de Clairvaux de 1143: un document essentiel et méconnu', *Heresis*, 25 (1995), 7–28; M. Lambert, *The Cathars* (Oxford, 1998), 22–3; M. Barber, *The Cathars: Dualist heretics in Languedoc in the High Middle Ages* (London, 2000), 23–4.

baptized were called 'the Elect'. Marriage was condemned. The two men who were burned had previously said that their beliefs had lain concealed from the time of the martyrs until then and persisted in Greece and certain other lands.

The purpose of Everwin's letter was to spread alarm (which it succeeded in doing).<sup>9</sup> What is particularly remarkable about it is not only the insistence of the Greek origin of the beliefs but the suggestion that an organized church was in place. This high degree of organization was equally insisted upon by Eckbert, a canon of Bonn, who during the 1150s and after, came into close contact with heretical missionaries and was able to build up a great knowledge of their beliefs.<sup>10</sup> Eckbert has a customary problem as a source for heresy in that he had a strong tendency to assign beliefs and practices to the heretics which reflected what had been said about Manichaeism by Saint Augustine.<sup>11</sup> Yet, taking that into account, the sermons of Eckbert nevertheless give us a detailed picture of heretical beliefs and practices from one who had discussed those beliefs and practices openly with the heretics. Most pertinently, Eckbert describes the baptism or catharization of a new member of the group at the hands of a person whom he calls the archcathar. The meeting takes place in the greatest secrecy, in a darkened place lit up by many torches, with the person to be baptized or catharized standing in the middle and the archcathar standing by him holding the book which is used for this office. The archcathar places the book on the neophyte's head and recites blessings. This they called a baptism by fire because of the fire of the torches, placed around the walls.<sup>12</sup>

An account written by the church of Liège to Pope Lucius II (1144–5) concerning heretics from the French village of Montwimers similarly suggests a structured group.<sup>13</sup> The heretics had auditors, believers

<sup>9</sup> For Bernard's response see *Sermones super Cantica Canticorum*, ed. J. Leclercq, C. H. Talbot and H. M. Rochais, *Sancti Bernardi Opera II* (Rome, 1957), 172–88.

<sup>10</sup> Eckbert of Schönau, *Sermones contra Catharos* (PL, cxcv, 11–98); Eckbert of Schönau's 'Sermones contra Katharos', ed. R. J. Harrison (Michigan, 1990), 1–373.

<sup>11</sup> A. Borst, *Die Katharer* (Stuttgart, 1953), 6–7, 94–5; Lambert, *The Cathars*, 20–1; Cf. Eckbert of Schönau's 'Sermones contra Katharos', 374–693.

<sup>12</sup> PL, cxcv, 51–5.

<sup>13</sup> PL, clxxix, 937–8; *Veterum scriptorum et monumentorum historicum, dogmaticarum, moralium amplissima collectio*, ed. E. Martène and U. Durand, 9 vols (Paris, 1724–33), i, 776–8; W. Wakefield and A. Evans, *Heresies of the High Middle Ages* (New York, 1991), 140–1.



and 'it has its Christians, its priests, and its other prelates, just as we have'.<sup>14</sup> If the account is accurate, the beliefs of this group centred upon an attack on baptism, Holy Communion, ordination and marriage. According to the account of Hugh of Poitiers, the group of heretics condemned at Vézelay in 1167, who were interviewed frequently during a two-month period, likewise rejected the same sacraments, as well as the building of churches, tithes, and all the functions of clergy and priests.<sup>15</sup> Some escaped with a public flogging though seven of them were burned. The year before, at Oxford in England, another group of heretics, thirty or forty in number, Germans by speech and birth, had similarly rejected the sacraments of baptism, the Eucharist and matrimony.<sup>16</sup> The fact that they had traveled as a group to England, appear to have had an educated leader, Gerard, and were, in spite of the Austin canon William of Newburgh's various disparaging remarks about them, able to answer correctly 'on the nature of the celestial physician' suggests that they might have had a sizable impact had they not found themselves confronted by the ruthless and highly effective King Henry II, who had them branded, flogged and left to die.<sup>17</sup>

While there were small groups of heretics in various places who probably held to some similar but by no means uniform beliefs, the Church came increasingly to focus its attention on heresy in Languedoc. In 1145, Saint Bernard had already preached with notable success against heretics at Albi and in other areas, though he was less well greeted by the knights at Verfeil.<sup>18</sup> As far as Bernard himself was concerned, the whole area was awash with heresy and Bernard was not alone in thinking that. In 1148, the council of Reims specifically denounced the heretics present in Gascony, Provence and elsewhere.<sup>19</sup> In 1163, at the council of Tours, Alexander III looked to the problem of heresy in the south and legislated against the Albigensians and those who defended them.<sup>20</sup> Was this because heresy was particularly prevalent in the region or was it that the Church felt more able to intervene in order to try and solve the problem of heresy there because it would

<sup>14</sup> Ibid.

<sup>15</sup> *RHGF*, xii, 343–4.

<sup>16</sup> *Chronicles of the Reigns of Stephen, Henry II and Richard I*, ed. R. Howlett, 4 vols (London 1884–9), i, 131–4.

<sup>17</sup> Ibid.

<sup>18</sup> *PL*, clxxxv, 411–2; Lambert, *The Cathars*, 40.

<sup>19</sup> *Histoire des Conciles*, ed. C. Hefele and H. Leclerq, 11 vols (Paris, 1907–52), v, 731–2.

<sup>20</sup> *Histoire des Conciles*, v, 963–72; *Mansi*, xxi, 1177–8.

not be hampered by a powerful secular authority? Or were there more heretics there precisely because there was no Henry II to brand people and flog them and leave them to die?

The acts of the 'council' or arbitration of Lombers, from 1165, suggest that heresy was very powerful in the Albigeois.<sup>21</sup> The list of ecclesiastical dignitaries who participated in the Lombers debate, including the archbishop of Narbonne, the bishops of Lodève, Albi, Nîmes, Toulouse and Agde, as well as innumerable abbots and priors, and alongside them the viscount of Béziers, the countess of Toulouse, and other lords, plus almost the entire populations of Albi and Lombers, is remarkable in itself.<sup>22</sup> What is even more remarkable is that the opponents of the Church, who wished to be called Good Men, supported by the knights of Lombers, were able to engage in open debate with the higher clergy, obliging them to frame their arguments from the New Testament as the heretics would not accept the Old, refusing to answer on matters concerning their faith, criticizing the luxuriant lifestyle of the bishops and priests, declaring the unfortunate Bishop Gaucelm of Lodève himself to be a heretic, and making a semi-orthodox profession of faith but then refusing to swear to it.<sup>23</sup> Rather than the debate ending with the Good Men being seized by the mob and cast into the flames, the spectacle descended into farce as Bishop Gaucelm declared that they must swear the oath to prove their orthodoxy while the Good Men contested that Bishop Guillaume of Albi had told them beforehand that they need not do so. Bishop Guillaume denied this but take the oath they would not and finally he was left feebly to warn the knights of Lombers to have nothing more to do with the heretics.<sup>24</sup>

The Lombers incident appears to be social protest against local abuses combining with a heretical movement still very much in the process of formation. Yet, just two years on, the famous heretical council of Saint-Félix de Caraman of 1167 may well demonstrate a higher degree of organization among the heretics than is indicated in any previous document.<sup>25</sup> Of course, so many controversies surround the question of

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<sup>21</sup> *RHGF*, xiv, 431–4; *Mansi*, xxii, 157–68; Wakefield and Evans, *Heresies of the High Middle Ages*, 190–4. For a recent discussion of Lombers, see Jiménez-Sánchez, *Les catharismes*, 268–75.

<sup>22</sup> *Ibid.*

<sup>23</sup> *Ibid.*

<sup>24</sup> *Ibid.*

<sup>25</sup> The literature on this subject is increasingly vast but see in particular, *L'histoire du Catharisme en discussion: Le concile de Saint-Félix (1167)*, ed. M. Zerner (Nice, 2001); A. Dondaine, 'Les actes du concile albigeois de Saint-Félix de Caraman', in *Miscellanea*

whether this council actually took place that there is a strong temptation to dismiss it as evidence. However, that cannot be done. If there genuinely was a heretical gathering then it is very strong proof that prior to the Third Lateran Council there was a highly-organized heretical movement in Languedoc with some links to the heretical movements of the East and that heresy was not an invention of Churchmen but a real and present danger facing religious and secular lords alike.<sup>26</sup> If there was no such council then it would strengthen the argument that there was far less by way of structured belief and organization to heretical movements than is often believed and that the idea of highly-structured heretical movements was concocted by the Church itself as a means to strengthen its own position. In debating the ‘council’, two modern ways of viewing the medieval world are in play and if the council is their major battleground it is because the report of the event only comes down to us in an account published in 1660 by the advocate and historian Guillaume Besse, purporting to be a copy of a manuscript, which had been lent to him in 1652 by the erudite canon of Saint-Étienne de Toulouse, Pierre de Caseneuve.<sup>27</sup> The manuscript was framed as a report of the events of 1167 copied in 1232 (in reality more likely 1223) by Pierre Pollan at the request of the heretical bishop of Carcassonne, Pierre Isarn.<sup>28</sup> The manuscript, if it existed, is now lost.

The text of what is generally called the *Charte de Niquinta*, which Besse recorded in the supplementary acts of his *Histoire des Ducs*,

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*Giovanni Mercati*, 5, Studi e Testi, 125 (Vatican City, 1946), 324–55; B. Hamilton, ‘The Cathar council of Saint-Félix reconsidered’, *Archivum Fratrum Praedicatorum*, 48 (1978), 23–53; F. Šanjek, ‘Le rassemblement hérétique de Saint-Félix de Caraman (1167) et les églises cathares au XIIe siècle’, *Revue d’histoire ecclésiastique*, 67 (1972), 767–99; P. Jiménez-Sánchez, ‘Relire la charte de Niquinta: (1) Origine et problématique de la charte’, *Heresis*, 22 (1994), 1–41; (2) ‘Étude et portée de la charte’, *Heresis*, 23 (1994), 1–28; Y. Dossat, ‘Remarques sur un prétendu évêque cathare du Val d’Aran en 1167’, *Bulletin philologique et historique du Comité des travaux historiques et scientifiques, années 1955–6* (Paris, 1957), 339–47; J. Duvernoy, ‘Les actes de Saint-Félix sont-ils des faux?’, *Cahiers d’études cathares*, 40 (1968–9), 16–20.

<sup>26</sup> See Bernard Hamilton, ‘Introduction’ in *Hugh Eteriano: Contra Patarenos*, ed. B. Hamilton, J. Hamilton, S. Hamilton (Leiden, 2004), 80: ‘If the Saint-Félix document is authentic it proves that from at least the 1160s the Cathars had an episcopal organization and conceived of themselves as being members of an international Church.’

<sup>27</sup> G. Besse, *Histoire des ducs, marquis et comtes de Narbonne autrement appelez Princes des Goths, ducs de Septimanie et marquis de Gothie* (Paris, 1660), 483–6. On Caseneuve, see J. Dalarun, ‘La «Charte de Niquinta», analyse formelle’, in *L’histoire du Catharisme*, 160–2.

<sup>28</sup> The best edition of the text remains Hamilton, ‘The Cathar council of Saint-Félix reconsidered’, 51–3, who also corrects the date (26–8). And see below, note 52.

*Marquis et Comtes de Narbonne*, can reasonably be divided into three sections.<sup>29</sup> The first section relates how the Toulousain church brought Papa Nicetas (in the text Niquinta) to Saint-Félix and that a great many men and women of Toulouse and other churches received the *consolamentum* there from Nicetas.<sup>30</sup> Afterwards the leaders of the heretical churches congregated. Robert d'Épernon came with his council from the church of the Franks. Mark of Lombardy came with his council, Sicard Cellarierius of the church of Albi with his, while Bernard Catalanus was there with the council of the church of Carcassonne. The council of the church of Arán (or Agen) was also there.<sup>31</sup> When all were gathered together the men of Toulouse elected as their bishop Bernard Raimond. Bernard Catalanus and the church of Carcassonne, under advice from Sicard, elected Gérard Mercier. The men of Arán (or Agen) elected Raimond de Casals.<sup>32</sup> Afterwards, Robert d'Épernon received the *consolamentum* and was consecrated bishop of the Franks by Papa Nicetas. In like fashion, at Nicetas's hand, Sicard became bishop of Albi, Mark bishop of Lombardy, Bernard Raimond bishop of Toulouse, Gérard Mercier bishop of Carcassonne and Raimond de Casals bishop of Arán (or Agen).<sup>33</sup>

The second section of the text deals with a sermon preached by Papa Nicetas, apparently only to the church of Toulouse. This began with some remarks made by Nicetas in response to questions concerning the customs of the early churches and whether they were 'heavy or

<sup>29</sup> Hamilton, 51–3.

<sup>30</sup> 'in diebus illis Ecclesia Tolosana adduxit Papa Niquinta in Castro Sancti Felicii et magna multitudo hominum et mulierum Eccl. Tolosanae, aliarumque Ecclesiarum vicine congregaverunt se ibi, ut acciperent consolamentum quod Dominus Papa Niquinta coepit consolare.'

<sup>31</sup> 'Postea vero Robertus de Sperrone Ep. Eccl. Francigenarum venit cum consilio suo: q. Marchus Lombardie venit cum consilio suo similiter, et Sicardus Cellarierius Eccl. Abbiens. Ep. Venit cum consilio suo, et B. Catalani venit cum consilio Eccl. Carcassensis, et Consilium Eccl. Aranensis fuit ibi.'

<sup>32</sup> 'Quod omnes sic innumerabiliter congregati, homines Tolos. Eccl. vulerunt habere Episcopum et elegerunt Bernard. Raimundum: similiter vero et Bernardus Catalanus et Consilium Eccl. Carcassensis rogatus ac mandatus ab Eccl. Tolosana et cum consilio et voluntate et solutione Domini S. Cellarerii elegerunt Guiraldum Mercierium; et homines Aranensis elegerunt Raimundum de Casalis.'

<sup>33</sup> 'Postea vero Robertus d'Esperrone accepit consolamentum et ordinem Episcopi ut esset Ep. Eccl. Albiensis: Similiter vero Marchus consolamentum et ordinem Episcopi ut esset Ep. E. Lombardiae: similiter vero Bernardus Raimundus accepit consolamentum et ordinem Episcopi ut esset Ep. Eccl. Tolosanae: similiter et Guiraldus Mercierius accepit consolamentum et ordinem Episcopi ut esset Ep. Eccl. Carcassensis: similiter et Raimundus de Casalis accepit consolamentum et ordinem Ep. ut esset ep. Aranensis.'

light', and then advised on how the churches should be structured taking the Seven Churches of Asia as his example and explaining how the eastern churches of his own time, those of Rome (Constantinople), Dragometia (Drugunthia), Melenguia, Bulgaria, and Dalmatia had constructed their boundaries so there were no contentions among them.<sup>34</sup>

The third section then relates how the diocesan boundaries of the churches of Toulouse and Carcassonne were to be fixed. Indeed so close is its relation to the second section of the text that one suspects that, if the text is authentic, Nicetas would have spoken there to the church of Carcassonne as well as to the church of Toulouse. Eight assessors were assigned by each church to agreed limits, with Bernardus Catalanus being one of the *divisores* of the church of Carcassonne.<sup>35</sup> The dioceses were to be divided on the lines of the Catholic bishoprics. The bishop of Toulouse was to be in charge of the area corresponding to the Catholic diocese of Toulouse and the bishop of Carcassonne was to be in charge of the Catholic diocese of Carcassonne and the archdiocese of Narbonne, and with the boundary fixed in detail from Saint-Pons to Montréal and Fanjeaux. 'As the other bishoprics march with one another from the gap of the Razès as far as Lleida (or the River Lers) as the way leads to Toulouse (or Tortosa), the church of Toulouse shall have that under its authority and governance; similarly, the church of Carcassonne, having these boundaries shall have under its authority and governance the whole diocese of Carcassonne and the archdiocese of Narbonne and the other territory as far as Lleida (or the River Lers) as it goes towards the sea, as it is divided and stated above.'<sup>36</sup>

<sup>34</sup> 'Post hec vero Papa Niquinta dix. Eccl. Tolosonae. Vos dixistis mihi, ut ego dicam vobis septem Eccl. Asiae fuerunt diuisas et terminatas inter illas, et nulla illarum faciebat ad aliam aliquam rem ad suam contradicionem. Et Eccl. Romanae, et Drogometiae et Melenguiae, et Bulgariae, et Dalmatiae sunt diuisas et termin. et una ad altera non facit aliq. rem ad suam contradicionem et ita pacem habent inter se. Similiter et vos facite.'

<sup>35</sup> 'Eccl. vero Tolosana eligit Bernardum Raimundum, et Guillerum Garsias, et Ermengaudum de Forest, et Raimund. de Beruniaco et Guilbertum de Bono Vilario, et Bernardum Guillerum Contor, et Bernard. Guillerum Bone ville, et Bertrand. de Avinone, ut essent diuisores Eccl. vero Carcassensis elegit Guiraldum Mercelium, et Bernard. Catalanum, et Gregor. et Petrum Calidas manus, et Raimundum Pontium, et Betrandum de Molino, et Martinum de Ipsa sala, et Raimundum Guibertum, ut essent diuisores Eccl. q. isti congregati et bene consiliati dixerunt...'

<sup>36</sup> 'quod Eccl. Tolosonae, et Eccl. Carcasensis sint diuisas propter Episcopatos, quod sic. Episcopatum Tolosae diuiditur cum Archiepiscopato Narbon. in duobus locis, et cum Episcopato Carcasensis a Sancto-Poncio, sicut montana pergit inter Castrum Cabarecii et Cast. Altipulh. et usq. ad diuisionem Castrum Saxiaci et Castrum Verduni et

There are a number of arguments which have been put forward which suggest that the *Charte de Niquinta* is not what it purports to be.<sup>37</sup> The first major argument against the authenticity of the document suggests that it is a forgery of the seventeenth century, very probably of Guillaume Besse himself.<sup>38</sup> The argument is that Besse was known to fabricate sources and, moreover, in this instance, he had a motive for doing so in that he was determined to demonstrate that the heretics were implicated in the murder of his beloved Viscount Trencavel of Béziers in 1167. His forgery would serve as a perfect demonstration of the presence of heresy in the region in that year (since Besse thought that the council of Lombers, which he knew well, took place in 1176).<sup>39</sup>

This argument is ingenious but it is also very difficult to sustain chiefly for three reasons. First of all, even if the matter meant so very much to him, it is not clear why Besse would have constructed an extraordinarily elaborate forgery which makes no mention at all of Trencavel and his murder but rather talks of diocesan limits.<sup>40</sup> Secondly, everything that Besse tells us about heresy in his work suggests that he did not have adequate knowledge of the period to construct such a

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pergit inter Montem-regalem et Fanumjouem; Quod sicut alii Episcopi diuiduntur ab exitu Redensis usque ad Leridam sicut pergit apud Tolosam, ita Eccl. Tolos. hab in sua potestate et in suo gubernamento; similiter et Eccl. Carcasensis sicut dividitur et terminatur habeat in sua potestate et in suo gubernamento omnem Episcopatum Carcasensis et Archiepiscop. Narbonens. et aliam terram sic. diuisum est, et dictum usque ad Leridam sicut vergit apud mare. Quod ita Eccl. sunt diuisas sic. dictum est, ut habeant pacem et concordiam adinuicem et iura ad altera non faciat, aliquid ad suam contradicionem.

<sup>37</sup> M. Pegg, *A Most Holy War: the Albigensian Crusade and the battle for Christendom* (Oxford, 2007), 170, comments 'Many modern scholars extol the "Charter of Niquinta" as the resounding proof of a widespread "Cathar Church" in the twelfth and thirteenth centuries – though it never mentions Cathars (or Bogomils) or even comes close to being historically cogent. What makes these scholarly claims even more absurd (and rather embarrassing) is that no one has ever seen the original parchment except Besse. The most important document in the history of Catharism only exists as a disheveled *pièce justificative* from 1660.' Though these remarks seem slightly harsh, particularly when the case arguing for a later date for the text is very far from being proved and so few scholars, in reality, approach the text other than cautiously.

<sup>38</sup> Dossat, 'Remarques sur un prétendu évêque', 339–47; M. Zerner, 'La charte de Niquinta, l'hérésie et l'érudition des années 1650–1660', in *L'histoire du Catharisme*, 203–48.

<sup>39</sup> Besse, *Histoire des ducs*, 324–5; Dossat, 'À propos du concile cathare de Saint-Félix: Les Milingues', *Cahiers de Fanjeaux*, 3 (1968), 201–14.

<sup>40</sup> Dalarun, 'La «Charte de Niquinta»', 159: 'L'inadéquation entre sa claire motivation et le document qu'il produit laisse toujours plus à penser que le document est livré par l'historien tel qu'il le reçoit.'

convincing forgery.<sup>41</sup> Thirdly, and perhaps fatally for the argument, the text makes reference to seven persons whom we know to be historical. Even if, after the most elaborate and extraordinary efforts, Besse had managed to encounter all of these people in the diverse sources which record them (and it seems certain that he did not) and then had afterwards cleverly inserted them into his fabricated text, the editions which could have been available to him in the seventeenth century do not have all of the names of these people written in the manner in which they appear in his text.<sup>42</sup> Besse could possibly have fabricated the 1167 date of the text but it is extremely unlikely he forged the entire text.<sup>43</sup>

The second possibility is that the text is a forgery of the thirteenth century, an invention of Catholic churchmen in the early 1220s at a time when the crusade against heresy in Languedoc was yet to be won.<sup>44</sup> This argument recalls that though many authors wrote about heresy prior to this period, nobody mentioned the council of Saint-Félix in any of their works, though it would evidently have been a sizeable heretical gathering.<sup>45</sup> The document is in Latin and is dated by the incarnational year (surely something the heretics would not consider doing).<sup>46</sup> The historical figures mentioned in the text would easily have been known to churchmen and the structure of the Eastern churches better describes what would have been known by the Church in the 1220s than in the 1160s.<sup>47</sup> As propaganda it would square with the well-known letter of 1223 of Conrad of Porto, which also described in some detail a counter-church with an antipope at its head.<sup>48</sup>

This argument is not unattractive but it is also far from conclusive. Medieval historians, after all, know about a number of significant events only from one source. Did the Church know about every major gathering of heretics? After all, Catholic authors were unlikely to have

<sup>41</sup> Hamilton, 'Cathar council', 24–5.

<sup>42</sup> Dalarun, 'La «Charte de Niquinta»', 138–64; Dondaine, 'Les actes du concile albigeois de Saint-Félix de Caraman', 324–55.

<sup>43</sup> Hamilton, 'Cathar council', 30, suggests that Besse misread the date and argues for a dating of 1174–7.

<sup>44</sup> J.-L. Biget, 'Un faux du xiii<sup>e</sup> siècle? Examen d'une hypothèse', in *L'histoire du Catharisme*, 105–33.

<sup>45</sup> Biget, 'Un faux du xiii<sup>e</sup> siècle', 105–7; R. Moore, 'Nicétas, émissaire de Dragovitch, a-t-il traversé les Alpes?' *Annales du Midi*, 85 (1973), 85–90.

<sup>46</sup> 'Débat du 30 Janvier 1999', in *L'histoire du Catharisme*, 58.

<sup>47</sup> Biget, 'Un faux du xiii<sup>e</sup> siècle', 113–6.

<sup>48</sup> *Mansi*, xxii, 1204; Dossat, 'Un évêque cathare', 636–7; Biget, 'Un faux du xiii<sup>e</sup> siècle', 110–2.

been invited to the event. Concerning Latin and the incarnational year, heretics did not entirely reject all Catholic practices, even if this may have meant some inconsistency on their part.<sup>49</sup> Concerning the historical figures, they would have been even better known in the 1160s and the very brief relation of Nicetas's sermon may indicate that the scribe indeed had little knowledge of the Eastern churches.<sup>50</sup> The letter of Conrad may well be the weakest part of the argument. For it is clear what Conrad's letter is for in terms of propaganda but it is not at all clear what propaganda purpose the Church would have had for constructing a text with a dreary rendition of heretical diocesan limits sixty years before the present.<sup>51</sup> One may be left to fall back on the hypothesis that the whole thing was an attempt by the Catholic church of Toulouse to persecute the village of Saint-Félix in order to increase its temporal power there.<sup>52</sup>

A third possibility is that the text is a forgery of the heretical church of Carcassonne in the 1220s. This argument is far more appealing than the previous two. The text was a work which was constructed by Pierre Pollan on behalf of the bishop of Carcassonne, Pierre Isarn, who died in 1226 (hence 1223 is to be preferred over 1232 as the date).<sup>53</sup> At this moment, in the wake of the Albigensian crusade, the church of Carcassonne had suffered from internal disorganization, as well as external disagreements with other heretical churches of the region which had brought about serious contentions over both doctrines and boundaries.<sup>54</sup> A lull in crusading activity had given Isarn and Pollan a chance both to reestablish their community and to redefine it opposite to other heretical communities at a time when eastern heretics, spreading a moderate dualism, in opposition to the church of Carcassonne's absolute dualism, were active in the area, as Conrad of Porto reported.<sup>55</sup>

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<sup>49</sup> See the comments of Wakefield, 'Burial of heretics in the Middle Ages', *Heresis*, 5 (1985), 29–32.

<sup>50</sup> On this matter also see, Muzerelle, 'Un document médiéval?', in *L'histoire du Catharisme*, 177–81.

<sup>51</sup> Hamilton, 'The Cathar Council', 44–8.

<sup>52</sup> As does Biget ('Un faux du xiii<sup>e</sup> siècle', 129–30).

<sup>53</sup> Hamilton, 'The Cathar Council', 28; Biget, 'Un faux du xiii<sup>e</sup> siècle', 109–10.

<sup>54</sup> The Cathar council at Pieusse met particularly to resolve problems over diocesan boundaries since the heretics of Razès (now to be a new see) were uncertain as to whether they belonged to the diocese of Carcassonne or Toulouse (Bibliothèque Nationale, Paris [hereafter BNP], Collection Doat, xxiii, 259v, 270); Hamilton, 'The Cathar Council', 49–50; Roquebert, *L'Épopée Cathare*, i, 1288–9. Neither Hamilton nor Roquebert subscribe to the view that the 'Charter' is a forgery.

<sup>55</sup> *Mansi*, xxii, 1204; Hamilton, 'The Cathar council', 44–5.



Pierre Isarn commissioned Pierre Pollan to draw up what amounts to a foundation myth, including historical figures (easily known and indeed revered figures for the heretics of the 1220s) with the figure of Papa Nicetas arriving from the East to impose hierarchical order (and perhaps absolute dualism?) on a disorganized and disunited church.<sup>56</sup> At a time when there was a lack of clarity and contentions over diocesan boundaries, Isarn and Pollan have Nicetas overseeing a strict division of those boundaries, agreed by many men of all the dioceses, and a division not by any means unfavourable to the diocese of Carcassonne. A church which had not existed in the 1160s is invented in the 1220s to meet the circumstances of the 1220s.

Few ecclesiastical historians would question that when it came to diocesan boundaries people were wont to go to extraordinary lengths to obtain what they wanted and few medieval historians would deny that the writers of the period had a great capacity for inventing traditions.<sup>57</sup> Yet did they do so here or are Isarn and Pollan using a real text of the 1160s or 1170s to help them in their position? Why cannot the text simply be of the earlier period? When asked to examine the text in 1999, the members of the *Institut de Recherche et d'Histoire des Textes* concluded their report by saying 'L'impression finale que l'on retire de ces observations est celle d'un document homogène, contemporain des événements relatés et dû à un même rédacteur.'<sup>58</sup> There are no good reasons from the vocabulary or construction to argue against an early date. There were heretics in the region in question in the earlier period. A good number of the historical actors in the drama are known from other sources and the events can be very plausibly explained (and have been) in terms of a visit by Nicetas to southern France in order to persuade the churches of northern and southern France and North Italy to accept the Drugunthian *ordo* as the source of their faith.<sup>59</sup> The heretics were thus, the argument goes, moved from a moderated dualism towards an absolute dualism.

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<sup>56</sup> Note the comments of Pegg, *A Most Holy War*, 170: '[The two Peires] invented a history of the good men that justified an ephemeral episcopal hierarchy. Other fugitive good men were now priests in all but name of a far-flung "Church" with a long institutional memory. Bureaucratic fiction was substituted for anarchic reality. No doubt the two Peires believed this narrative to be essentially true.'

<sup>57</sup> G. Constable, 'Forgery and Plagiarism in the Middle Ages,' *Archiv für Diplomatik*, 29 (1983), 1–41.

<sup>58</sup> Muzerelle, 'Un document médiéval?', 199.

<sup>59</sup> Hamilton, 'The Cathar Council,' 23–53; idem, 'The Origins of the Dualist Church of Drugunthia,' *Eastern Churches Review*, 6 (1974), 115–24.

This is all quite reasonable but there remain nagging doubts, not so much because of the uniqueness of the source (though how we would value one snippet of corroborating evidence for the council taking place!), but because the *Charte de Niquinta* depicts churches with a degree of structure and connectedness somewhat in advance of what other sources for this period suggest. Also we are left wondering whether a move from moderate to absolute dualism (not actually mentioned specifically in the *Charte de Niquinta* itself) was of great concern to people in southern France when until this time the sources suggest little interest in dualism<sup>60</sup> To this, of course, it can be countered that just because in this period most heretics most of the time were not very interested in organizing churches or structuring doctrines does not mean that this group of heretics were not interested in doing so at that moment in time. And by 1177, as is well-known, an agitated Raymond V of Toulouse was declaring that the heretics believed in two principles....<sup>61</sup>

### *Heresy in Catalonia*

It is a usual historical practice to consider, with all due caution, that a text is what it purports to be until such time as it has been proved beyond a reasonable doubt that it is otherwise. At the time of writing, that has not yet been the case with the *Charte de Niquinta*. The reason that it is discussed at some length here is because it contains what appear to be references of great significance to the current study. In the text, there are four references to a Bernard Catalanus, and there appear to be three references to a church of Arán, possibly two references to Lleida as a diocesan limit and possibly a further reference to Tortosa as a diocesan limit. Apparently, we have then, if the text is genuine, ample evidence to suggest that heresy was relevant to the history of the lands of the crown of Aragon in the late 1160s and early 1170s.

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<sup>60</sup> Further comment on the 'councils' of the Cathar churches is provided by Muzerelle, 'Un document médiéval?', 174: 'Rien n'indique qu'il faille ici voir une allusion à une entité institutionnelle stable et bien définie. Le témoignage des textes contemporains, tant latins que romans, montre qu'il est tout à fait possible d'entendre ce terme au sens d'un groupe informel de personnes accompagnant une personnalité tant soit peu importante et l'assistant dans la prise de décisions: son "entourage" dans la langue d'aujourd'hui.'

<sup>61</sup> Gervase of Canterbury, *Chronica*, in *The Historical Works of Gervase of Canterbury*, ed. W. Stubbs, Rolls series, lxxiii (London, 1880), i, 271.

Unfortunately, there are further problems here. It is clear that Bernard Catalanus is a very important player in the text. When the churches meet with Nicetas, it is Bernard Catalanus who leads the delegation of the church of Carcassonne.<sup>62</sup> Curiously, and perhaps due to some contentions that required that they seek advice from Sicard Cellararius, the bishop of Toulouse, the church of Carcassonne elected Gérard Mercier as their bishop.<sup>63</sup> That Bernard was not elected remains odd, as he was the leader of Carcassonne going into the meeting and the other leaders, Robert d'Épernon, Mark and Sicard Cellararius, were all consecrated as bishops by Nicetas. When it came to the settlement of the diocesan boundaries of Toulouse and Carcassonne, Bernard Catalanus was one of the eight *divisores* for Carcassonne and when it came to witnessing the agreement between the two sees, Bernard was one of Carcassonne's eight witnesses.<sup>64</sup> But it is less clear what value we should give to the name 'Catalanus'.<sup>65</sup> Even though it is likely Bernard was from Catalonia, it does not indicate whether he had lived in Catalonia a long time or whether it was simply that his origins were there. Though it is not without significance, we cannot read too much into the name any more than we can with the many 'Catalani' who were to appear in the records of the inquisition.

Arán, of course, at the time the council is supposed to have taken place, was under the control of the count of Comminges but from 1201 it was a possession of the crown of Aragon and therefore is worthy of consideration here.<sup>66</sup> It is mentioned in the text that the council of Arán was present at the council and that the men of Arán elected as their bishop Raimond de Casals who received the *consolamentum* and was consecrated as bishop of Arán.<sup>67</sup> There remains, however, the question whether on the three occasions the text has 'Aranensis', it should really read 'Agenensis' and whether Guillaume Besse, or, less likely, Pierre Pollan, misread the manuscript.<sup>68</sup> If there existed a heretical diocese of Arán then it did not last. However, in the thirteenth century there was certainly a heretical diocese of Agen.<sup>69</sup> Moreover, Arán would

<sup>62</sup> Hamilton, 'The Cathar Council of Saint-Félix', 52.

<sup>63</sup> Ibid.

<sup>64</sup> Hamilton, 'The Cathar Council of Saint-Félix', 53.

<sup>65</sup> On this problem generally, see E. Guinot, *Els Fundadors del Regne de València*, 2 vols (Valencia, 1999), i, 93–110.

<sup>66</sup> ACA, perg. Pere I, no. 118.

<sup>67</sup> Hamilton, 'The Cathar Council of Saint-Félix', 52.

<sup>68</sup> Dossat, 'Remarques sur un prétendu évêque', 339–47.

<sup>69</sup> C. Thouzellier, *Catharisme et Valdésisme en Languedoc* (Paris, 1966), 13–14; Šanjek, 'Le rassemblement hérétique', 786–7.

appear to fall into the land assigned to the bishop of Toulouse by the agreement of diocesan limits,<sup>70</sup> though this is not explicitly stated. So the emendation of the text by modern scholars from 'Aranensis' to 'Agenensis' seems very sensible. But that does not mean it is right. We do not have the manuscript of course, which makes it difficult to judge, but it is not really very probable that Besse would have mistaken 'Agenensis' for 'Aranensis' three times in the text.<sup>71</sup> Palaeographically, g is usually one of the easiest letters to decipher. And why would Besse mistake the obvious 'Agenensis' for the unlikely 'Aranensis', and not once but three times? The fact that in the text the church has no leader going into the meeting (unlike all the other churches) and is always mentioned last of the churches may well suggest that, if the text is authentic, there was indeed a small early diocese of Arán, which subsequently disappeared.

The Catalan dioceses of Lleida (in Castilian, Lérida) and Tortosa formed the southern boundaries of Christendom in the eastern Iberian peninsula. We might be slightly surprised to find Lleida in the text but it is even more surprising that when it first appears, during the construction of the boundaries of Toulouse and Carcassonne, the text as we have it from Besse reads 'quod sicut alii Episcopati diuiduntur ab exitu Redensis usque ad Leridam sicut pergit apud Tolosam, ita Eccl. Tolos. hab. in sua potestate et in suo gubernamento.'<sup>72</sup> Most authors change 'Tolosam' to 'Tortosam' as Lleida does not reach naturally to Toulouse while it certainly leads naturally towards Tortosa. Further on in the text it is decided that the church of Carcassonne should have under its jurisdiction the Catholic diocese of Carcassonne and archdiocese of Narbonne and the other territory as far as 'Leridam', just as it goes towards the sea. The decision is more than slightly confusing but could well place Huesca and the crossroads city of Lleida in the diocese of Toulouse, while the Catalan sees would be in the diocese of Carcassonne.<sup>73</sup>

While this may appear wishful thinking on the part of the heretics, Tortosa and Lleida had been conquered in 1148 and 1149 respectively and had attracted large-scale immigration from Languedoc.<sup>74</sup> This was

<sup>70</sup> Hamilton, 'The Cathar Council of Saint-Félix', 36, 42.

<sup>71</sup> Muzerelle, 'Un document médiéval?', 194-5; Jiménez-Sánchez, 'Origine et problématique de la charte', 15-20.

<sup>72</sup> Besse, *Histoire des ducs*, 485.

<sup>73</sup> Hamilton, 'The Cathar Council', 41-2.

<sup>74</sup> See J. Lladonosa Pujol, *Lérida medieval*, 2 vols (Lleida, 1974); A. Virgili, '...Ad detrimendum Hispania'.

particularly the case for Lleida, a very important city, which was the major seat of royal government for most of the next century.<sup>75</sup> Lleida, which was of course to receive even more Occitan immigration in the 1170s and 1180s during the episcopate of Bishop Berenguer (later the archbishop of Narbonne), by 1197 had a consulate dominated by immigrants from across the Pyrenees and would later become a centre for heresy.<sup>76</sup> It is not unreasonable to surmise that there were already some heretics there in the twelfth century, perhaps even when cardinal Hyacinth legislated against heresy at Lleida in 1155.<sup>77</sup> At the same time, it is necessary to point out that 'Tolosam' could be correct in the text and that the 'Leridam' which appears twice could refer to a river which flowed into the Ariège just before it merges with the Garonne.<sup>78</sup> Indeed at the beginning of the nineteenth century, Brial, when editing the text, described 'Leridam' in a note as 'le grand Lers qui se jette dans l'Ariège avant le confluent avec la Garonne'.<sup>79</sup> This river had disappeared with the construction of the Canal du Midi.<sup>80</sup> A reading of the text which changed 'Lleida' to the 'River Lers' would have some attraction, both because it is of the region and because it explains why Besse saw no illogicality in writing 'ad Leridam sicut pergit apud Tolosam'.

So there are many reasons for proceeding with some caution when using the *Charte de Niquinta* as a reference for the spread of heresy in Catalonia and other lands of the crown. It is also worth mentioning here that the council of Tours overseen by Alexander III in 1163 had promulgated laws against 'Aragonenses' and 'Navarrenses', according to the English chronicle of Peterborough, but it should also be noted that these were generic names for the *routiers* who commonly plagued the Pyrenean region, and though they had become associated with heresy, the names cannot be taken as clear indication of origin or indeed any religious belief.<sup>81</sup> In 1179, Archbishop Pons of Narbonne,

<sup>75</sup> Arxiu Capitular de la Santa Església Catedral de Lleida, *Llibre Vert*, contains constant reference to southern French immigrants in the second half of the twelfth century. Flocel Sabaté is currently writing a welcome new history of post-conquest Lleida.

<sup>76</sup> Arxiu Municipal de Lleida, Fons Municipal, perg. 14.

<sup>77</sup> *Les Constitucions de Pau i treva de Catalunya (segles XI–XIII)*, ed. G. Gonzalvo (Barcelona, 1994), 58, no. 12.

<sup>78</sup> *L'histoire du Catharisme*, 14, note 3.

<sup>79</sup> *RHGF*, xiv, 448–50.

<sup>80</sup> *L'histoire du Catharisme*, 251.

<sup>81</sup> *Chronicon Angliae Petriburgense*, ed. J. Giles, Publications of the Caxton Society (London, 1845), ii, 98.

returning from the Third Lateran Council, instructed all the clergy of his diocese on the means to proceed against heretics. He referred to their protectors and defenders, Brabançons, Aragonese, Cotterels, Basques, foreign mercenaries and robbers.<sup>82</sup> Condemning the lords of the region and placing their lands under interdict, alongside Count Raymond of Toulouse, Roger of Béziers and Bernard Ato of Nîmes, Pons also mentioned Lobar, R. de Tarazona, the Navarrese and other foreign hired hands.<sup>83</sup> The clear aim of Pons was to associate heresy with the major lords of the region and to associate those lords and heresy with foreign influences. Who was R. de Tarazona (most probably Raimundus given the limited range of Aragonese Christian names)? We do not meet him elsewhere. If he had a strong connection with his native town the burning of most of the primary sources for the history of Tarazona in this period by the forces of Pedro the Cruel in the fourteenth century means we are unlikely to find out about it.<sup>84</sup> Nor can we know if he held heretical beliefs.

Just two years after the letter of Pons we have further reference to a possible association of the lands of Aragon and Catalonia with the heretics. It comes from a letter written by Stephen of Tournai to Prior Raymond of Sainte-Geneviève in Paris, in which Stephen described the grim prospects which awaited him as he set out to join Cardinal Henry of Albano.<sup>85</sup> Stephen described how his 'peregrinatio' took him on a journey where he confronted the dangers from rivers and robbers, Cotterels, Basques and Aragonese. Stephen had been told that he would find Henry 'ultra Tolosam, prope Hispanos.'<sup>86</sup> Poor Stephen, in pursuit of the cardinal, crossed a country which he enticingly described as being the lair of thieves, the image of death, full of burnt out villages and houses in ruins.<sup>87</sup>

Cardinal Henry, of course, was a very important figure in the battle against heresy. In 1178, as abbot of Clairvaux he had been primarily responsible for the organization of the preaching campaign in

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<sup>82</sup> *HGL*, viii, 341.

<sup>83</sup> *Ibid.*

<sup>84</sup> *Biblioteca de la iglesia catedral de Tarazona: Catálogo de libros manuscritos, incunables y de música*, compiled by J. Ruiz Izquierdo, J. A. Mosquera, J. Sevillano Ruiz (Zaragoza, 1984), 5; V. Lafuente, 'Archivos de Tarazona, Veruela, Alfaro, Tudela, Calatayud y Borja', *BRAH*, 24 (1894), 209.

<sup>85</sup> *PL*, ccxi, 371–2.

<sup>86</sup> *Ibid.*

<sup>87</sup> *Ibid.*

Languedoc which had come in response to the alarmist letter of Raymond V of Toulouse.<sup>88</sup> At Toulouse, Henry had sought in writing from the orthodox citizens of the town the names of heretics and their accomplices.<sup>89</sup> At Castres, he had excommunicated Viscount Roger of Béziers who had previously imprisoned the bishop of Albi.<sup>90</sup> He had left the region clearly believing that Christian princes needed to intervene there. In summer 1181, as cardinal, Henry had returned, this time with military force, and had successfully besieged the town of Lavaur, before moving to Narbonne and depriving Archbishop Pons of his office.<sup>91</sup> Had the rigorous Henry likewise entered Spain in pursuit of heretics? It seems likely but we cannot be sure. We certainly know that in the earlier part of 1181 he visited both Catalonia and Aragon. On 12 March 1181, in the dispute between Bishop Ramon and Gilabert de Cruïlles, who claimed the inheritance of the castellanship of la Bisbal, the judges Berenguer de Calonge and Gaufred, chanter of the see, had pronounced sentence under advice from the apostolic legate Henry of Albano.<sup>92</sup> The legate was likewise involved in the settlement of an ecclesiastical dispute at Huesca. An agreement was reached between Bishop Esteban of Huesca and Master Ermengol of Amposta concerning tithes and other issues related to the Hospitallers' possessions in the diocese of Huesca, with the advice of Cardinal Henry and Archbishop Berenguer of Tarragona.<sup>93</sup> Unfortunately, though it seems unlikely that Henry ventured into Spain just to resolve disputes over possessions, we have no reference to him naming heretics, excommunicating lords or deposing bishops.

However problematic these first references to the heretics in the lands of Catalonia and Aragon are, it is certain that before the end of the twelfth century the king of Aragon considered the heretics a major problem which needed to be confronted. Some aspects of the royal legislation will be dealt with further on but it is important to point out

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<sup>88</sup> *RHGF*, xiii, 140; Y. Congar, 'Henri de Marcy, abbé de Clairvaux, cardinal-évêque d'Albano, et légat pontifical', *Analecta monastica*, 43 (1958), 1–90; R. I. Moore, *The Birth of Popular Heresy* (Toronto, 1995), 116–22.

<sup>89</sup> *PL*, cciv, 236.

<sup>90</sup> *PL*, cciv, 240; Cheyette, *Ermengaud de Narbonne*, 316–7.

<sup>91</sup> Congar, 'Henri de Marcy', 33–5, n. 108–9; Cheyette, *Ermengaud de Narbonne*, 319.

<sup>92</sup> *Pergamins de la Mitra (891–1687), Arxiu diocesà de Girona*, ed. J. Marquès (Girona, 1984), 17, no. 58.

<sup>93</sup> *Colección diplomática de la catedral de Huesca*, ed. A. Durán Gudiol, 2 vols (Zaragoza, 1965–7) [hereafter *CDCH*], i, 350–2, no. 354.

that while the first focus of the attention of Alfonso II (1162–96) was the Waldensians, he also legislated against other heretics. At Lleida, in October 1194, Alfonso, while declaring the Waldensians, under the variety of names they went by, as the chief enemies of the crown, also considered ‘omnes alios hereticos, quorum non est numerus’ as an important secondary threat. Those who helped the Waldensians ‘et zabatatos aliosque hereticos’, would incur the indignation of Almighty God and of the king.<sup>94</sup> Equally, Peter II, at Girona, in February 1198, in imitation of his father, ordered out of his kingdom the Waldensians ‘et omnes alios hereticos, quorum non est numerus nec nomina sunt nota.’<sup>95</sup> It is reasonably clear that by the 1190s the rulers of Aragon considered that there were heretics other than Waldensians in their realms, that Alfonso did not know how many of them there were and that Peter did not know how many of them there were or what they were to be called. Though Jordi Ventura argued that they were deliberately not named because Peter II was shielding the heretics, this seems to be very unlikely given Peter’s general attitude towards heresy.<sup>96</sup>

Whom the kings were thinking of is not entirely clear but it is very probable that it was in their encounters, not all of them amicable, with the nobles and people of the semi-independent county of Urgell, that they had come across or heard mention of a curious new brand of heretic. We know that around 1195/6, Raymond-Roger, the count of Foix, in alliance with Arnau, viscount of Castellbò, launched a series of savage attacks on the diocese of Urgell. Three sources inform us not only of the assault but also about its relevant elements. The first is a letter of Innocent III dated 7 December 1198, *Sicut venerabiles fratres*, which records that ‘Aragonenses’ and ‘Brabancones’ with other soldiers had gone to the church of La Seu d’Urgell and despoiled it of all its goods, carrying off silks, ornaments, chalices and silver crosses, physically attacking the clergy and the canons and diabolically polluting the church with homicides, adulteries and various other impurities.<sup>97</sup> The second is from the *Historia Albigensis* of Pierre des Vaux-de-Cernay; in a section entitled ‘on the barbarity and malice of the count of Foix’, Pierre records two attacks. One time the count of Foix with a group of

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<sup>94</sup> Ibid.

<sup>95</sup> Pierre de Marca, *Marca Hispanica*, 1384–5, no. 487; C. Baraut, ‘Els inicis de la inquisició’, 420–2, no. 2.

<sup>96</sup> Ventura, *Pere el Catòlic*, 51.

<sup>97</sup> *Register*, i, no. 452.



mercenaries besieged the canons of Urgell in the church until they were forced to drink their own urine and when they gave themselves up he went into the church, took all the furniture, crosses and sacred vessels, smashed the bells and, leaving nothing but the walls, extracted a ransom of 50,000 sous. According to Pierre, one of Foix's knights commented, "We have destroyed St Anthony and St Mary; it only remains for us to destroy God".<sup>98</sup> On another occasion when the count and his mercenaries were pillaging the church of Urgell, they cut off the arms and legs of the images of Christ crucified and used them to grind pepper and herbs for flavouring their food. Pierre considered that they did this to show contempt for the Lord's Passion.<sup>99</sup>

Pierre des Vaux-de-Cernay may well have had a tendency to exaggerate for dramatic effect and it is certain that he was, to say the least, unsympathetic to Raymond-Roger of Foix, but we have a third vital source for these events, a report, compiled and sent sometime between 1241 and 1251 by Bishop Ponç de Vilamur of Urgell to Archbishop Pere d'Albalat of Tarragona on the damage caused by Viscount Arnau de Castellbò and the counts of Foix to the church of Urgell. This remarkable account, the *Memorial de greuges*, details the attacks on dozens of churches in the diocese. Even more than a generation afterwards the matter remained notorious. There was a whole catalogue of crimes with the burning of many churches in the county of Cerdanya, attacks on clerics, theft of their crops, cattle, vestments, church ornaments and altar wine.<sup>100</sup> As well as this there was abuse of the Body of Christ. At the church of Sanavastre, the reliquary containing the *Corpus Domini* was smashed, and the contents scattered into the most vile places, while Arnau de Castellbò watched from the church door.<sup>101</sup> The *Corpus Domini* was taken from the church of Palad and thrown on a dungheap.<sup>102</sup>

The *Memorial des greuges*, like the other two sources here, was ecclesiastical in origin. Moreover, in the mid-thirteenth century, the see of Urgell was involved in a protracted dispute with the counts of Foix over various rights but most of all over Andorra.<sup>103</sup> Bishop Ponç de

<sup>98</sup> PVC, ch. 202.

<sup>99</sup> PVC, ch. 203.

<sup>100</sup> Baraut, 'L'evolució política de la senyoria d'Andorra des dels orígens fins als Pariatges (segles IX–XIII)', *Urgellia*, 11 (1992–3), 290–9, app. 1.

<sup>101</sup> Baraut, 'L'evolució política', 291.

<sup>102</sup> *Ibid.*, 292.

<sup>103</sup> Baraut, 'L'evolució política', 225–99.

Vilamur was, moreover, not the most savoury character himself.<sup>104</sup> But, while treating the *Memorial* with the same caution as all other sources, it does not seem likely that the papal chancery, Vaux-de-Cernay, and the *Memorial*, which was reliant upon the report of numerous witnesses, ecclesiastical and lay, including some eye-witnesses, were concocting or even especially exaggerating the nature of these attacks. What was remarkable about them was not the level of violence (after all there was nothing unusual about violence against clerics in this period) but rather the direction of the attacks, since we see that at Sanavastre and Palad there was abuse of the Eucharist, and, if Vaux-de-Cernay is accurate, the cross.<sup>105</sup> The attacks of 1195/6 appear to be far more than just 'anticlericalism' and therefore we should not be surprised to find that by July 1200, a chaplain of the region, A. de Puigverd, was swearing on the gospels to Bishop Bernat of Urgell, that he would henceforth be faithful and obedient to him in all things and would not knowingly sustain the heretics or the 'inçabatatos' either in word or deed.<sup>106</sup> This interesting case indicates not only that by this stage a cleric was involved with the heretics but suggests that Bishop Bernat had been making inquiries about a group he perceived to be a significant problem.

### *The Viscounts of Castellbò*

That these references should come from L'Alt Urgell and Cerdanya should not surprise us in the least. The close proximity of these lands to the county of Foix, the long-term influence of the counts of Foix in the region, their continual struggles with the bishops of Urgell, Raymond-Roger of Foix's well-known sympathies towards the heretics, and the strong connections between these counts and the local nobility of the mountainous terrain made this area a happy hunting-ground for those spreading dissident views. Chief among them, of

<sup>104</sup> P. Linehan, *The Spanish Church and the Papacy in the Thirteenth Century* (Cambridge, 1971), 87–9; idem, 'La carrera del obispo Abril de Urgel: La Iglesia Española en el siglo XIII', *Anuario de Estudios Medievales*, 8 (1972–3), 143–97; Baraut, 'Episcopologi de l'església d'Urgell', 54–5.

<sup>105</sup> Baraut, 'Evolució política', 291–2; PVC, chs. 202–3.

<sup>106</sup> Arxiu Capitular d'Urgell [hereafter ACU], *Liber Dotaliorum*, 1, fol. 269v, doc. 939; Baraut, 'Els documents dels anys 1191–1200, de l'arxiu capitular de la Seu d'Urgell', *Urgellia*, 11 (1992–3), 69, no. 1904.

course, were the viscounts of Castellbò.<sup>107</sup> They too had battled long and hard to wrest control of castles and tithes in the north of the Urgellian county both from the church and the Ermengol counts of Urgell.<sup>108</sup> Almost a hundred years before the time of Ponç de Vilamur, the church of Urgell had drawn up a *Memorial des greuges* related to the attacks on the churches of Urgell and Cerdanya between 1114 and 1150 by Pere Ramon, the first viscount of Castellbò.<sup>109</sup> His son, Ramon, was likewise in contention with the local bishop, Arnau de Preixens, who, in 1171, accused Ramon of conspiring against him with the men of Andorra who refused to pay tithes to the church, as well as doing much other physical and economic damage to the churches of the see.<sup>110</sup>

These were violent times. Already, in 1174, the patient Bishop Arnau had asked the legate Cardinal Hyacinth to explain to Alexander III the difficulties the church of Urgell found itself in, difficulties undoubtedly deepened by the church's contentions with the Templars, and the churches of Lleida and Solsona.<sup>111</sup> In the course of Arnau's long episcopate (1167–95) the situation progressively worsened, particularly when in 1185, the new viscount of Castellbò, Ramon's son Arnau, married with Arnau de Caboet, heiress of the rich valleys of Cabó, Sant Joan and Andorra. With the blessing of Bishop Arnau, Arnau had previously been married to Bertrán de Tarascó and had produced a son, also Bertrán, before her husband died.<sup>112</sup> The new marriage, supported by Ermengol VIII, passed over the rights of young Bertrán and gave Arnau not only rights in Caboet but ultimately the lordship of Andorra.<sup>113</sup> But worse was to come in 1188. Already at the beginning of the year, in a separate incident, the archdeacon, Berenguer d'Abella, had been

<sup>107</sup> Generally on the Castellbò, see J. Miret i Sans, *Investigación histórica sobre el Vizcondado de Castellbó*.

<sup>108</sup> See especially, Baraut, 'Evolució política', 257–68.

<sup>109</sup> Baraut, 'Els documents dels anys 1151–1190, de l'arxiu capitular de la Seu d'Urgell', *Urgellia*, 10 (1990–1), 311–2, no. 1508.

<sup>110</sup> *Cartulari de la Vall d'Andorra. Segles IX–XIII*, ed. C. Baraut, 2 vols (Andorra, 1988–90), i, 213–7, no. 73; C. Baudon de Mony, *Relations politiques des Comtes de Foix avec la Catalogne jusqu'au commencement du XIV<sup>e</sup> siècle*, 2 vols (Paris, 1896), ii, 17, no. 26.

<sup>111</sup> Baraut, 'Els documents, dels anys 1151–1190', 211, no. 1686 (Hyacinth); 176–7, no. 1653 (Àger); 264–5, no. 1749 (Solsona); 277–8, no. 1766 (Templars).

<sup>112</sup> Baraut, 'Evolució política', 266; J. Villanueva, *Memorias cronológicas de los Condes de Urgell* (2nd ed. Balaguer, 1976), 191; J. Miret i Sans, *Investigación histórica*, 142–3; M. Palau-Martí, 'Le Catharisme et ses conséquences sur le statut politique actuel de l'Andorre', *Pirineos*, 98 (1970), 91–101.

<sup>113</sup> *Cartulari de la vall d'Andorra*, i, 229–37, nos. 80, 82–5.

murdered by Ramon d'Aguilella, before Arnau, in union with Arnau de Saga, ravaged church and crown property in Cerdanya, probably due to his ambitions to be not only a viscount in the lands of the Ermengols but also viscount in the lands of the house of Barcelona.<sup>114</sup> The efforts of king, count, and church to bring the viscount to book appeared to be failing miserably; violence spiraled out of control, and by then Arnau had an effective propaganda spokesman in the person of the troubadour Guillem de Berguedà, himself the murderer of Viscount Ramon Folc de Cardona back in 1175.<sup>115</sup> Arnau de Castellbò was the caustic poet's chief supporter in Catalonia and Guillem returned the favour handsomely by producing diatribes against all of the viscount's enemies, but most particularly against Bishop Arnau, who was on various occasions accused of being not only a ravisher of maidens, but also a sodomite, a eunuch and a Jew.<sup>116</sup>

So the attacks of 1195/6 came out of a long history of grievances and fighting which was now gradually becoming attached to new religious currents which undermined the position of the church. For the bishop who had replaced the aged Arnau, Bernat de Castelló, the threat proved all too much and he had the rare distinction of resigning his see not once but twice in the space of three years.<sup>117</sup> His replacement, Bernat de Vilamur, proved more capable, obtaining many concessions towards the church from Arnau de Castellbò in 1201, including the promise of a payment of a thousand gold sueldos for the damage he had done to the see.<sup>118</sup> More importantly still, Arnau had guaranteed Bishop Bernat that he would not give his daughter, Ermessenda, in marriage without the consent of the bishop.<sup>119</sup> For the church, it was vital that Castellbò

<sup>114</sup> T. Bisson, 'The War of the Two Arnau: A Memorial of the Broken Peace in Cerdanya', *Miscellània en homenatge al P. Agustí Altisent*, ed. Departament de Geografia, Història i Filosofia (Àrea d'Història Medieval) de la Facultat de Filosofia i Lletres de Tarragona (Tarragona, 1991), 95–104; idem, *The Crisis of the Twelfth Century: Power, Lordship and the Origins of European Government* (Princeton, 2009), 504–6.

<sup>115</sup> Baudon de Mony, *Relations politiques*, ii, 41, no. 23; M. de Riquer, *Les poesies del trobador Guillem de Berguedà: text, traducció, introducció i notes* (Barcelona, 1996).

<sup>116</sup> Riquer, *Les poesies del trobador Guillem de Berguedà*, 38–41, 126–37, 140–7, 149–57, 159–65, 167–9.

<sup>117</sup> An attempt at peace had been made in 1194 (Baudon de Mony, *Relations politiques*, ii, 42–6, nos. 24–5; Smith, 'The Resignations of Bishop Bernat de Castelló (1195–8) and the problems of La Seu d'Urgell', in *Pope, Church and City: Essays in honour of Brenda M. Bolton*, ed. F. Andrews, C. Egger and C. Rousseau (Leiden, 2004), 115–28.)

<sup>118</sup> *Cartulari de la vall d'Andorra*, 245–254, nos. 93–7; Baudon de Mony, *Relations politiques*, ii, 48–50, no. 26.

<sup>119</sup> Baudon de Mony, *Relations politiques*, ii, 50, no. 26.

was not allied to Foix by marriage since the produce of such a marriage could become heirs to a vast region. But having made that promise in 1201, Arnau broke it in January 1202, by arranging the marriage of Ermessenda to Roger-Bernard, the son of Raymond-Roger.<sup>120</sup> News of the arrangement was no more happily received by Count Ermengol VIII than by the bishop and military conflict ensued, at the end of which Foix and Castellbò were defeated and imprisoned by Ermengol in February 1203. Harsh terms were imposed on the two lords and though they were softened somewhat by the intervention of Peter II, it remained a condition of their release that their children should not marry.<sup>121</sup>

Struggles continued between Arnau and the new bishop, the enigmatic Pere de Puigvert, but in 1208, after the death of Ermengol, the Foix-Castellbò alliance had its way when their children, Roger-Bernard and Ermessenda did indeed marry.<sup>122</sup> Moreover, the subsequent dispute over the succession in the county of Urgell further strengthened their position, as, in one sense, did the death of Peter II at Muret since it allowed Urgell to return to the hands of the less formidable Guerau de Cabrera.<sup>123</sup> However, Muret left them more vulnerable to the crusade, and, indeed, when Raymond-Roger reconciled himself to the pontifical legates in February 1217, Arnau de Castellbò was one of the witnesses.<sup>124</sup> Arnau remained an important figure, allying himself to Nuno Sanç in December 1218, and acting as an adviser to King James.<sup>125</sup> Moreover, by the time Arnau was relating to James the circumstances which had led to the death of the king's father, the viscount was almost certainly a heretic and part of an organized network of heretics.

The protestations of Miret i Sans notwithstanding,<sup>126</sup> there is simply too much evidence against Arnau for this to be reasonably denied. When appearing before the inquisition of the Dominican preachers

<sup>120</sup> Miret i Sans, *Investigación histórica*, 150.

<sup>121</sup> Baudon de Mony, *Relations politiques*, ii, 52–67, nos. 27–35; *Cartulari de la vall d'Andorra*, 255–6, no. 99.

<sup>122</sup> Miret i Sans, *Investigación histórica*, 152; Ventura, *Pere el Catòlic*, 113.

<sup>123</sup> After Peter II's death, the minority council accepted Guerau's de facto possession of Urgell (Sobrequés, *Barons*, 65–6) and in 1217, 1222 and 1223 (*Documentos de Jaime*, i, nos. 2, 39, 43) his position as count of Urgell was strengthened by a series of agreements with James, which, however, reserved the rights of Aurembiaix if she wished to reclaim them.

<sup>124</sup> Roquebert, *L'Épopée Cathare*, i, 1037.

<sup>125</sup> Baudon de Mony, *Relations politiques*, i, 147; *Llibre dels Fets*, ii, ch. 8.

<sup>126</sup> Miret i Sans, *Investigación histórica*, 157.

Ferrer de Vilaroja and Durand in 1246, Pierre Guillaume d'Arvigna gave details of a heretical council held at Mirepoix in 1221 in the house of the prior of Mausus.<sup>127</sup> Presiding was the deacon Guillabert de Castres and among those present were the count of Pallars, Roger de Comminges (who would later aid the Church against heresy), Raimond d'Arvigna and Arnau de Castellbò.<sup>128</sup> The presence of Count Roger and Arnau may well suggest that one of the subjects for discussion was how to provide protection for heretical refugees fleeing southwards. In his lengthy testimony before Friar Ferrer on 12 May 1244, Arnau de Bretos, member of an heretical family from Berga, among much else testified that twenty years before at Castellbò he had seen Guillaume Clergue, a deacon of the heretics, and Raimond, his companion, in the house of the heretics which they held openly in the town.<sup>129</sup> While they preached there, in attendance were Arnau de Castellbò, lord of the *castrum*, the knights Ramon de Castellarnau and his brother Galcerán, and another knight Berenguer de Pi.<sup>130</sup> Arnau de Bretos declared that when Guillaume and Raimond had finished preaching, he and all the others had adored the heretics.<sup>131</sup> Moreover, Dyas de Deine, widow of Bernat de Montaut, on 18 December 1243, declared to the inquisitor Ferrer that if Ermessenda de Castellbò was not during her life an ancient like Esclarmonde de Foix (the sister of the count of Foix), she was nevertheless a believer and adored the ancients.<sup>132</sup> Dyas recalled the regular heretical preaching at Castellbò, though not the names of the preachers, and said that she had seen, in the house of the knight Arnaud de Paris, Ermessenda, along with Berenguera de Cornellana, Timbors, who was the wife of Ramon de Josa del Cadí, and many others. They had genuflected three times before the heretics and each time they had said 'benedicite' and after the third 'benedicite' they had asked to be made good Christians and be brought to a good end.<sup>133</sup>

By the time of Arnau's death in 1226, it seems quite clear that there existed a religious group with a hierarchy, houses, beliefs to be preached

<sup>127</sup> BNP, Doat, xxiv, f. 240, 277.

<sup>128</sup> Ibid.

<sup>129</sup> BNP, Doat, xxiv, f. 184–186v; C. Baraut, 'Presència i repressió del catarisme' 510–1; Ventura, 'Catarisme i Valdesia als Països catalans', VII *CHCA*, iii (1962), 130–1.

<sup>130</sup> Ibid.

<sup>131</sup> Ibid: 'et ibi ipse testis et omnes alii praedicti finito sermone adoraverunt dictos haereticos'.

<sup>132</sup> BNP, Doat, xxiii, f. 71–71v.

<sup>133</sup> Ibid.

and a set of ritual practices not unlike those to be found in the lands to the north during the same period. In 1226, at the heretical council of Pieusse, among the other weighty decisions made, it was decided to elect a deacon, Pierre de Corona, for Catalonia.<sup>134</sup> As one man he had quite a task to fulfill, and his attentions do not appear to have been centred particularly on the town of Castellbò. Though Ermessenda continued along the path of her father until her death in 1230, it should be noted that in about 1229 when Ramon de Bretos, brother of Arnau, had fallen ill with the illness from which he was to die, and wished to be consoled, he sent his nephew, Pere Albiol, to Castellbò to find heretics who would hereticate and console him but Pere could not find the heretics at Castellbò.<sup>135</sup> This indicates both the expectations of a sick man that Castellbò was the place where a heretical deacon would be found but equally it shows that the heretics were not there, or even thereabouts, on a permanent basis. It may well be that when, in 1234, Isarn de Castillon, one of the co-lords of Mirepoix, having received the *consolamentum* at Castellbò, left to the heretics his horse, uppermost in his mind was the desire to see that they could travel around the county more speedily and reach the dying in time (though as it turned out, when Isarn's brother arrived at Castellbò after his death, he took the horse with him).<sup>136</sup> Not only Isarn but others journeyed specially to Castellbò in this period, as was the case with another co-lord of Mirepoix, Raimond Sans de Rabat, the knight Roger de Bousignac, and a bailiff of Tarascon, Pierre de Gavarret.<sup>137</sup>

It is certainly the case that just as Castellbò had become known to other heretics as a centre, likewise it had acquired this reputation with the Church. Already in 1229/30, a council at Lleida had declared that the diocese of Urgell was infested by heretics, but the path to reform was blocked until Roger Bernard of Foix, husband of the late Ermessenda, accepted an express order from a new council at Lleida

<sup>134</sup> BNP, Doat, xxiii, f. 270. On the council, see Roquebert, *L'Épopée Cathare*, i, 1288–9.

<sup>135</sup> BNP, Doat, xxiv, f. 184–186v: 'Item dixit quod cum Raymundus de Bretos, frater ipsius testis, infirmaretur infirmitate de qua obiit, audivit ipse testis quod petiit haereticos ad se adduci qui consolarentur eum, et misit apud Castelbo Albiol, nepotem suum, ut adduceret Raymundo praedicto de Bretos haereticos qui haereticarent et consolarent eum; et dictus Petrus Albiol non potuit invenire haereticos apud Castelbo, et fuit dictus infirmus sine consolamento haereticorum, quia non potuit haereticos habere, de tempore circa quindecim annos.'

<sup>136</sup> BNP, Doat, xxiii, f. 252v.

<sup>137</sup> BNP, Doat, xxiii, f. 221.

in 1237, allowing an inquisition into the viscounty of Castellbò for the extirpation of heretical depravity.<sup>138</sup> As was reported by the inquisition to Roger, viscount of Castellbò, son of Roger Bernard, by the agreement of the council, Castellbò was placed in the hands of Ramon Folc of Cardona.<sup>139</sup> The tribunal of the inquisition was led by the archbishop-elect of Tarragona, Guillem de Montgrí, Bernat Calvó of Vic and Pere d'Albalat, then bishop of Lleida.<sup>140</sup> The inquisition, in May 1237, condemned 45 people as heretics or 'credentes hereticorum' and arrested them. A further 18 dead people were exhumed and their bones were burnt. Moreover, when it had been announced at the council of Lleida that the inquisition was to enter Castellbò, a further 15 people had immediately fled and these too were condemned. There were other people whose cases still needed to be heard and decided upon. The inquisition ordered that two houses in Castellbò were to be pulled down, and these are most likely to have been those houses which had been reserved for the heretics' preaching and ceremonies.<sup>141</sup>

The inquisition at Castellbò was part of a bigger struggle between the counts of Foix and the bishops of Urgell. Roger Bernard of Foix no doubt saw the condemnation of the heretics of Castellbò as the regrettable but necessary means of escape from the clutches of the bishop of Urgell, Ponç de Vilamur. Ponç had excommunicated the count for his obstinacy in showing favour to the *fautores* and protectors of the heretics.<sup>142</sup> With the inquisition having been completed, Roger Bernard now asked for the sentence to be lifted, arguing that the sentence against him had been pronounced in his absence and without any previous citation.<sup>143</sup> Roger argued that as Castellbò was held by his son, while he himself lived outside of the diocesan limits of Urgell, he was not subject to the spiritual jurisdiction of Bishop Ponç, nor was he obliged to place a multitude of his subjects before the jurisdiction of the bishop to be judged.<sup>144</sup> Moreover, he added, the bishop was his mortal enemy and the enemy of his allies. He claimed Ponç had not followed the procedural norms.

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<sup>138</sup> BNP, Doat, clxx, f. 75; *HGL*, viii, 1010–1.

<sup>139</sup> *Ibid.*

<sup>140</sup> *Ibid.*

<sup>141</sup> *Ibid.*

<sup>142</sup> BNP, Doat, clxx, f. 71; *HGL*, viii, 1012–3.

<sup>143</sup> *Ibid.*

<sup>144</sup> *Ibid.*



Ponç hit back that Roger Bernard had been legally cited but had not appeared; that the viscounty of Castellbò was held in fief from the church and pertained to the jurisdiction of the church. Ponç stated that twice when going there men of the count had tried to kill him, with the consent of the count. Moreover, Ponç insisted that he had not entered Castellbò previously in pursuit of a multitude but rather in search of three men. Later it had become five, then 16 were condemned and finally 44. Roger Bernard had refused to give up a single one of them. On the matter of enmity, it was true that there had been war between the count and people of the bishop but that had been settled by an agreement. There had not been war between the men of Castellbò and those of La Seu d'Urgell while he had been bishop.<sup>145</sup>

On 4 June 1237, at the monastery of Sant Sadurní de Tavernoles, Roger Bernard argued his case before the same prelates who had led the inquisition.<sup>146</sup> Bishop Ponç set out his arguments against Roger. That nothing was decided in Roger's favour seems certain from a letter, probably written at the end of 1237, in which Ponç wrote to the papal legate in the Languedoc, insisting that he should not lift the sentence against Roger Bernard without first having heard from Ponç or the archbishop of Tarragona.<sup>147</sup> Ponç claimed that both Roger Bernard and his son Roger had openly protected many heretics and those who believed in their errors both in Castellbò and other hiding places. Ponç recalled that more than 60 had been condemned at Castellbò.<sup>148</sup> In 1238–9, Archbishop Pere d'Albalat of Tarragona likewise took measures against the count, urging the faithful to aid the count of Urgell,

<sup>145</sup> Ibid.

<sup>146</sup> Ibid.

<sup>147</sup> BNP, Baluze, cxvii, f.40–40v; VL, xi, 229–30, no. 26; Baraut, 'Presència i repressió del catarisme', 504–5, nos. 3.

<sup>148</sup> Ibid: 'cum per fratres predicatorum et minores et alios viros religiosos, qui ad inquirendum super facto heresis in terra comitis Fuxensis et Rogerii, filii sui, que est in diocesi nostra constituta, nobis manifeste constiterit plures hereticos et credentes eorum erroribus, et faventes et celatores et defensores in Castrobono et in locis circumpositis latitare, que quidem loca sunt predicti comitis et filii sui; nos cupientes, ad extirpandum semen illud nefarium de terra illa, procedere previa ratione, sepe dictum comitem monitum multotiens, ut ipsos hereticos in iudicio exhiberet, contumacem excommunicavimus, et postea per sententiam eundem denunciavimus defensorem hereticorum, celatorum pariter et fautorem et excommunicatum. Tandem convenientibus ad locum personaliter dominis Terrachonensi electo, Ilerdensi et Vicensi episcopis et multis aliis viris religiosis et discretis, permisit dictus comes inquisitionem fieri in Castrobono et in locis predictis, et inventi fuerunt plus quam .LX. heretici et credentes. Qui omnes, presentibus comite filio suo, fuere per dominum Terrachonensem et alios episcopos de heresi in iudicio condemnati.'

Ponç de Cabrera, 'vir catholicus et devotus,' against the count of Foix, who strove to destroy the Urgellian church.<sup>149</sup> However, in the last year of his life, Roger Bernard was reconciled to the Church. On 2 June 1240, Bishop Ponç lifted the excommunication on Roger Bernard declaring him to be 'good and loyal and Catholic'.<sup>150</sup> On 12 March 1241, Roger Bernard confessed before inquisitors when and where he had seen heretics across the course of his life time, and who they were, including mention of his own mother, Esclarmonde.<sup>151</sup>

Though the arrest of such a large number of people must have been a crippling blow, it is not the case by any means that this inquisition was the end for Castellbò. Étienne de Salagnac, Bernard Gui and later others reported the heretics of Castellbò as having poisoned an inquisitor, and that inquisitor was Ponç de Planella who had established himself at Puigcerdà, and the year is said to be 1242. It is certain that Ponç came to be revered as a saint, though we possess far fewer details on the exact circumstances of his martyrdom than we would like.<sup>152</sup> That is also the case with another inquisitor, Bernat de Travesseres, apparently cut to pieces by heretics in 1260 and buried in the cathedral of Urgell.<sup>153</sup> Roger IV of Foix and I of Castellbò appears to have been keen to keep up the family tradition of usurping the goods of the Church and found himself facing excommunication for his offences in 1246, though it appears this was never officially confirmed.<sup>154</sup> In 1258, Bishop

<sup>149</sup> ACU, pergami original, s.n; Baraut, 'Presència i repressió del catarisme', 506, no. 4.

<sup>150</sup> BNP, Doat, clxx, f. 112; *HGL*, viii, 1037.

<sup>151</sup> BNP, Doat, clxx, f. 126; *HGL*, viii, 1034–7; Baraut, 'Presència i repressió del catarisme', 507, no. 6.

<sup>152</sup> Étienne de Salagnac and Bernard Gui, *De quatuor in quibus deus praedicatorum ordinem insignivit*, ed. T. Kaeppli (Rome, 1949), 24–5, 161; *Raymundiana seu documenta quae pertinent ad S. Raymundi de Pennaforti. Vitam et Scripta*, 2 vols in 1, ed. F. Balme and C. Paban (Rome, 1898), i, 24: 'Item Castrum bonum in finibus Cathalonie situm, quod nidus hereticorum tunc temporis dicebatur, ubi quemdam fratrem Predicatorem, inquisitorem hereticorum, veneno heretici occiderunt, capiens, quamvis intus esset hereticorum, et credencium eis, maxima multitudo, deduxti eos viriliter et potenter; quorum quidam ad perpetuum carcerem; quidam vero sunt propter heresis perfidiam ad incendium condempnati'. The account in H. C. Lea, *A History of the Inquisition*, 3 vols (New York, 1955 [1887]), ii, 167 (which follows Juan Antonio Llorente) confuses the events of 1242 with the inquisition at Castellbò in 1237. Francisco Diago (*Historia de la Provincia de Aragon de la Orden de Predicadores* [Barcelona, 1599], 8), who had seen the remains of the 'martyr' Ponç in the cathedral church of Urgell in 1598, follows Étienne in saying that Ponç was poisoned, though he also detected a head wound, which he surmised may have been the result of Ponç's fall to the ground after being poisoned.

<sup>153</sup> Gerard de Frachet, *Vitae Fratrum ordinis praedicatorum*, ed. B. M. Reichert (Louvain, 1896), 301–2; Diago, *Historia de la Provincia de Aragon*, 8v–9.

<sup>154</sup> Baudon de Mony, *Relations politiques*, i, 180–92.

Abril of Urgell placed an interdict on the valleys of Andorra, as the count had attempted to suppress the rights of the Urgellian church.<sup>155</sup> Whether he remained tied to any remaining heretics at Castellbò is another matter. Roger IV, in spite of many contentions with the Church, appears to have been personally orthodox, and in 1265, he received the last rites, and chose to be buried at the monastery of Vallbona de les Monges, vested in the Cistercian habit.<sup>156</sup>

Under his successor Roger Bernard III (1265–1302), the victory of the Church over the Castellbò lords was to be played out in dramatic fashion.<sup>157</sup> In the inquisition of 1237, perhaps as part of the agreement by which Roger Bernard II had allowed the inquisitors into the town, no mention had been made either of Arnau de Castellbò or his daughter Ermessenda when the heretics were condemned. In spite of the evidence against them they had escaped punishment and their bones remained buried in the Templar house of Santa Maria de Costoja. Only in 1269, at a time when Roger Bernard had unwisely pitted himself against the crown, was a long, papally-authorized process undertaken, whereby the inquisitors Pere de Cadireta and Guillem de Calonge investigated the lives of Arnau and Ermessenda.<sup>158</sup>

Having without result called on Roger Bernard III to defend his ancestor many times, after taking advice from Bishop Abril of Urgell and having examined many testimonies, on 2 November 1269, in the Dominican convent of Santa Caterina at Barcelona, before a great assembly of clergy, nobles and other laity, the inquisitors first declared Arnau to have been a defender of heretics, to have spread heretical errors, to have adored heretics, been visited by heretics when he was sick and to have died a heretic. They ordered that if his bones could be identified then they should be hurled far away from the cemetery of the faithful.<sup>159</sup> Then the inquisitors dealt with Ermessenda, the grandmother of Roger Bernard III. The inquisitors said that Roger had been given ample opportunity to defend her but he had not come to do so. Ermessenda likewise had defended heretics, adored heretics, bestowed

<sup>155</sup> ACU, Caboet-Castellbò, f. 3v, no. 35; Baudon de Mony, *Relations politiques*, ii, 99–100, no. 48; Baraut, 'Presència i repressió del catarisme', 518–9, no. 13.

<sup>156</sup> *HGL*, vi, 887.

<sup>157</sup> Baraut, 'Presència i repressió del catarisme', 495.

<sup>158</sup> ACU, Liber Dotaliorum, ii, f. 72v–73v, doc. 69; *Catulari de la vall d'Andorra*, ii, 296–7, no. 122; idem, 'Presència i repressió del catarisme', 521–2, no. 16. On the political context, see below, chapter 5.

<sup>159</sup> *Ibid.* And, below chapter 5.

upon them diverse *beneficia*, sown heretical error, had been visited by them when sick, and, as had been reported by many witnesses, the heretic perfects had told their believers that she had died in the hands of heretic perfects and that this was indeed the case was a matter of public notoriety. She was and had died a heretic and her bones too, if they could be identified, were to be hurled far from the cemetery of the faithful.<sup>160</sup>

*Josa del Cadí, Berga and Gósol*

Almost twelve years before a similar fate had befallen the lord of Josa del Cadí, Ramon, whose family was related to that of the Castellbò. The Josa family, like that of the Castellbò, had long been locked in dispute with the Urgellian church. The Josa possessed jurisdiction over many castles as vassals of the barons of Pinós, with their dominions surrounding the town of Tuixén. Ramon de Josa the elder had been excommunicated alongside Arnau de Castellbò in 1201 for his attacks upon the church.<sup>161</sup> The younger Ramon de Josa had certainly been a close supporter of heretics from an early age and was already reconciled to the church by Cardinal Peter of Benevento in 1214.<sup>162</sup> Subsequently, at the court of Bishop Ponç of Urgell, Ramon, along with his wife Timbors and their son, Guillem Ramon, as well as certain soldiers, had sworn never to receive heretics or those who believed in them or their defenders, never to help them in any manner and never to believe in their errors.<sup>163</sup>

Such oaths, however, seemed to matter little to the Josa family in practice. The testimony of Ramon Joan d'Abia before the inquisition in 1238 allows us to know that when, in the late 1220s, he accompanied the heretical deacon Pierre de Corona and his companion Guillaume de Puits to Josa, they were received there by Ramon de Josa, lord of the

<sup>160</sup> ACU, Liber Dotaliorum, ii, f. 73v–74, doc. 70; *Cartulari de la vall d'Andorra*, ii, 297–9, no. 123; Baraut, 'Presència i repressió del catarisme', 522–3, no. 17.

<sup>161</sup> C. Gascón Chopo, *Crisis social, espiritualidad y herejía en la diócesis de Urgel (siglos XII–XIII): Los orígenes y la difusión de la herejía cátara en la antigua diócesis de Urgel*, Ph.D. Facultad de Geografía e Historia, Universidad Nacional de Educación a Distancia, 2003, 75.

<sup>162</sup> ACU, Liber Dotaliorum, ii, doc. 68, f. 71–72v; San Raimundo de Penyafort, *Diplomatario*, ed. J. Rius Serra (Barcelona, 1954), 123–6, no. 96; Baraut, 'Presència i repressió del catarisme', 516–7, no. 12.

<sup>163</sup> *Ibid.*

castle, his family and other knights who adored the heretics. While they were there, Timbors gave birth to a son.<sup>164</sup> The invaluable Arnau de Bretos, in his testimony before Friar Ferrer in 1244, recorded that in 1232 he had seen 'in capite castris' of Josa, the same heretics Pierre de Corona and Guillaume de Puits, his companion, and there, with them, Arnau had seen Ramon de Josa, lord of the castle of Josa, and Timbors, his wife, and Guillem de Josa, the brother of Ramon de Josa and Pere Blanc, and Guerreat and Timoneda. Along with them Arnau had adored the heretics.<sup>165</sup> It appears from Arnau's testimony that the heretics had a permanency at Josa which they did not have at Castellbò. For when Pere de Bretos was dying in Berga in about 1234, Arnau and his nephew Pere Albiol were, at Pere's request, able to go to Josa and to bring from there the heretics Guillaume de Puits and his companion Vital Terré.<sup>166</sup>

Probably around 1237, Bishop Ponç of Urgell had written to Ramon de Penyaforç concerning the fact that Ramon de Josa was hindering his attempts to undertake the *fidei negotium*.<sup>167</sup> Ramon de Josa's actions by now being infamous, he was compelled to answer for himself before King James and representatives of the church of Tarragona, in the cathedral of Tarragona where he confessed to some errors, broke down in tears and demanded pardon, placing himself and his lands in the hands of the Church and the king and promising under oath, and under penalty of the confiscation of all his goods, that he should never return to his vomit, and should never offer any help to heretics.<sup>168</sup> Yet as far as the Church was concerned, Ramon de Josa had become a serial perjurer, whose actions only became more infamous in his final years and whose lands remained a place where heretics and their believers and their *fautores* were received, defended and hidden after his death, due to the actions of his son and heir, Guillem Ramon.<sup>169</sup>

As part of the wider campaign against heresy, Pere de Cadireta and Pierre de Tenes investigated the case of the lords of Josa in 1256–7. They summoned Guillem Ramon to defend himself and his family

<sup>164</sup> BNP, Doat, xxiii, 271–271v.

<sup>165</sup> BNP, Doat, xxiv, f. 184–186v; Ventura, 'Catarisme i Valdesia als Països Catalans', 130–1; Baraut, 'Presència i repressió del catarisme', 510–1, no. 8.

<sup>166</sup> *Ibid.*

<sup>167</sup> ACU, original pergamí, s. n.; Baraut, 'Els inicis de la inquisició', 428, no. 7.

<sup>168</sup> ACU, Liber Dotaliorum, ii, doc. 68, f. 71–72v; Baraut, 'Presència i repressió del catarisme', 516–7, no. 12.

<sup>169</sup> *Ibid.*

from the charges against them and eventually Guillem Ramon sent a soldier, Arnau de Joval, to defend him. Arnau admitted to the truth of the accusations, and asked for absolution and pardon for Guillem Ramon.<sup>170</sup> But no attempt was made to defend or exculpate the late Ramon de Josa. On 11 January 1258, in the presence of King James and a multitude of prelates, the inquisitors declared that on the basis of notoriety, his own confession, instruments and witnesses, it had been sufficiently proved that Ramon de Josa had believed in the heretics, received them, hidden them, protected them and defended them, and that having confessed to his errors, he had relapsed into heresy and was a perjurer. As such he was condemned and his bones were to be exhumed and thrown far away from ecclesiastical burial.<sup>171</sup> Since Ramon de Josa's wife, Timbors, is not mentioned by the inquisitors, there exists the possibility that Guillem Ramon bought his own and his mother's pardon at the expense of his father's condemnation.<sup>172</sup>

It should not surprise us given the close proximity of Josa to Berga, and the willingness of the lords of Josa to encourage the preaching of heresy, that there too an inquisition found ample evidence of heresy. As we know well from the testimony of Arnau de Bretos, the market town of Berga, about 20 kilometres south-east of Josa, had long contained heretics.<sup>173</sup> By the 1240s, the connections between the Bretos family of Berga and the major heretical centre of Montségur were strong.<sup>174</sup> But already in 1214, two of the Bretos brothers, Pere and Ramon, had gone to Puigvert, near Cervera, in order to find two heretic perfects who would return with them to Berga in order to give their mother the *consolamentum*.<sup>175</sup> Indeed, Pons Beruenha and his companion came from Puigvert and consoled not only their mother but also their sister, Beatrice.<sup>176</sup> Arnau and his family, particularly his nephew Pere Albiol, were very active in spreading heresy in L'Alt Urgell

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<sup>170</sup> Ibid.

<sup>171</sup> Ibid.

<sup>172</sup> Timbors is not mentioned at all after it is recorded that she had been reconciled by Bishop Ponç of Urgell, probably around 1238.

<sup>173</sup> BNP, Doat, xxiv, f. 182v–191.

<sup>174</sup> BNP, Doat, xxii, f. 109v; A. Cazenave, 'Les Cathares en Catalogne et Sabarthès d'après les registres d'Inquisition: la hiérarchie Cathare en Sabarthès après Montségur', *Bulletin philologique et historique (jusqu'en 1610)*, 1969, vol. 1 (Paris, 1972), 393, n. 9.

<sup>175</sup> BNP, Doat, xxiv, f. 182v–191; Cazenave, 'Les Cathares en Catalogne', 394; Ventura, 'El Catarismo en Cataluña', 123.

<sup>176</sup> Ibid; M. Delcor, 'La société cathare en Cerdagne: nobles et bergers du XIIe au XIVe siècle', *Bulletin de littérature ecclésiastique*, 81 (1980), 17–49.

and the Berguedan lands. While in 1229, they had struggled to find a heretic to console Ramon de Bretos when he lay dying, in 1234, when Pere de Bretos neared his end, they successfully brought those heretics from Josa who asked Pere if he wished to return to God and the gospel and the good men, to which he responded in the affirmative before being hereticated and consoled. His wife, Bernarda, was with him, as was Bernat Olibia, both of them from Berga. Pere left the heretics 100 Barcelonan sous, which his wife had to pay.<sup>177</sup>

Heresy certainly outlasted the family at Berga. Pierre de Tenes and Friar Ferrer had started an inquisition there in the early 1250s, but they were at first thwarted in their efforts less by the heretics themselves than by the downfall of Bishop Ponç, who in 1251 had been accused at the Roman curia by his own canons of being a murderer, a deflowerer of virgins, of having been the father of ten children, of having slept with his sister and his cousin, forged money, wasted the resources of his diocese and much else besides.<sup>178</sup> Count Roger IV of Foix unsurprisingly was not on Ponç's side either, but even with everything and everybody against Ponç, the prelate's deposition was to be a painfully slow process, only ending in 1255, and it took a further two years to find a replacement in the person of Bishop Abril.<sup>179</sup> It also raised tricky questions in canon law which only Ramon de Penyafort could possibly answer. Could the inquisition be continued without the assent of the diocesan bishop who had called it and with the see vacant? Ramon informed Archbishop Benet de Rocabertí that a metropolitan could indeed exercise his jurisdiction to correct and reform the dioceses of his suffragans in certain instances and negligence of a suffragan before heretical depravity was one of these instances. In this instance, Ponç's negligence in the matter was evident to all.<sup>180</sup>

Concerning the specifics of the inquisition in Berga we know little, although it seems a great number of people were condemned.<sup>181</sup> Yet we

<sup>177</sup> BNP, Doat, xxiv, f. 184r–186v; Baraut, 'Presència i repressió del catarisme', 511; Ventura, 'Catarisme i Valdesia', 130–1.

<sup>178</sup> VL, xi, 221–2; *Les Registres d'Alexandre IV (1254–61)*, ed. C. Bourel (Paris, 1902–59) 93; Linehan, *Spanish Church*, 87–9; idem, 'La carrera del obispo Abril de Urgel', 166–8; Baraut, 'Episcopologi de l'església d'Urgell', 50–1.

<sup>179</sup> Linehan, 'La carrera del obispo Abril de Urgel'; Baraut, 'Episcopologi de l'església d'Urgell', 55–6.

<sup>180</sup> VL, xi, 233–4, app. 28; Baraut, 'Els inicis de la inquisició', 437–8, no. 12.

<sup>181</sup> While the number of heretics condemned in the 1250s is often put at 168 (Baraut, 'Presència i repressió del catarisme', 497; *Gran Enciclopèdia Catalana*, iv, 445) it is not clear from where this figure originally derives. It may be, as Baraut suggests, that this is supposed to refer to all Berguedan heretics.

do know a fair amount about the same process at Gósol, ten kilometres north-west of Berga and just a few kilometres to the south-east of Josa.<sup>182</sup> Already in 1250, some people of Gósol had testified to the significant influence heretics from Josa had upon its neighbour. It seems, according to the testimony from Maria Poca, that the heretics traveled in small groups to the dying, supported in their task by local women, most notably Na Barcelona.<sup>183</sup> Maria's simple comment that 'pocs albergs avie en Gosal que no i tingesen' was later confirmed by the testimony of Maria Martina.<sup>184</sup> It appears from Maria Poca's words that the house of Ramon de Serres was the usual meeting place for a group of at least ten. One of that number, Ferrer Draper, said that no cleric was able to save and that no cleric could give penance either to a man or a woman. Along with En Balager and Na Barcelona, Ferrer had also declared that the virtues of Friar Ponç de Planella had been meaningless as he did not have their faith.<sup>185</sup> According to Maria Poca, her daughter Guillema and Maria Martina, 'los bos homes' were regularly present at the hour of peoples' deaths.<sup>186</sup> According to N'Aglesa, they were also to be found at Solsona, Agramunt, Lleida, Sanaüja and in the mountains of Prades.<sup>187</sup>

We know that this information was acted upon. Certainly thirteen people from Gósol were arrested and found guilty of heresy, including Ramon de Serres, Ferrer Draper and Na Barcelona and they spent some time in the prison of the archbishop of Tarragona.<sup>188</sup> Gósol was a land of Galcerán de Pinos and in May 1256, he bailed the thirteen from Archbishop Benet for a fixed space of time, promising under oath to return them when the archbishop so required.<sup>189</sup> We know one of those detained, Guillema de Paratge, the wife of Bernat de Paratge, was later living with one Guillem de Gósol, who in 1259 pleaded guilty to harbouring Guillema and promised Galcerán de Pinos, as well as the notary of Gósol, that when they ordered him to appear before the

<sup>182</sup> E. Bartrina, *Els Càtars al Berguedà* (Bagà, 1999).

<sup>183</sup> P. Pujol, *Obra Completa*, 31–2; Baraut, "Presència i repressió del catarisme", 512–3, no. 9.

<sup>184</sup> *Ibid.*

<sup>185</sup> *Ibid.*

<sup>186</sup> *Ibid.*

<sup>187</sup> *Ibid.*: 'Dix mes n'Aglesa que d'aquels bos homes, que n'avie a Solsona e a Agremunt e a Lerida e a Sanauia e a la Sed e en la muntania de Prades.'

<sup>188</sup> Arxiu de Bagà, i, 61; cited Baraut, "Presència i repressió del catarisme", 514–5, no. 11a.

<sup>189</sup> *Ibid.*; J. Serra Vilaró, *Baronies de Pinós i Mataplana* (Barcelona, 1950), iii, 335; Bartrina, *Els Càtars al Berguedà*, 17–8, no. 3.



inquisition in the diocese of Urgell he would be there within five days and he would accept whatever judgment the church sought fit to bestow. He accepted that if he rebelled and fled, he would perjure himself and be *de facto* guilty of heresy.<sup>190</sup> In 1260, Ferrer Draper, at that time being in the power of Pere de Berga, in the name of Archbishop Benet, was bailed by four men of the town of Bagà. They promised that Ferrer would not be allowed outside the limits of the town without Pere's special license, and that when it was required by Pere or the archbishop, Ferrer would be returned to them, whether he was alive or dead. If they could not return him and equally if Ferrer were to go outside the boundaries of the town, then they would pay either Pere or the archbishop 100 Alfonsine morabetins of good gold and the correct weight.<sup>191</sup>

### *Cerdanya, Conflent and Roussillon*

While Guillem de Gósol and the townsmen of Bagà worried about what was to happen if they or those in their charge did not appear, to the north at Puigcerdà in Cerdanya, the townsfolk worried about the plight of somebody who had tried to reconcile but was struggling to prove that she had done so. When the inquisitor Ponç de Planella had been at the church of Puigcerdà, probably until 1242, it would appear that the penitent Jordana de la Creu had gone to see him in order to confess the crime of heresy.<sup>192</sup> How greatly involved in heresy Jordana was is unclear but there was a whispering campaign against her in the town and she was determined to confess and to set the record straight since she considered some of the things being said about her to be untrue. But when she went to see Ponç in the church of Puigcerdà he was too busy to hear her confession and asked her to return later on. The misfortune for Jordana was that Ponç was now dead and her good intentions had been placed in doubt.<sup>193</sup> But if there were many to mutter against her, then equally many of the townspeople of Puigcerdà

<sup>190</sup> Arxiu de Bagà, i, 117; cited Baraut, 'Presència i repressió del catarisme', 515, no. 11b; Serra Vilarà, *Baronies de Pinós*, iii, 336; Bartrina, *Els Càtars al Berguedà*, 18, no. 4.

<sup>191</sup> Arxiu de Bagà, i, 110; cited Baraut, 'Presència i repressió del catarisme', 515–6, no. 11c; Serra Vilarà, *Baronies de Pinós*, iii, 336; Bartrina, *Els Càtars al Berguedà*, 18–9, no. 4.

<sup>192</sup> ACU, pergami original, carpeta, no. 11 del s. xiii, s. n.; Baraut, 'Presència i repressió del catarisme', 508–10, no. 7.

<sup>193</sup> *Ibid.*

were willing to speak up in her favour. Sixteen witnesses, probably with a fair degree of collusion, backed up what is most likely to be Jordana's own account of events, while six of them added that they thought that Jordana had been reconciled, one of them adding that she had, however, not been forced to wear the penitent cross.<sup>194</sup>

Generally, in the lands of Cerdanya, Conflent and Roussillon, heresy does not appear to have had quite the same intensity as it did in L'Alt Urgell or the Berguedà but it was still significant. Though these were lands under royal government, they still had strong connections with the Foix circle, were generally easily connected to the lands to the west, and had, in Nuno Sanç, a ruler who had himself run into trouble with the Church and whose maltreatment of his people probably matched that of any other lord of the region.<sup>195</sup>

We know that there were a good number of pilgrimages from Cerdanya to Montségur, and that there, as elsewhere, nobles of some importance were willing to show solidarity with the heretics or, in some instances, go further than that.<sup>196</sup> Most prominent among the heretics was undoubtedly Guillem de Niort, himself a representative of royal government, whose family's association with heresy is well known through the studies of Wakefield.<sup>197</sup> The many brothers Niort, whose mother and grandmother had been heretic perfects, and who were related to the viscounts of Castellbò, were to play a prominent part in resistance to the crusade and also in the protection of heretics.<sup>198</sup> Guillem was vicar to Nuno, firstly both in Cerdanya and Conflent and then later just in Cerdanya. He married Nuno's sister Sança in 1218 and was witness to many of the charters granted by Nuno over a long period.<sup>199</sup> In dispute with Archbishop Pierre Amiel of Narbonne over property rights, when the Niort family raided his lands in 1232 and attacked both servants of the archbishop and the crown, Pierre responded by investigating suspected links between the family and the

<sup>194</sup> Ibid.

<sup>195</sup> P. Daileader, *True Citizens: Violence, memory and identity in Medieval Perpignan* (Leiden, 2000), 90.

<sup>196</sup> A. Cazenave, 'Les Cathares en Catalogne', 392.

<sup>197</sup> W. Wakefield, 'The Family of Niort in the Albigensian Crusade and before the Inquisition', *Names: Journal of the American Name Society*, 18 (1970), 97–117, 286–303.

<sup>198</sup> BNP, Doat, xxiv, f. 83v–84v; Wakefield, 'The Family of Niort', 100; Ventura, 'Catarismo en Cataluña', 96.

<sup>199</sup> Ventura, 'Catarismo en Cataluña', 96. Guillem's father was also Guillem and some privileges may bear the witness of the father rather than the son.

heretics and persuaded Gregory IX to launch an inquiry.<sup>200</sup> When Guillem, along with his brother, the indefatigable Bernard Oth, was arrested by Friar Guillaume Arnaud in 1236 at Carcassonne, Guillem confessed to having willfully encouraged the spread of heresy in the lands under his power, and it is therefore unsurprising that we find as witnesses to his condemnation the abbot of Sant Miquel de Cuixá, a canon of Elne, and the preceptor of the house of the Templars in Mas Deu.<sup>201</sup> As a heretic, Guillem was condemned to be burnt at the stake and was only spared, according to Pelhisson, because the French senechal was dissuaded from carrying out the sentence by leading nobles, who feared that Guillem's brother, Giraud de Niort, was preparing for war.<sup>202</sup> Guillem was thus sentenced to perpetual imprisonment, though this punishment was clearly less perpetual than it might have been since both Guillem and Guiraud were to play a prominent part in the Trencavel revolt.<sup>203</sup>

A cousin of the Niort brothers was Bernat d'Alió, a member of a powerful family of Cerdanya. They had long been implicated in heresy and, indeed, his father had protected, alongside Ramon de Niort, the heretic Guillabert de Castres.<sup>204</sup> Because of unspecified criminal activities of Bernat, the Alió lands in Cerdanya, Conflent, Donnezan and Capcir had been confiscated in 1209 by Peter II who had remitted them to the count of Foix, Raymond-Roger, since he needed his support in the conflicts in Urgell which had followed the death of Ermengol VIII.<sup>205</sup> Bernat d'Alió and his brother Arnaud de Sault determined to recover their lands and pursued a long struggle against Foix who eventually made peace with the brothers, in January 1236 conceding to them in perpetual fief the castles of Sault and Quérigut.<sup>206</sup> A year later, having recognized the sovereignty of Nuno Sanç over the castle of Sault, the count of Foix gave to Arnaud de Sault and Bernat d'Alió the castles and towns of Evol and Estavar and all the land of Donnezan.<sup>207</sup>

<sup>200</sup> *Les Registres de Grégoire IX (1227–41)*, ed. L. Auvray (Paris, 1890–1955), nos. 1170, 1284, 2241.

<sup>201</sup> BNP, Doat, xxi, ff. 163v–7v; *HGL*, viii, 1014–5.

<sup>202</sup> Guilhem Pelhisson, *Chronique*, ed. C. Molinier (Le Puy, 1880), 25–32; C. Douais, *Documents pour servir à l'histoire de l'Inquisition dans le Languedoc*, 2 vols (Paris, 1900), ii, 98–103.

<sup>203</sup> *HGL*, vii, 448–61.

<sup>204</sup> *Layettes*, v, 62–4, no. 176.

<sup>205</sup> Ventura, 'El Catarismo en Cataluña', 105.

<sup>206</sup> BNP, Doat, cxcii, f. 201v, 205.

<sup>207</sup> BNP, Doat, cxcii, f. 194.

They were thus reinstated as powerful lords and combined with this in the first of these agreements the count had married Bernat to his sister, Esclarmonde, who was not only sympathetic to the heretics but had received the *consolamentum* and become a 'good woman'.<sup>208</sup> Bernat protected the heretics, especially supporting those at Montségur, and after the destruction of the fortress allowed refugees to hide in the forests of Alió.<sup>209</sup> In 1249, Innocent IV absolved him of the crime of heresy, after he had sought pardon but he was later accused of heresy again and condemned by Pierre de Tenes, as a relapsed heretic, along with Bernard de Sault; in 1258 they were both burnt at the stake at Perpignan in front of James I.<sup>210</sup>

A significant lord of the Conflent, Ponç de Vernet, was to be posthumously condemned a little while later. Ponç was in many ways typical of those lords who gave their support to the heretics. He was involved in many local wars, which had caused grave damage to the local population. Indeed, the donations in his will to many churches and monasteries of the region specify that he was making recompense for the damage he had done to a number of villages.<sup>211</sup> Yet he combined extreme violence with support for a group of people whose main attraction for some was the peaceable, simple life which they had been leading. A follower of Peter II of Aragon, he may well have been drawn into heretical circles after the king's death.<sup>212</sup> Ponç himself died in 1222 and his son, also Ponç, was to be one of the principal lords of Nuno Sanç's court and indeed when peace was established between the consuls of Montpellier and Nuno in June 1231, the younger Ponç would subscribe first after Nuno.<sup>213</sup>

In 1260, the inquisitors Pere de Cadireta and Bernat del Bac investigated the life of the elder Ponç and found that he had received, hidden and sustained the heretics, had granted them favours and had even

<sup>208</sup> BNP, Doat, clxx, f. 67; Archives départementales de la Haute-Garonne [hereafter ADHG.], ms. 124, f. 196.

<sup>209</sup> ADHG., ms. 124, f. 196.

<sup>210</sup> BNP, Doat, xxxiii, f. 73; J. Ventura, *Els heretges catalans* (Barcelona, 1963), 52; idem, 'Presència i repressió del catarisme', 107; C. Puig, 'Inquisition et hérésie en Roussillon au XIIIe siècle', *Études Roussillonnaises*, 16 (1998), 46; J.-C. Soulassol, 'Les Alion, le pape et le comte de Foix', in *Les Cathares devant l'histoire: mélanges offerts à Jean Duvernoy*, ed. M. Aurell (Cahors, 2005), 382.

<sup>211</sup> Archives départementales des Pyrénées-Orientales, Perpignan [hereafter ADPO], *Cartulaire de Temple*, f. 15v-17r; Puig, 'Inquisition et hérésie en Roussillon', 46.

<sup>212</sup> Ventura, 'El Catarismo en Cataluña', 109.

<sup>213</sup> Ibid.

adored them.<sup>214</sup> His body, buried in the cemetery of the Templars of Mas Deu, was exhumed.<sup>215</sup> King James confiscated the Vernet lands and demanded from the younger Ponç 22,000 Melgorian sous in order to have them restored to him.<sup>216</sup> Ponç urgently tried to raise the money by sales and exchanges, but he was struggling to make ends meet and died soon after, with the king unsympathetic to his plight.<sup>217</sup>

The king was also to the fore in the posthumous condemnation of Pierre de Fenouillet in 1262. The connections of the family with the heretics went back a long way, since the viscounty of Fenouillet, the valleys of which served as a link between the eastern part of Cerdanya and Roussillon and the upper valley of the Aude, had fallen to Bertrand de Saissac, a well-known heretical sympathizer who was the tutor of Raymond-Roger, viscount of Béziers.<sup>218</sup> Pierre de Fenouillet had resisted the Albigensian crusade and his lands served as a refuge for lords of the Midi and indeed for many heretics or heretical sympathizers. Because of his long-term resistance, Pierre was dispossessed of his viscounty which fell to Nuno Sanç, though Pierre still held possessions in Conflent, Cerdanya and Roussillon.<sup>219</sup> He was implicated in the revolts of the early 1240s and took refuge at Mas Deu, where he died and was buried in 1243.<sup>220</sup> Heresy in the Fenouillèdes would, however, continue for a long time. We have a good idea from the testimony of Saurine Rigau and Imbert de Sales, that probably more than fifty of the inhabitants of Puilaurens, that is perhaps a quarter of the town, were in some manner involved with the heretics, and the area appears to have been sustained by a regular supply of heretical deacons and habitual visits to Montségur.<sup>221</sup> They were also helped by a knight of some renown in the person of Jaspert de Barberà, until he surrendered

<sup>214</sup> ADPO 1B10; Puig, 'Inquisition et hérésie en Roussillon', 46.

<sup>215</sup> Douais, *Documents pour servir à l'histoire de l'Inquisition*, i, 34, n. 8; Puig, 'Inquisition et hérésie en Roussillon', 47.

<sup>216</sup> ADPO 1B10.

<sup>217</sup> *Privilèges et titres de la ville de Perpignan*, ed. J.-B. Alart (Perpignan, 1874), 232, nn. 1–2; Puig, 'Inquisition et hérésie en Roussillon', 47; F. Monsalvatge, *Los condes de Ampurias vindicados* (Olot, 1917), 116–18.

<sup>218</sup> S. Nelli, 'Bertrand de Saissac, un puissant seigneur, tuteur du jeune vicomte de Béziers Raimond Trencavel', *Heresis*, 42–3 (2005), 77–100; Jiménez-Sánchez, *Les catharismes*, 333.

<sup>219</sup> *HGL*, iii, 166.

<sup>220</sup> Puig, 'Inquisition et hérésie en Roussillon', 47. Pierre's body was exhumed and burned in 1262 (Douais, *Documents pour servir à l'histoire de l'Inquisition*, i, 34, n. 8).

<sup>221</sup> ADHG, ms. 124, f. 90; BNP, Doat, xxiv, 178v; Cazenave, 'Les Cathares en Catalogne', 389.

the castle of Quéribus in 1255.<sup>222</sup> By the treaty of Corbeil, the Fenouillèdes passed to France in 1258.<sup>223</sup> The descendants of Pierre de Fenouillet were to find a new home in Aragon and Majorca but he was condemned in December 1262 as somebody who had often heard the preaching of the heretics, had received them and had been consoled by them at the hour of death. Pierre's body was exhumed and burnt.<sup>224</sup>

The process had brought forth vehement protests from his daughter-in-law, Beatrice. It seems that, in 1258, James I had secretly agreed a deal with Hugh de Saissac, Pierre's son, that the family would have immunity if Hugh testified in the trial of Bernat d'Alió.<sup>225</sup> By 1261 Hugh was also dead and it was left to Beatrice, the mother of three children, to protest that the inquisitor Pierre de Tenes had already absolved her father-in-law and therefore he should not be tried again. But Pierre de Tenes had died too by then and it was not known whether his pardon had come before or after the treaty of Corbeil. If after, then he no longer had jurisdiction in the region since any decision concerning Pierre de Fenouillet's culpability and absolution would have been a matter for the inquisitor of France. The only surviving witness of note to all this other than Beatrice was James I and she asked for him to be questioned but in spite of her efforts, the king did not come forward.<sup>226</sup>

When it had suited him, when James had need of heretics or their supporters, he had not always been quite so difficult. Indeed, years before, during the conquest of Valencia he had been quite generous in the case of Robert de Castell-Rosselló of the diocese of Elné. Robert had been convicted of heretical depravity and condemned by the Church, but he had escaped from prison by use of force and then had retired to his formidable castle.<sup>227</sup> Once free, Robert had declared himself desirous to be reconciled to the unity of the Church and offered to serve with his troops against the enemies of the faith. He, moreover, declared that if he was ever to abandon the Catholic faith and relapse, he would forfeit all his lands.<sup>228</sup> James, facing difficulties in the conquest of Valencia, took up Robert's offer and wrote to Gregory IX who

<sup>222</sup> Roquebert, *L'Épopée Cathare*, ii, 841.

<sup>223</sup> *Documentos de Jaime*, iv, 109–112, no. 1018.

<sup>224</sup> BNP, Doat, xxxiii, f. 122v–124; Douais, *Documents pour servir à l'histoire de l'Inquisition*, 34, note 8.

<sup>225</sup> BNP, Doat, xxxiii, f. 80; Ventura, 'Catarismo en Catalunya', 106.

<sup>226</sup> BNP, Doat, xxxiii, f. 109–110; Ventura, 'Catarismo en Catalunya', 108.

<sup>227</sup> *Documentos de Gregorio IX*, 509–10, no. 636.

<sup>228</sup> *Ibid.*

on 8 February 1237, with all due caution, agreed to this, insisting on a public abjuration of heresy by Robert, stipulating he should serve in the siege of Valencia or on the frontier of the pagans during three years, and agreeing that Robert would forfeit his property to the king if he relapsed.<sup>229</sup> Gregory wrote Ramon de Penyafort that he should oversee Robert's public abjuration and cautiously proceed so that the spots of heretical contagion would be avoided.<sup>230</sup> By April, however, the pope was wavering. Bishop Bernat de Berga had come to Viterbo to inform the pope that Robert was the leading heretic of the diocese of Elne and in his castle all the enemies of the faith had a home. If Robert's lands were returned to him, then as much the bishop as all those who had testified against Robert would be in danger of death.<sup>231</sup> Gregory wrote again to Ramon de Penyafort on 2 April 1237, urging caution and cancelling his previous orders, but five days later he had thought again and told Ramon that he should proceed to the reconciliation but taking care that Robert would not subsequently rob the bishop and the church of Elne of tithes and other possessions.<sup>232</sup>

Whether or not Bishop Bernat pursued this case further is not clear but he could certainly be persistent. Bernat, along with Friar Ferrer, had condemned for heretical depravity Ramon de Malloles and his wife and deprived them of their goods.<sup>233</sup> But they set off to the papal court and argued that they had been condemned on the basis of false testimony. On 5 March 1241, investigation of the matter was delegated by Gregory IX to the archdeacon of Roussillon and the steward of the monastery of Sant Miquel de Cuixá but when they returned their report to the curia a difficulty remained since the report did not contain the initial testimony before the inquisition or the sentence of the first judges.<sup>234</sup> Gregory then ordered the report of the second judges to be sent to the archdeacon of Besalú and the sacristan of Girona, ordering them also to obtain the first report from the bishop and the inquisitor. This they did and the two judges decided to place Ramon and his wife at liberty and return to them their property.<sup>235</sup> But this was not the end of the matter. Bishop Bernat compiled more evidence against the

<sup>229</sup> Ibid.

<sup>230</sup> *Documentos de Gregorio IX*, 510, no. 637.

<sup>231</sup> *Documentos de Gregorio IX*, 520, no. 652.

<sup>232</sup> *Documentos de Gregorio IX*, 520, no. 652; 523, no. 656.

<sup>233</sup> *Documentos de Gregorio IX*, 753–4, no. 978.

<sup>234</sup> Ibid.

<sup>235</sup> *Les Registres d'Innocent IV (1243–54)*, ed. E. Berger (Paris, 1881–1921), 799.

couple and when that evidence was brought before Innocent IV at Lyon, he decided that they were to be condemned anew and on 13 December 1244 wrote the abbot of Sant Joan de les Abadesses that he should carry out the sentence.<sup>236</sup>

There were, of course, others accused of and condemned for heresy in the region. Often we know of them simply because their lands were taken from them or restored to them. In his will of December 1241, Nuno Sanç ordered that all he held or had taken from the widow of Bernard Guillaume de Clairà, who had been condemned as a heretic, should be subject to ecclesiastical arbitration and if it was decided that he had taken it unjustly (and Nuno had developed a reputation for taking things unjustly) then it should be returned to her with the profits which had been gathered.<sup>237</sup> In 1266, the goods of Ot de Peyrestortes, who had been condemned as a heretic, were returned by King James to Pierre Pons de Peyrestortes.<sup>238</sup> Before 1261, the goods of the husband of Blanche de Caramny were confiscated because he had been a heretic.<sup>239</sup> Sometimes we are given a glimpse that those condemned followed religious practices which were very probably similar to those of the heretics elsewhere in the region. In 1243, Arnaud de Mudagons was posthumously condemned, at the house of the Franciscans at Perpignan, by Friar Ferrer, during his inquisition in the diocese of Elne, since Arnaud had adored the heretics many times during his lifetime, saying 'benedicite' and kneeling three times before them, asking them to pray to God for him as he was a sinner, and even many times receiving the kiss of peace from them. His body or bones were to be exhumed from the cemetery.<sup>240</sup> If the rituals were standard, some beliefs may not have been so common. Guillaume Cabiblanç, in July 1245, admitted to having seen heretics at Perpignan, in the house of Arnaud de Cos and at Quéribus, in a room of the house of Beneg de Termes, among other places. Somewhere along the way he said he had heard heretics saying that when the soul of a man leaves his body it enters the bodies of asses, there seeking salvation.<sup>241</sup>

<sup>236</sup> Ibid.

<sup>237</sup> ADPO 1B 9; Puig, 'Inquisition et hérésie', 44; Daileader, *True Citizens*, 90.

<sup>238</sup> *Privilèges et titres*, 238, 278, note 2; Puig, 'Inquisition et hérésie', 47; Ventura, 'Catarismo en Cataluña', 112.

<sup>239</sup> ADPO 3E1/1 f. 19; Puig, 'Inquisition et hérésie', 47.

<sup>240</sup> ACA, perg. Jaume I, no. 910; Ventura, 'Catarismo en Cataluña', 101.

<sup>241</sup> Bibliothèque Municipale, Toulouse, Ms. 609, f. 120v.



In the other northern holdings of the crown, the heretics did not establish so strong a position. In Montpellier, a town well-known for Catholic orthodoxy, after the consuls had asked that measures be taken against the heretics who had entered into the city, the archbishop of Vienne, as legate of the apostolic see, was, in February 1237, ordered by Gregory IX to uproot heresy.<sup>242</sup> In September, Gregory took the consuls and inhabitants of Montpellier under his protection and also ordered that the inquisition should not commit errors by condemning the innocents on the basis of false witness.<sup>243</sup> That, in fact, was precisely what Géraud de la Barthe, a consul of the city in 1231–2 and then again in 1236–7, claimed to have happened to him.<sup>244</sup> Once it was realized that those who were bringing charges against him did so falsely, they were themselves condemned to be hanged, since on 1 June 1235 the consuls of Montpellier had published statutes which said that those guilty of laying false charges were to be subject to a punishment similar to that which the person they accused would have had to suffer.<sup>245</sup> Since initially an investigation had been opened against him, Géraud wished to have his name completely cleared and Pope Gregory ordered a full inquiry into his life, which surely reported favourably since, in 1253–4, Géraud became bailiff of the city.<sup>246</sup> The opportunities for the inquisitors in Montpellier were somewhat diminished after 1248, when James I secured from Innocent IV that the Dominican inquisitors of Narbonne were not to call before their tribunal heretics and their defenders who lived in the king's lands.<sup>247</sup>

In the Val d'Aran, if the references in the council of Saint-Félix are accurate (and, of course, that is far from certain), there was an early community of heretics whose council was present at Saint-Félix and elected Raimond de Casals as their bishop.<sup>248</sup> However, it should be said that during the period when the crown was in control of Aran,

<sup>242</sup> *Registres de Grégoire IX*, ii, no. 3527; *HGL*, vi, 702.

<sup>243</sup> *Bullaire de l'Église de Maguelone*, ed. J. Rouquette and A. Villemagne (Montpellier, 1914), ii, no. 355.

<sup>244</sup> *Registres de Grégoire IX*, ii, no. 4023; *Layettes*, iii, no. 4092; Y. Dossat, 'Les débuts de l'inquisition à Montpellier et en Provence', *Bulletin philologique et historique (jusqu'à 1610), année 1961* (Paris, 1963), 569–70.

<sup>245</sup> *Registres de Grégoire IX*, ii, no. 4023; A. Germain, *Histoire de la commune de Montpellier*, i, 339; *Layettes*, iii, no. 4092.

<sup>246</sup> *Registres de Grégoire IX*, ii, no. 4023; *Layettes*, iii, no. 4092; Tourtoulon, *Don Jaime I*, ii, 22.

<sup>247</sup> *La documentación pontificia de Inocencio IV*, ii, 511–2, no. 547.

<sup>248</sup> Hamilton, 'The Cathar Council', 52.

after 1201, we do not have indications of heretical activity. Of course, evidence of heresy is in large measure dependent on where inquisitions chose to operate or indeed could operate. In Andorra, where lordship was disputed between the counts of Foix-Castellbò and the bishops of Urgell, Ponç de Vilamur was hampered from capturing heretics because a castle was constructed at the entrance to the valley by Roger IV precisely to stop the men of Ponç from entering therein.<sup>249</sup> It is not unlikely, as Baraut suggested, that the weavers who for so long had played a significant part in Andorra's economic well-being, and the shepherds who practiced with their flocks transhumance across the Pyrenean lands, were influenced by heretical beliefs.<sup>250</sup> But we only know the name of one heretic, Joan, captured by the inquisition of 1237.<sup>251</sup> It remained the case for much of the century that the Urgellian church spent its time trying to protect what it had rather than aiming for more in Andorra, and even in 1278, the year of the first *pariatge* (where the bishop and the count of Foix became co-rulers of Andorra), Roger Bernard III stood accused of savage attacks on La Seu d'Urgell, not unworthy of his forebears and still including attacks on the Eucharist.<sup>252</sup> According to a declaration of 1322, Roger Bernard received the *consolamentum* from Pierre Autier before dying.<sup>253</sup>

### *Lleida and the Mountains of Siurana*

It was through the mountains and down the roads that the heretics were able to spread their beliefs in the lands to the south and the south-east of the diocese of Urgell. We know from the 1238 testimony of Ramon Joan d'Abia something about the routes they took. As a *nuncius* of the heretics, he had attended the council of Pieusse in 1226 and then escorted the heretic Pierre de Corona and his companion on their path

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<sup>249</sup> Baudon de Mony, *Relations politiques*, ii, 109, no. 48: 'Item conquerimur quod fecerunt munitionem super ecclesiam de Pontibus iniuste, que est alodium nostrum in introitu vallis Andorre, et auferunt transeuntibus inde leudas et alia que volunt nec etiam volunt dare nobis potestatem, nec homine sui permiserunt nos introire ad hereticos capiendos.'

<sup>250</sup> Baraut, 'Presència i repressió del catarisme', 499.

<sup>251</sup> BNP, Doat, clxx, f. 75; *HGL*, viii, 1010–1.

<sup>252</sup> Arxiu Municipal d'Urgell, pergami original, no. 39; Baraut, 'Presència i repressió del catarisme', 524, no. 18; *Cartulari de la Vall d'Andorra*, i, 301–3, no. 126.

<sup>253</sup> J. Duvernoy, 'Le catharisme en Languedoc au début du xive siècle', *Cahiers de Fanjeaux*, 20 (1986), 35–6, notes 28–9.

into Catalonia.<sup>254</sup> They had gone from Pieuze to Mirepoix and there they had received hospitality from the brothers Pierre Barba and Berenguer Barba. Having eaten and slept at the house of the Barba they left there and went to Quié, where they were virtually feted, being well-lodged by Arnaud de Serra of Quié, talking with Roger of Comminges (who however did not adore the heretics), and many others, before moving across the mountains and down to Latour-de-Carol where they again received hospitality from somebody and slept at their house before moving on in the morning for the long journey to Josa.<sup>255</sup> They remained during four days with Ramon de Josa and his family before crossing Cervera and Berga and entering the mountains of Siurana. They stayed there during an entire year, lodging at the house of Arnau de Lagnetis.<sup>256</sup> From there they went many times into the town of Lleida although Ramon Joan could not (or said he could not) remember the names of any of the people whose houses they entered in Lleida. After they had been there a year, Ramon Joan heard that peace had been agreed between the church and Louis IX on the one hand and Count Raymond VII of Toulouse on the other. So he returned to the north.<sup>257</sup>

That was in 1229. Ramon Joan clearly left things out. In all he had been with the heretics in Catalonia for the best part of three years. That his testimony bears witness to a welcome reception by some for the heretics in the 1220s in Lleida should not altogether surprise us. Lleida was the most important land of the principality, a major urban centre, with a large southern French population, and very strong trading connections with the Languedoc.<sup>258</sup> On the minus side, however, it should be said that it was at the heart of the crown of Aragon, the seat of church councils, and Ramon Berenguer IV, Alfonso II, Peter II and James, in the first part of his reign, spent more time in that city than in any other.<sup>259</sup> It is the case that Arnau Godera had gone to Lleida around 1215 and said that he did not see any heretics there.<sup>260</sup> Nevertheless, it

<sup>254</sup> BNP, Doat, xxiii, f. 260–273.

<sup>255</sup> BNP, Doat, xxiii, f. 270v–271.

<sup>256</sup> BNP, Doat, xxiii, f. 271–271v.

<sup>257</sup> BNP, Doat, xxiii, f. 271v.

<sup>258</sup> On post-conquest Lleida, see J. Lladonosa Pujol, *Lérida medieval*, vol. 1; J. M. Font i Rius, *La reconquista de Lérida y su proyección en el orden jurídico* (Lleida, 1949).

<sup>259</sup> Lladonosa, *Lérida medieval*, vol. 1, passim; F. Fita, 'Primera legación del cardenal Jacinto en España', *BRAH*, 14 (1889), 530–55; idem, 'El Concilio de Lérida en 1193 y S. María la Real de Najera', *BRAH*, 26 (1895), 332–83.

<sup>260</sup> Bibliothèque Municipale, Toulouse, ms. 609, fol. 144.

had been a Lleidan knight, Bernat de Portella, who had helped hang Baldwin, the brother of Raymond VII, in 1214 and Ramon Joan's testimony gives witness to a welcome reception by some for the heretics in the 1220s.<sup>261</sup>

It appears that over the next twenty years the adepts and sympathizers grew in number, though we are not actually well-informed on their heretical beliefs and practices. On 25 May 1248, in response to requests from Bishop Guillem of Lleida, Innocent IV had allowed that Guillem could absolve from the sentence of excommunication those heretics who had spontaneously returned to the unity of the Church, provided that they publicly, before clergy and people, abjure their heresy.<sup>262</sup> In 1250, Na Aglea in her testimony had commented that there were heretics in Lleida, Solsona and Agramunt.<sup>263</sup> By 1257, a further inquisition had been undertaken by Berenguer d'Erill and Pere d'Albalat, supported by the inquisitors Pierre de Tenes and Guillaume.<sup>264</sup> On 30 August 1257, James I granted a general amnesty for those heretics whom the inquisition had uncovered and who wished to return to the Catholic faith for which he demanded a payment of 2000 Alfonsine morabetins.<sup>265</sup> Sometime prior to this Joan Espaers of Lleida had been imprisoned in perpetuity for heresy but escaped and presented himself at the court of Pope Alexander IV, who had Joan pardoned when he abjured his heresy.<sup>266</sup> Then he returned to Lleida and sought a letter of safe-conduct from the king, which James granted to him on 27 September 1257.<sup>267</sup>

That the heretics had a significant presence likewise in the diocese of Tarragona and especially in the mountain region of Siurana (now usually called the region of Montsant and Prades) is without doubt. Indeed, they had been there for some time before Pere de Corona arrived. Already on 21 December 1220 the archbishop of Tarragona, Aspàreg de la Barca, had donated and assigned to the prior and brothers of Carthusian Escaladei all his Saracen men and women of Benifallet,

<sup>261</sup> PVC, chs. 495–500; *Puylarens*, ch. 23.

<sup>262</sup> *La documentació pontifícia de Inocencio IV*, ii, 495–6, no. 526.

<sup>263</sup> P. Pujol, *Obra Completa*, 31–2; Baraut, 'Presència i repressió del catarisme', 512–3, no. 9.

<sup>264</sup> Miret i Sans, *Itinerari*, 261; J. Vincke, *Zur Vorgeschichte der Spanischen Inquisition: Die Inquisition in Aragon, Katalonien, Mallorca und Valencia während des 13. und 14. Jahrhunderts* (Bonn, 1941), 19.

<sup>265</sup> *Documentos de Jaime*, iii, 243, no. 762.

<sup>266</sup> *Documentos de Jaime*, iii, 273–4, no. 802.

<sup>267</sup> *Ibid.*

with all the rights and dominion which pertained to him.<sup>268</sup> These Saracens had previously been voluntarily given to Aspàreg's predecessor by the king of Aragon. Aspàreg happily conceded this gift to them in perpetuity, if the prior or his successors, or the brothers of Escaladei, were able to obtain a privilege from the Apostolic see granting such a request.<sup>269</sup> Why had he done so? Because the monks of Escaladei had laboured indefatigably and with much industry to expel heretical depravity from the diocese of Tarragona and to correct both the clergy and the people from unlawful practices.<sup>270</sup> The fact that the archbishop had chosen the Carthusians of Escaladei for this task is surely noteworthy. We do not usually associate the rigorous and enclosed Carthusian order with preaching campaigns. The fact that they were chosen is surely because of the position of their monastery at the heart of the mountainous region.

That these lands should be another significant area for heresy should not surprise us. The Muslim territory of Siurana had resisted conquest for a long time, and had been resettled very slowly in the last quarter of the twelfth century.<sup>271</sup> Cornudella de Montsant was granted a settlement charter in 1162 but there is no certain knowledge of the town existing before 1190.<sup>272</sup> Much of the terrain in the area was harsh, densely wooded and unattractive. The royal domain had been given to Sancha of Castile in 1174 and in 1209 to Elvira of Urgell.<sup>273</sup> It was hardly the centre of the crown's attentions. Most of the land fell within the diocese of Tarragona. There existed a body of legends concerning a host of anchorite saints, living in caves in the mountains, and besides the monks of Escaladei, there was a small Cistercian community at Bonrepòs.<sup>274</sup> Besides this, there was little by way of ecclesiastical organization for a considerable time. The lands would attract settlers from Languedoc, though colonizers hardly came in droves. But one thing in

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<sup>268</sup> VL, xix, 310–1, no. 42; E. Gort, *Occitans i Càtars a Montsant i Muntanyes de Prades (Segles XII–XIV)* (Albarca, 2006), 51–3, no. 1.

<sup>269</sup> Ibid.

<sup>270</sup> Ibid.

<sup>271</sup> L. McCrank, 'The Lost Kingdom of Siurana: Highland Resistance by Muslims to Christian Reconquest and Assimilation in the Twelfth Century', in *On the Social Origins of Medieval Institutions: Essay in honor of Joseph O'Callaghan*, ed. D. Kagay and T. Vann (Leiden, 1998), 115–48.

<sup>272</sup> E. Gort, *Història de Cornudella de Montsant. Una vila del Comtat de Prades* (Reus, 1994), 66–72.

<sup>273</sup> *Fiscal Accounts*, i, 218; Aurell, *Les noces del comte*, 446–7.

<sup>274</sup> Gort, *Occitans i Càtars*, 13–14.

their favour was that the mountains were well-connected by roads since they were pasture lands for flocks coming down from the Pyrenees and of course for the flocks of the shepherds of the region.<sup>275</sup> It was down these roads that Pierre de Corona had traveled, finding in these deserted places a secure hideaway from the troubles in the north. If Gort is correct and the 1220s saw a small wave of Occitan immigrants, then this may help explain why the indefatigable efforts of the Carthusians produced such limited results and Pierre de Corona received so welcome a reception.<sup>276</sup>

For the ever dependable Arnau de Bretos described how, in September 1242, he and his companion, Guillem Català, had been received many times in the Vall de Porrera, near Tarragona, at the house of Bernat Narbonès, his wife Francesca, Bernat's brother Pere, Pere Girberta, Arnau Mestre, and Pere d'Urgell, the last three all coming from the Vall de Porrera. All of them had adored Arnau and Guillem, who ate at the table of Bernat Narbonès many times.<sup>277</sup> On another occasion when they went to Bernat's house they found there two other heretics, Aimeric and Raimond Arquer, who had been ordered by the heretical bishop Bertrand Marty to go to Montségur, and there they confessed themselves. So they took the road to Montségur but returned fifteen days later. As well as Bernat Narbonès, his wife Francesca and his brother Pere, Arnau, the messenger of Bernat, was also there, and they had all adored the heretics.<sup>278</sup> On another occasion, when Arnau was traveling with Raimond Arquer in the Vall de Porrera, they had gone to the house of Ramon Pastor and found Guillem Català and Aimeric there already. They ate at the table

<sup>275</sup> R. Puigferrat, 'Prades', in *Catalunya romànica*, xxi, 231; P. Lázaro, 'El Condado de Prades: Contribución al estudio de sus documentos', *Historia, Instituciones, Documentos*, 3 (1976), 370–1.

<sup>276</sup> Gort, *Occitans i Càtars*, 22–4; idem, *Història de la cartoixa d'Escaladei* (Reus, 1998), 66–7.

<sup>277</sup> BNP, Doat, xxiv, f. 182–193.

<sup>278</sup> Ibid: 'Item dixit quod ipse testis et Guillelmus Cathalani socius ipsius testis haeretici venerunt apud Vallem Porreira in domum Bernardi Narbones et cum fuissent ibi invenerunt Aimericum et Raimundum Arquerium socium eius haeticos quibus dixerunt de mandato Bertrandi Martini episcopi haeticorum quod irent apud Montemsecurum, et ibi se apparavellaverunt, quod audito recesserent inde et tenerunt viam suam apud Montem securum et post quindecim dies venerunt et redierunt ibi de Monte securo dicti Aimericus, et Raimundus socius eius haeretici et erant ibi dictus Bernardus de Narbones, et Francisca uxor eius, et Petrus Narbones, et Arnaudus nuncius dicti Bernardi Narbones et ibi omnes praedicti adoraverunt haeticos sicut dictum est superius de tempore quod supra.'

of Ramon and rested there. Both Ramon and his wife, Maria, adored the heretics. Pere d'Urgell and his wife, also Maria, received Arnau and Raimond Arquer at their house and they stayed for two days, eating at the table of Pere. While they were there Arnau Mestre and his wife, Berenguera, also of the Vall de Porrera, came to see the heretics. All of them adored Arnau and his companion many times.<sup>279</sup>

Likewise, in 1242, at Gallicant, in the mountains of Siurana, Arnau and Guillem Català had eaten many times at the house of Ramon de Gallicant, with his wife, and their son, Guillem, and two daughters of theirs whose name Arnau could not remember. The family adored Arnau and Guillem Català.<sup>280</sup> In the same period, the two heretics also went to the house of Ramona de Gallicant, where Ramona was dying, and they consoled her. Ramon de Gallicant was there and a woman whose name Arnau could not remember, who was the daughter-in-law of Ramona. All of them adored the two heretics, as did Bartolomeu, Ramona's son, when he was guiding the two of them along the path to Ramona's house.<sup>281</sup> It is clear from Arnau's testimony that a number of families in the region were actively and consistently involved in harbouring the heretics and that beyond that they were aware of and, indeed, performed the ritual practices associated with the heresy. Some

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<sup>279</sup> Ibid: 'Item dixit quod Raimundus Pastor de Valle Porreira in Cathalonia receptavit ipsum testem et Raimundum Arquerium socium ipsius testis haereticos, apud Vallem Porreira in domo sua ubi stabant alii duo haeretici scilicet Guillelmus Cathalani, et Aimericus socius eius haeretici; et erant ibi dictus Raimundus Pastor et Maria uxor eius, et ibi ambo adoraverunt ipsum testem et alios haereticos socios ipsius testis sicut dictum est; et ibi jacuerunt et comederunt in propria mensa de his qua dictus Raimundus Pastor dedit eius de tempore quod supra... Item dixit quod Petrus de Urgello de Valle Porreira receptavit ipsum testem et socium ipsius testis haereticos apud Vallem Porreira in domo sua per duos dies, et erant ibi dictus Petrus de Urgello, et Maria uxor eius, et venerunt ibi ad videndum ipsum testem et socium ipsius testis haereticos Arnaudus Magistri et Berengaria uxor de Valle Porreira; et ibi omnes praedicti adoraverunt ipsum testem et socium ipsius testis haereticos pluries sicut superius dictum est. Et ibi ipse testis socius ipsius testis haeretici comederunt in propria mensa de his quae dictus Petrus de Urgello dedit eis de tempore quod supra.'

<sup>280</sup> Ibid: 'Item dixit quod ipse testis et Guillelmus Cathalani haeretici venerunt apud Gallicant in Montaneam de Siurana in domum Raimundae de Gallicant ubi dicta Raimunda infirmabatur infirmitate de qua obiit, et ibi ipse testis, et Guillelmus Cathalani socius ipsius testis haeretici consolaverunt dictam Raimundam infirmam sicut superius dictum est et interfuerunt dicto consolamento Raimundus de Gallicant, et quaedam mulier cuius nomine ignorat, quae erat nurus dictae infirmae, et ibi omnes praedicti adoraverunt ipsum testem, et socium ipsius testis haereticos, sicut dictum est.'

<sup>281</sup> Ibid: 'Dixit etiam ipse testis quod Bartholomeus filius dicte infirmae Raimundae adduxit ipsum testem, et socium ipsius testis haereticos dictae Raimundae infirmae causa consolandi et haereticandi eam, et ibi dictus Bartholomeus in via adoravit ipsum testem et socium ipsius testis haereticos sicut dictum est de tempore quod supra.'

are immigrants from Narbonne, others shepherds and intriguingly, with Arnau Mestre, we could, possibly, have a man of some learning. More remarkable still is the fact that we have as many as four heretics moving around in the mountains, a clear sign that they felt it would be a happy hunting-ground. The fact that at Montsegúr they knew the whereabouts of two heretics at a great distance away whom they wanted to recall shows a high level of organization on the part of the heretics. And yet, at the same time, that two of the heretics would turn up at the same house at the same time as another two without prior knowledge that they would be there suggests that amidst the mountains communication was difficult, even though Bernat Narbonès had a messenger to help.

There were other families of the mountains tied to the heretics and they were to find themselves up against more formidable opponents than Aspàreg. Firstly, Pere d'Albalat, elected archbishop of Tarragona in 1238, was determined to wage a war on heresy wherever he found it.<sup>282</sup> At a series of councils, to which we will return later on, Pere brought in a number of measures against the heretics and their protectors.<sup>283</sup> Then the pressure was added to, when a house of the Friars Preacher was established at Tarragona in 1248.<sup>284</sup> The election of a new archbishop, the litigious Benet de Rocabertí, in 1252, did not improve the situation since Benet was as keen to take on heretics as he was to take on everybody else.<sup>285</sup> The crucial moment for the heretics came, however, when the inquisitor Pere de Cadireta, with the strong backing of James I, focused his attention on the region, concentrating his efforts on Prades, Arbolí, Cornudella and Siurana.<sup>286</sup>

The extent of Pere de Cadireta's activity is indicated by the activities of the king. On 18 April 1260, King James remitted to Pere Oliola, his wife and their sons, La Molina (in the *terme* of Siurana) and a *mas* situated in the district of Arbolí, which had been confiscated by the king for the crime of heresy.<sup>287</sup> On 24 April 1262, James, in Montpellier, conceded to the inquisitorial notary, Bernat de Costes, all the houses, honours and possessions that pertained to Pericó de Botzècom and his wife,

<sup>282</sup> On the reforming Pere, see Linehan, *The Spanish Church*, 54–82.

<sup>283</sup> See below, chapter 5.

<sup>284</sup> *VL*, xix, 311–2, no. 43.

<sup>285</sup> J. Pons i Guri, 'Constitucions conciliars Tarraconenses (1229–1330)', in idem, *Recull d'estudis d'història jurídica*, 3 vols (Barcelona, 1989), ii, 293, 296.

<sup>286</sup> Gort, *Occitans i Càtars*, 34–5.

<sup>287</sup> AHN, Códices, no. 1234B, f. 140v; Gort, *Occitans i Càtars*, 35.



who were fugitives because of their heresy, both in the town of Prades and in the surrounding lands.<sup>288</sup> On the same day, the king confirmed the sale undertaken by Ramon Andreu de Prades of all the goods confiscated from other heretics in the mountains.<sup>289</sup> Likewise on 24 April, the king gave to Guillem de Canfrance the many honors and possessions which had belonged to Miquel de Casis, condemned and burnt for heresy. Two days later James gave to Domènec de Montanya the properties of Arbolí which had been of Bernat Pere of Arbolí, who had also been condemned and burnt for heresy.<sup>290</sup> On 4 September 1262, James confirmed to Joan de Tàrrega and his family the possession of the properties that Pedro de Segarra, condemned for heretical depravity, held in Arbolí, and those held by Pere Catalá from Cornudella de Montsant, since he too was condemned for heresy.<sup>291</sup> Two days later, on 6 September, the king conceded to Guillaume de Perpignan all the honors that Bernat Lorda and Juana de Segarra, who were condemned for heretical depravity, held in Arbolí and that the king had confiscated.<sup>292</sup> All of these people were condemned to be burnt. The day before, the king had conceded to Joan d'Arximbald all the inheritance that Berenguer Amorós, also condemned, held at Siurana.<sup>293</sup>

### *Heresy and Conquest*

In the lands of James's own conquest heresy was also afoot. It is undoubtedly the case that some of the comments which have been made concerning a Cathar conquest of Majorca are rather fanciful but nevertheless they are not entirely without substance.<sup>294</sup> That the heretics were in Majorca in the post-conquest period is without question and should not surprise us. There was a large contingent from the lands of *Provincia* in James's army and in the post-conquest period further settlers were attracted from those lands.<sup>295</sup> In 1239, Ramon de Torrelles,

<sup>288</sup> *Documentos de Jaime*, iv, 321, no. 1248; E. Fort i Cogul, *Catalunya i la Inquisició* (Barcelona, 1973), 63–4.

<sup>289</sup> *Documentos de Jaime*, iv, 321–2, no. 1249.

<sup>290</sup> J. Ventura, 'La Valdesía', 314–5.

<sup>291</sup> *Documentos de Jaime*, iv, 354, no. 1287; Fort i Cogul, *Catalunya i la Inquisició*, 64.

<sup>292</sup> *Documentos de Jaime*, iv, 355, no. 1288.

<sup>293</sup> Fort i Cogul, *Catalunya i la Inquisició*, 64; Ventura, 'La Valdesía', 316.

<sup>294</sup> G. Alomar Esteve, *Cataros y occitanos en el reino de Mallorca* (Palma de Mallorca, 1978) is somewhat misnamed.

<sup>295</sup> A. Santamaria, 'Comunidades occitanas en la conquista y repoblación de Mallorca', in *Jornades d'Estudis històrics locals*, 4 (1986), 9–19.

bishop of Majorca, had written to Gregory IX concerning some clergy and laity who had physically attacked clergy and other religious, helped the Albigensians against the Church, and sold to the Saracens things which they were not allowed to sell them.<sup>296</sup> These people had been excommunicated but since there was quite a large number of them, it would be difficult for all of them to go to Rome to seek absolution and therefore Gregory, at Ramon's request, on 27 January 1240, ordered that the quantity they would have spent going to Rome, they should pay to the bishop to help with the building of the cathedral of Palma.<sup>297</sup> The next day, Gregory gave faculty to bishop Ramon to absolve from excommunication heretics in the kingdom of Majorca who had willingly returned to the unity of the Church, once they had solemnly abjured their heresy before clergy and people and taking all due care that they would not relapse into the contagion of heretical depravity.<sup>298</sup>

Testimonies before Bernard de Caux during the inquisition in Quercy suggest that the heretics had been a regular presence. Raimonde, wife of Boussoulens, said that she had seen the heretics many times, and especially many times in the house of her husband at Majorca and she had adored them and eaten with them.<sup>299</sup> Who the heretics were is not clear, though she had also seen heretics in the house of her husband at Montauban and those heretics were Guillabert de Castres and his companion, whom she had heard preach.<sup>300</sup> Durand de Brouille, the son of another Durand de Brouille, had seen two heretics at Majorca and had eaten with them at a table. Durand insisted that he had not known that they were heretics at first but later he knew. Durand's encounters would cost him pilgrimages to Le Puy, Saint Gilles and Compostela.<sup>301</sup>

<sup>296</sup> *Documentos de Gregorio IX*, 706–7, no. 904.

<sup>297</sup> *Ibid.*

<sup>298</sup> *Documentos de Gregorio IX*, 707, no. 905.

<sup>299</sup> *L'Inquisition en Quercy: le registre des pénitences de Pierre Cellan 1241–1242*, ed. J. Duvernoy (Castelnaud de la Chapelle, 2001), 180: 'Raimunda uxor de Bosolens dixit se vidisse hereticos multotiens in domo viri sui apud Maioricas, et adoravit eos et comedit cum eis.'

<sup>300</sup> *Ibid.*: 'Item vidit hereticos in domo predicti viri sui apud Montemalbanum, scilicet Gilabert de Castris et socium eius et audivit predicationem eorum.'

<sup>301</sup> *L'Inquisition en Quercy*, 206: 'Duran de Broille filius Durant de Broille vidit duos hereticos apud Maioricas et comedit cum eis ad unam mensam. Dixit tamen quod primo nescivit quod essent heretici. Scivit tamen postea. Ibit ad Podium, Sanctum Egidium et Sanctum Jacobum.'

We should also remember that Nuno Sanç had brought a very large contingent to Majorca,<sup>302</sup> and leading lords of his lands who had played a very significant rôle in the conquest itself also had ties with the heretics. Undoubtedly the most renowned of these men was the long-lived Jaspert de Barberà. James I thought highly of him. An experienced soldier, who had helped in the defence of Toulouse during its third siege in 1219,<sup>303</sup> in Majorca Jaspert had participated in the battle of Porto Pí and, indeed, according to the king's own account he had wished to engage in the battle alongside Jaspert, until Nuno had held him back asking the young James, "Have they already made you a lion of combat?"<sup>304</sup> Jaspert would likewise play a crucial part in siege operations at Palma.<sup>305</sup> Not only a lion of combat, but a combative man, Jaspert had, according to a letter which Ponç de Vilamur wrote Ramon de Penyafort sometime before June 1238, guided and protected fleeing heretics and thus needed absolution as one of the favourers of heretics.<sup>306</sup> In 1240, he had apparently rallied to the cause of Trencavel during the rebellion.<sup>307</sup> Yet his involvement surely went much deeper. When Roger Bernard III of Foix made his confession before the inquisitors on 12 March 1241, he said that he had been at various times and in diverse places with Jaspert de Barberà, along with others who had afterwards been condemned for heresy.<sup>308</sup> In 1246, Jaspert was absolved from heresy by Bishop Bernat of Elne and this absolution was confirmed by Innocent IV on 13 January 1247, at the request of James I himself. Jaspert was to be free of all infamy, and the punishments of exile, pilgrimage or imprisonment.<sup>309</sup>

However, Jaspert's rebellious career was then still far from over. After the death of Pierre de Fenouillet in 1242, he had been an adviser to the young count, Hugh de Saissac, and appears to have long maintained his contacts with the heretics of the Fenouillèdes.<sup>310</sup> At some stage he also despoiled of many of its goods the monastery of Sant Miquel de

<sup>302</sup> *Llibre dels Fets*, ii, ch. 51; Soto i Company, 'La porció de Nunó Sanç', 347–65.

<sup>303</sup> *Chanson*, iii, 298–320; Roquebert, *L'Épopée Cathare*, i, 1150.

<sup>304</sup> *Llibre dels Fets*, ii, ch. 65.

<sup>305</sup> *Llibre dels Fets*, ii, ch. 69.

<sup>306</sup> San Raimundo. *Diplomatario*, 41–52, no. 40.

<sup>307</sup> Roquebert, *L'Épopée Cathare*, ii, 295.

<sup>308</sup> BNP, Doat, clxx, f. 126; HGL, viii, 1036; Baraut, 'Presència i repressió del catarisme', 507–8.

<sup>309</sup> *La documentación pontificia de Inocencio IV*, i, 358–9, no. 348; San Raimundo. *Diplomatario*, 86, no. 68.

<sup>310</sup> Roquebert, *L'Épopée Cathare*, ii, 841.

Cuixà.<sup>311</sup> By 1255, Jaspert had become the last best hope of the heretics whom he protected at the castle of Quéribus. However, by the beginning of May 1255, the seneschal Pierre d'Auteuil had received orders from Louis IX that the castle be besieged as a nest of heretics and mal-factors.<sup>312</sup> On 5 May he informed the archbishop of Narbonne of the decision and just two weeks later, Jaspert restored and remitted the castle of Quéribus to the king and his seneschal.<sup>313</sup> The suddenness of the surrender is curious, since the fortress was formidable, but probably Jaspert had already been captured by Oliver de Termes, during a cavalry engagement approximately two months before, and it seems plausible that news of the imprisonment of Jaspert by Oliver had led to the king's order to take Quéribus.<sup>314</sup> That Jaspert was captured by Oliver was poignant. Oliver had been a notable opponent of the Albigenian crusade. He had also participated in the conquest of Majorca. Indeed, after the battle of Porto Pí, King James had dined with him and slept in his tent.<sup>315</sup> He had subsequently found service with Raymond VII in his many conflicts. Oliver had, alongside Jaspert, supported Trencavel in the 1240 revolt. But the lure of further combat enticed him to Louis' crusading venture and ultimate loyalty to the king led him to the abandonment of his old companion-in-arms.<sup>316</sup>

It appears that Jaspert lived to extreme old age and his family would turn up in the kingdom of Valencia.<sup>317</sup> They were not the only ones there with a suspect past. Guillem de Sant Melià who had already paid the price for his beliefs at Lleida, later moved to Valencia where he resided and was a millowner. That he remained concerned about the possibility of further struggles with the king and his men is certain, since he petitioned James to guarantee that he would be protected from civil and criminal proceedings because of what had been discovered up to that day concerning his crime of heretical depravity.<sup>318</sup> Guillem may have escaped punishment but others did not. In 1262 an inquisition,

<sup>311</sup> *HGL*, viii, 1504–5.

<sup>312</sup> *HGL*, vi, 842.

<sup>313</sup> *HGL*, vi, 842; BNP, Doat, cliv, f. 132.

<sup>314</sup> BNP, Doat, cliv, f. 58–59; Roquebert, *L'Épopée Cathare*, ii, 841–51 (though with a different interpretation of the sequence of events).

<sup>315</sup> *Llibre dels Fets*, ii, ch. 67.

<sup>316</sup> G. Langlois, *Olivier de Termes* (Toulouse, 2001), passim; M. Roquebert, *L'Épopée Cathare*, ii, 841–51.

<sup>317</sup> Burns, *Islam under the Crusaders*, 345.

<sup>318</sup> *Diplomatarium*, ii, 356–7, no. 412a. On 31 October 1257 at Lleida, Guillem guaranteed to capture and return his brother Aimeric if he escaped from prison, having

which we know about through the property which the king confiscated and then granted to others, took place in Morella and its district. On 19 November 1262, the king granted to Bernardo de Fraga, provided he take up residence in Morella and not alienate the property during ten years, a vineyard of Bernat Calça and his wife Mabília, half the buildings of Borràs Calça in Morella and the large farmhouse and estate of Guillem Serrà at Forcall (in the Morella district), though excluding the property of Guillem which paid rent to the monastery of Veruela. These possessions had been confiscated by reason of heretical depravity.<sup>319</sup> On the following day James granted to Pedro de Fraga, under the same conditions, another set of properties confiscated for heresy: the farmhouse of Bernat and Mabília near the well of Moralles, their field near Fuente de Vinachos, half of the farmhouse of Borràs Calça in Camp de Vuldiaves, half his field extending from the lower Puig-Forca up to Morella, half the field and the vineyard in the Barranc de Planells, which he and his wife Dolça owned, and another half plot and vineyard of the same pair.<sup>320</sup> On the same day, James granted to García de Borja, under the same conditions, half of the field of Bernat Calça and Mabília in Font del Cup, the farm of Ramón Forner in Vallibona, the farm of Berenguer Forner there, and the farm of Ramona Martí in Forcall.<sup>321</sup> On 21 November 1262, the king granted to Felipe de Ayerbe half a field of Bernat de Calça and Mabília in Font del Cup and the farm of Arnaldo de Segarra in Catí.<sup>322</sup>

Undoubtedly, what we first notice here is the significant number of people who are heretics and the fact that some of them, such as the Calça family, owned a sizable amount of property and had plenty to lose. Morella was, of course, already occupied by Blasco de Alagón in 1232 and in the following year a charter of settlement was granted to 300 Christians (who unfortunately are not named).<sup>323</sup> What is most noticeable about our information on the next generation of settlers is firstly that they were a fairly diverse group (much of the confiscated lands fell to the Fraga, the Borjas and the Ayerbe – all Aragonese

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been imprisoned 'racione pravitatis'. If Aimeric died in prison, Guillem agreed that he was not entitled to take any action against the crown (Ventura, 'El Catarismo en Cataluña', 118, n. 20).

<sup>319</sup> *Diplomatarium*, ii, 357–8, no. 413a.

<sup>320</sup> *Diplomatarium*, ii, 358–9, no. 414a.

<sup>321</sup> *Diplomatarium*, ii, 359–60, no. 415a.

<sup>322</sup> *Diplomatarium*, ii, 360–1, no. 416a.

<sup>323</sup> Guinot, *Els Fundadors*, ii, 125, no. 14.

families) but that over forty percent of them came from Catalonia and the majority of these from the western Catalan lands.<sup>324</sup> What did they believe? Did they carry heresy with them when they moved? Were they also served by the heretics of the mountains of Siurana? It is by no means fanciful to suggest that those heretics could have traveled down the extra hundred miles to take them to Morella, which must have seemed a considerably more attractive proposition than *Provincia* at this stage. More than fifty years later, as is well-known, the area was to provide a pleasant temporary refuge for the last of the heretics in the West, led by the unpleasant Guillaume Bélibaste, who, commenting on the reincarnation of the soul, insisted that a fearful spirit threatened by demons, leaving a dead body in Valencia could, in heavy rain, arrive in a live body in the county of Foix with scarcely three raindrops touching it.<sup>325</sup>

In the remaining lands of the crown, the heretics were surely very few and far between. This was mainly a matter of routes and royal power. Girona, even if it possibly had an initial encounter at an early stage, had little contact thereafter, though Count Hug d'Empúries may well have had heretics in his ranks when he attacked the lands of the bishop in 1224-5.<sup>326</sup> They were not to be seen by Arnau de Godera in Barcelona in 1215.<sup>327</sup> It was the case that Bishop Berenguer de Palou had set up the inquisition against heretical depravity in the diocese perhaps just shortly before his death in 1241, but it is not clear how active it was or how much of its activities would have been directed against Waldensians rather than the heretics.<sup>328</sup> Still at the end of the

<sup>324</sup> Guinot, *Els Fundadors*, i, 137.

<sup>325</sup> *Le Registre d'inquisition de Jacques Fournier, évêque de Pamiers (1318-1325)*, ed. J. Duvernoy, 3 vols (Toulouse, 1965), ii, 35; E. Le Roy Ladurie, *Montaillou* (London, 1984), 291; Lambert, *Cathars*, 253.

<sup>326</sup> J. Pella y Fargas, *Historia del Ampurdán* (Barcelona, 1883), 507; Pere Benito i Monclús ('La submissió del comte Hug IV d'Empúries i de la noblesa emporitana a l'Església de Girona (1226-1229): una repercussió de la croada albigea liderada per Lluís VIII, rei de França, a Catalunya', in *Església, societat i poder a les terres de parla catalana* ed. L. Plans i Campderrós and P. Benito i Monclús (Vic, 2004), 139-54), argues convincingly that the humiliating submission of Hug to Bishop Alemany of Girona on 10 March 1226 (*Cartoral dít de Carlemany, del bisbe de Girona*, ed. J. Marquès, 2 vols [Barcelona, 1993], ii, 608-10, no. 413) was in part the result of Alemany being able to exploit the fact that Hug had had heretical knights, refugees from Languedoc, in his army and the Count, at that moment, feared an attack from the renewed Albigenian crusade under Louis VIII.

<sup>327</sup> Bibliothèque Municipale, Toulouse, ms. 609, fol. 144.

<sup>328</sup> C. Douais, 'Saint Raymond de Peñafort et les hérétiques. Directoire à l'usage des inquisiteurs aragonais (1242)', *Le Moyen Âge*, 12 (1899), 315: 'inquisitionem inceptam per bone memorie B[erengarium] Barchinonensem, contra hereticam pravitatem in

century, heretics would go to Barcelona, at least expecting to find their co-religionaries, as was the case with the weaver Prades Tavernier of the village of Prades in the Pays d'Alion, who went with the widow Stéphanie Châteauverdun and her daughter, Catalane, to the city, in search of perfects. But there they found none and Prades moved on to Italy.<sup>329</sup> In Vic, in 1232-3 the accusations of heresy (and many other accusations) were brought not against immigrants to the town but rather against Bishop Guillem de Tavertet himself, but this was surely part of the attempt of his canons to oust Guillem from his see rather than because he had any connections with the heretics.<sup>330</sup> The much-traveled Arnaud de Godera, having not seen heretics in Barcelona, failed to come across them either at Monzón (hardly surprisingly in 1215, given its strong Templar presence) or in Zaragoza, though it should be noted that the cathedral of Zaragoza received a copy of Gregory IX's *Excommunicamus* of February 1231.<sup>331</sup> The spread of heretics of the type usually now called Cathars into the Alto Aragón would not be especially surprising given its strong connections with Languedoc, but, while it is not certain, it seems more likely that those against whom the cry of alarm was raised by Sancha of Aragón to Innocent III in 1203 were Waldensians.<sup>332</sup>

### *Beyond the Crown of Aragon*

Beyond the lands of the crown it is logical to suppose that, given the intense pilgrim traffic wending its way from France to Santiago de Compostela, heretics would infiltrate the towns and regions en route. At this point, evidence of this is more sparse than one would expect. It is the case that the prelates of León and Castile had protested in 1198/9

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civitate Barchinonie'; L. Vones, 'Krone und Inquisition. Das aragonesische Königtum und die Anfänge der kirchlichen Ketzerverfolgung in den Ländern der Krone Aragón', in *Die Anfänge der Inquisition im Mittelalter*, 205.

<sup>329</sup> *Le Registre d'inquisition de Jacques Fournier*, ii, 417.

<sup>330</sup> A. Mundó, 'La renúncia del bisbe de Vic, Guillem de Tavertet (1233) segons la correspondència de Bages i els registres Vaticans', *VII. CHCA*, iii (1962), 77-95; D. J. Smith, 'A Letter of Innocent III from the archive of Vic shedding light on Cum Oporteat (X. 5. 1. 19)', *Römische Historische Mitteilungen*, 50 (2008), 200.

<sup>331</sup> Bibl. Mun. Toulouse, ms. 609, fol. 144; *Documentos de Gregorio IX*, 178, no. 169.

<sup>332</sup> M. Alvira Cabrer and D. J. Smith, 'Política antiherética en la Corona de Aragón: una carta inédita de Inocencio III a la Reina Sancha (1203)', *Acta historica et archaeologica Mediaevalia*, 27/28 (2006/7), 82-3.

to Pope Innocent III that as a result of the interdict laid upon their lands due to the marriage of Alfonso IX and Berenguela, the risk of heresy there increased.<sup>333</sup> However, it must here be taken into account that the prelates were attempting to touch the pope's 'neuralgic spots' rather than suggesting a real heretical presence.<sup>334</sup> Yet by the pontificate of Honorius III it was certainly the case that the threat of heresy in Castile was considered genuine as indicated by the pope in a letter of October 1219 to Archbishop Rodrigo of Toledo and his suffragans.<sup>335</sup>

Already by the mid-1230s, Tello Téllez de Meneses, the bishop of Palencia, was in no doubt that heresy had infiltrated his diocese and, exercising his jurisdiction, had condemned some people for heretical infamy, and imprisoned them, although this was because others, fearing that they too would be punished for similar crimes, agreed to resist capture at the hands of the *merino* or the men of the bishop, and were ready to defend themselves by force or by whatever means available.<sup>336</sup> The problem was clearly too big for Bishop Tello to handle by himself for he called upon King Fernando III to intervene in order to check the spread of heretical malice. Fernando obliged, calling on his *merino* to seize those citizens and their goods, while instructing him to act in combination with the *majordomo* of the bishop. The two officials executed this mandate, but it was the men of the king who took the lead, branding the heretics on their faces. Moreover, Fernando issued an edict exiling heretics from his kingdom in perpetuity.<sup>337</sup>

Almost inevitably the joint action led to bitter recriminations, with the heretical question taking a back seat, as the servants of the crown and the men of the bishop clashed over the confiscated possessions of the heretics, which were carried off to Fernando, whose men were then excommunicated by the bishop.<sup>338</sup> Legally, the bishop was in the right, according to the judgment of Gregory IX on 21 March 1236, since the city of Palencia pertained to his lordship, but what is of interest to us is that there were significant numbers of propertied people who were heretics or suspected of heresy.<sup>339</sup> Some of them sought to abjure their heresy and to receive the sacraments, although, as they explained in a

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<sup>333</sup> *MDI*, 212, no. 196.

<sup>334</sup> Linehan, *History and the Historians of Medieval Spain* (Oxford, 1993), 256–7.

<sup>335</sup> *MDH*, no. 246; Linehan, *Spanish Church*, 11.

<sup>336</sup> *Documentos de Gregorio IX*, 441–2, no. 539.

<sup>337</sup> *Ibid.*

<sup>338</sup> *Ibid.*

<sup>339</sup> *Ibid.*



letter to the pope, they could not go to Rome for absolution, as they had no means of getting there, having lost all they had.<sup>340</sup> Gregory, on 10 August, advised Bishop Tello to proceed with due caution to their reconciliation, though at the same time he emphasized that he did not intend to repeal Fernando's edict.<sup>341</sup>

We may, of course, wonder about the nature of heresy in Palencia because there is no indication in the sources about what the heretics believed, except that when they sought reconciliation they also sought the sacraments. If we move northeast to Burgos, there we have at least a little information on heretical practice from a letter of Gregory IX to Bishop Mauricio of Burgos dated 25 September 1238, when the pope was at Anagni.<sup>342</sup> It concerned Vidal de Arvial, a citizen of Burgos, who had come to the curia and explained to the pope how, once upon a time, persuaded by the devil, he had communicated with certain heretics at diverse times, as much as in eating with them at the same table, as in talking with them, and with head bowed and kneeling, he had shown them reverence. He had, beyond that, given money to them, though Vidal asserted he had never left the Catholic faith nor concurred with the errors of the heretics. He insisted to the pope that he had never been accused of heresy, let alone convicted of it, nor incurred infamy because of it. But he said he came to the pope out of concern for his own salvation.<sup>343</sup> Whether this was true or not we do not know and Gregory, who did not know either, asked Mauricio to check whether Vidal had in reality been compelled to come or whether he had done so out of fear of an inquisition against him. If, however, what he said was true, then Mauricio was to proceed to do whatever was fitting for the well-being of Vidal's soul.<sup>344</sup>

Of course, we cannot be sure from Gregory IX's letter concerning the matter that Vidal actually had associated himself with the heretics in Burgos or whether he had met them elsewhere. As a major city, a centre for trade and on a pilgrim path, it would not be at all unlikely that the heretics were there, just as it is not particularly unlikely that they were in León. However, there too, the information we receive concerning the heretics is tantalizing. It comes from Lucas of Túy in the

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<sup>340</sup> *Documentos de Gregorio IX*, 470, no. 580.

<sup>341</sup> *Ibid.*

<sup>342</sup> *Documentos de Gregorio IX*, 621–2, no. 79.

<sup>343</sup> *Ibid.*

<sup>344</sup> *Ibid.*

treatise he wrote against heresy, probably begun in 1235–6 and finished perhaps only a little while later.<sup>345</sup> It survives only in a seventeenth-century copy (though nobody doubts its authenticity), was edited by Juan de Mariana and published in 1612.<sup>346</sup> There is unfortunately, at the time of writing, no modern edition, and it remains far less well-known than Lucas's *Chronicon Mundi*. When Lucas composed it he actually broke off from writing another work on the miracles of St Isidore because he felt the need to confront heresy in the city of León so great that other matters had to take second place. Don Lucas refused to see Spain polluted by heresy.<sup>347</sup>

The work is in three books. The first book outlines what Lucas believed to be the errors of the heretics which he then refuted through the use of sentences from the Fathers of the Church. The second book explained the central doctrines of the Christian faith. The third book gave information upon the particular heresy which had entered León, although the concrete information was sparse.

According to Don Lucas, heresy had entered León during the early years of the episcopate of Rodrigo Alvarez (1209–32) and its chief propagator was a man from France who had entered Spain in order to sow the tares of error. His name was Arnaud. Bishop Rodrigo, on discovering the teachings of Arnaud and his followers, had taken violent action against the heretics in order to expel them from the town. Arnaud himself had died around the year 1216 and he had been buried outside of the city in a very dirty place where people were wont to go to answer calls of nature. Another heretic was already buried in that place as was a murderer who had been buried alive by order of the civil judges.<sup>348</sup> It appears that following Arnaud's death there was a period of calm but after Bishop Rodrigo died, and when the see was vacant, the followers of Arnaud made his burial place into a place of devotion, and, as befitted a martyr, capable of producing miraculous happenings. Many credulous people were fooled by this.<sup>349</sup> At this point Lucas had intervened

<sup>345</sup> P. Henriët, 'Sanctissima patria, Points et thèmes communs aux trois oeuvres de Lucas de Tuy', *Cahiers de linguistique hispanique médiévale*, 24 (2001), 253–4.

<sup>346</sup> *Lucae Tudensi episcopi, De altera vita fideique controversiis adversus Albigensium errores. Libri III*, ed. J. Mariana (Ingolstadt, 1612).

<sup>347</sup> F. J. Fernández Conde, 'Un noyau actif d'albigeois en León au commencement du XIIIe siècle? Approche critique d'une oeuvre de Luc de Tuy écrite entre 1230 et 1240', *Heresis*, 17 (1991), 39–40; idem, 'Albigenses en Castilla y León a comienzos del siglo XIII' in *León Medieval. Doce estudios* (León, 1978), 97–114.

<sup>348</sup> *Lucae Tudensi episcopi, De altera vita*, iii, chs. 7, 9, 17.

<sup>349</sup> *Lucae Tudensi episcopi, De altera vita*, iii, ch. 9.

in the affair, obtaining permission from the civil authorities to act, destroying the worship place which had been constructed over Arnaud's tomb, and having his remains exhumed and burnt. Lucas then organized a great persecution of the heretics and the result was their flight from the town. But during the brief episcopate of Bishop Arnaldo (1234–5) heretics of similar type had reappeared in León, and the bishop had commissioned Lucas to act against them.<sup>350</sup>

As Lucas attempted to refute the heresy in his writing, he indicated to us what he considered the main beliefs and practices of the heresy confronting him to be.<sup>351</sup> They were of the sect of the Manichees and professed that there are two gods. The evil principle was responsible for the creation of all visible things, and the good principle had nothing to do with the material world. Christ never had a human body and his passion and death were symbolic rather than real.<sup>352</sup> It followed that miracles of Christ were not physically real.<sup>353</sup> They denied the virginity of Mary. They also denied the value of the sacraments, the Church's liturgical celebrations, fasting and other acts of piety.<sup>354</sup> They were extremely anticlerical and mimicked and mocked the manner in which the clergy performed the sacraments. Though they gave some value both to the Old and the New Testament, they were wont to add in falsified passages to the writings of the Fathers in order to discredit them and strengthen their own beliefs. They sometimes went around disguised as Jews and clergy in order to spread their beliefs without difficulties. They had their own books and spread their errors through pamphlets, which were widely distributed.<sup>355</sup>

The problem with the analysis of Lucas here is that there is nothing very specific concerning anything an individual heretic whom Lucas had questioned might have believed.<sup>356</sup> Rather Lucas appears to be arguing against beliefs and practices which he considered to be common among those considered heretics at that time. Lucas was widely traveled, and he certainly knew what was going on in northern Italy and Languedoc, which leaves the suspicion that he may well have superimposed on a group in León beliefs which he knew from

<sup>350</sup> *Lucae Tudensi episcopi, De altera vita*, iii, chs. 9, 18.

<sup>351</sup> Fernández Conde, 'Un noyau actif d'albigeois', 42–3.

<sup>352</sup> *Lucae Tudensi episcopi, De altera vita*, ii, ch. 11.

<sup>353</sup> *Lucae Tudensi episcopi, De altera vita*, iii, ch. 8.

<sup>354</sup> *Lucae Tudensi episcopi, De altera vita*, iii, ch. 5.

<sup>355</sup> *Lucae Tudensi episcopi, De altera vita*, iii, chs. 1–3, 11, 13, 18.

<sup>356</sup> Fernández Conde, 'Un noyau actif d'albigeois', 47–8.

elsewhere; beliefs which he sincerely believed had then infiltrated his beloved city.<sup>357</sup> What is more, Lucas may be deceptive in another sense. He spent a long time explaining his own most cherished beliefs, particularly concerning the immense role that the saints played in the running of the world, and what he considered to be vital parts of the Catholic religion – the washing of feet, pilgrimages, and the blessing of water, ashes, branches of trees and candles.<sup>358</sup> But what was vital to Lucas may not have been vital to others and it may well be that it was far more important for Lucas to defend these practices than it was for the heretics to attack them.

On the few occasions when Lucas speaks specifically about the heretics in León then one receives a far less clear picture of the heretics' beliefs and practices. There was the story the heretics had made up concerning the fate which had befallen an unfortunate woman who had lit a candle before an altar of the Virgin Mary (the priest had immediately taken it away for his private use and the next night the Virgin hurled hot wax into the woman's eyes) – an attempt to drive the faithful away from their devotions.<sup>359</sup> There was the religious fervour of the simple people for the burial place of the heretic Arnau and the whole flurry of supernatural circumstances which were believed to have accompanied his death.<sup>360</sup> There was the sudden death of another heretic who had been to the fore among a group of heretics who had delivered heretical pamphlets and deceived laity and clergy alike.<sup>361</sup> And then there was the confusion created by the supposed heretics when the laity and some of the clergy became convinced that a new fast instituted at the Annunciation would alone be sufficient for salvation.<sup>362</sup>

<sup>357</sup> Ibid.

<sup>358</sup> Henriët, 'Sanctissima patria', 270–6; Fernández Conde, 'Un noyau actif d'albigeois', 49.

<sup>359</sup> *Lucae Tudensi episcopi, De altera vita*, iii, ch. 7: 'Item haeretici vaesanie suae fabulam proponunt dicentes: Quaedam mulier candelam accensam ad quoddam altare beatae Mariae detulit, et ea corum altari dimissa recessit. Venit autem presbyter quidam qui Ecclesiae serviebat, et candelam ipsam tulit, et suis usibus reservavit. Sequenti vero nocte Dei Genetrix dictae mulieri apparuit, et candentam ceram in oculis illius proiecit dicens: Accipe mercedem obsequi tui. Nam presbyter statim ut egressa es ab altari meo, quam posuisti candelam abstulit sibi: et unde debueras praemium obtinere, si coram altari meo ardens consumeretur candela, inde nunc sustines poenam, quia ad momentum mihi lumen praeuisti, quod propter tuam incuriam statim amovit presbyter.'

<sup>360</sup> *Lucae Tudensi episcopi, De altera vita*, iii, chs. 9, 17.

<sup>361</sup> *Lucae Tudensi episcopi, De altera vita*, iii, ch. 18.

<sup>362</sup> *Lucae Tudensi episcopi, De altera vita*, iii, ch. 20.

In fact, none of this is really much to go on. It is very likely that there was a man from France who came and settled in the city of León in the early thirteenth century. It was hardly unusual. He may well have held some radical beliefs which attracted some laity and clergy to him. He was well-known enough for his body to be deliberately buried in an unpleasant place when he died, the sort of place which people were bound to visit. Most probably some sort of cult developed around him, which became well-known enough for it to reach the ears of Don Lucas. Arnaud and his followers may well have adopted similar beliefs and practices to heretics we have met elsewhere but we cannot really insist with any great confidence that they did so. Lucas had his own fears and his own agenda. He does not really appear to have known much in detail about the heretical group or to have spent much time questioning them. In recent years the value of Lucas's work and influence as a historian has been revised and the bishop of Túc has been regarded more favourably than used to be the case.<sup>363</sup> And, indeed, some might argue that by not examining too closely the specific group of people about whom he was writing, by imposing upon them a well-constructed set of beliefs and practices to which they might not have adhered, and by presuming that they must necessarily have been related to groups he had seen or heard about elsewhere, Don Lucas may well deserve the accolade of being the first truly modern historian of medieval heresy.

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<sup>363</sup> Linehan, *History and the Historians*, 257; idem, 'Fechas y sospechas sobre Lucas de Tuc', *Anuario de Estudios Medievales*, 32 (2002), 19–38.

## CHAPTER FOUR

### WALDENSIANS AND THE CATHOLIC POOR

#### *Valdes and Durán*

It is undoubtedly the case that while some recent historiography has enthusiastically sought to establish the connection of the Cathars with Catalonia, there has been a neglect concerning the subject of the Waldensians in the lands of the Crown of Aragon, a neglect which contrasts with the many excellent recent studies upon the Waldensians in general.<sup>1</sup> Yet (as Jordi Ventura recognized) prior to the advent of the Franciscans and Dominicans, the first Waldensians and the reconciled Catholic Poor played a significant part in the religious history of Aragon and Catalonia. Certainly in Aragon, as internationally, they posed a greater threat to the Church than is often supposed, and, it can be argued, a far greater threat than the Cathars, since they were in the main much closer to Catholic orthodoxy and more easily able to undermine it.<sup>2</sup> Their numbers were greater than is sometimes suggested, reflecting the influence of their founder, Valdes, and they possessed a degree of organization which appears to have outstripped that of other heretics. Moreover, within the lands of the Crown, they produced one of the more remarkable religious figures of the period of the Albigensian crusade in the person of Durán of Huesca.<sup>3</sup> Durán gives us not only a helpful picture of the early concerns of the Waldensian movement, but also of the beliefs of other heretics, and the charges

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<sup>1</sup> G. Merlo, *Valdesi e valdismi medievali* (Turin, 1984); P. Biller, *The Waldensians, 1170–1530, between a religious order and a church* (Aldershot, 2001); idem, 'Goodbye to Waldensianism?', *Past & Present*, 192 (2006), 3–33; G. Audisio, *Les "Vaudois", naissance, vie et mort d'une dissidence (XII<sup>e</sup> – XVI<sup>e</sup> siècles)* (Turin, 1989); E. Cameron, *Waldenses, rejection of holy church in medieval Europe* (Oxford, 2000).

<sup>2</sup> See Ventura, *Els heretges catalans*; idem, 'La Valdesía', 275–317; idem, 'Catarisme i Valdesía', 123–34. Nobody has taken up the theme after Ventura.

<sup>3</sup> Generally, on Durán see C. Thouzellier, *Catharisme et Valdésisme en Languedoc*, 215–466; K.-V. Selge, *Die Ersten Waldenser*, 2 vols (Berlin, 1967); A. Dondaine, 'Durand de Huesca et la polémique anti-Cathare', *Archivum Fratrum Praedicatorum*, 24 (1959), 228–76; E. Sarasa Sánchez, 'Durán de Huesca, un heterodoxo aragonés en la Edad Media' in *Miscelanea de estudios en honor de D. Antonio Durán Gudiol* (Sabiñánigo, 1981), 225–38.

brought against them by Catholics and Waldensians alike. Moreover, the fluctuating fortunes of Durán's Catholic Poor remind us of the sometimes very thin line between heresy and orthodoxy in the early thirteenth century.

A somewhat bold attempt by Yves Dossat to place Durán's birthplace in the Rouergue has not won approval from the specialists on the theme.<sup>4</sup> Dossat's first argument was that the name Durán was virtually unknown in Huesca and its region in the twelfth century, an argument which he himself then proceeded successfully to undermine by mentioning some well-known Duranduses, though a closer reading of the documents of the conquest of the valley of the Ebro would certainly have furnished him with many more.<sup>5</sup> A second argument was that heretics were unknown throughout Aragon, and that Waldensianism, like other heresy, was confined to Catalonia, the successes of the reforming bishops of Huesca leaving no space in their documents for any mention of heresy.<sup>6</sup> One could argue in response that the legislation enacted by Alfonso II in 1194 and Peter II in 1198 was first aimed at Waldensianism, and not in a specific place but throughout their realms.<sup>7</sup> Equally, one could mention the letter sent by Sancha of Castile, then a nun at Sixena, to Innocent III in 1202/3, asking him how to deal with the problem of heresy.<sup>8</sup> Yet what renders Dossat's thesis especially unlikely is a letter which he altogether ignored – the telling letter, *Cum dilectus filius*, sent in May 1212 by Innocent III to Bishop García Gudal of Huesca ('Oscensi episcopo'), as well as to the bishops of Barcelona and Marseille, concerning 'Durandus de Osca' and his followers, in which Innocent informed the bishops of their reconciliation to the church and asked for them to be protected in their dioceses.<sup>9</sup> Since the

<sup>4</sup> Y. Dossat, 'À propos du prieur', 673–85; Thouzellier, *Catharisme et Valdésisme*, 216; Eadem, 'La Bible des cathares languedociens et son usage dans la controverse au début du XIIIe siècle', *Cahiers de Fanjeaux*, 3 (1968), 57; Smith, *Innocent III and the Crown of Aragon*, 252–3.

<sup>5</sup> Ibid; J. M. Lacarra, 'Documentos para el estudio de la reconquista y repoblación del Valle del Ebro', *Estudios de la Edad Media de la Corona de Aragón*, 2 (1946), nos. 55, 62, 87, 92; 3 (1947–8), nos. 103, 125, 129, 150, 155, 156, 165, 168, 195, 198, 286; 5 (1952), nos. 372, 382, 392.

<sup>6</sup> Dossat, 'À propos du prieur', 679–80.

<sup>7</sup> J. Marqués, 'Alfonso II el Casto y la seo de Gerona', *VII.CHCA*, ii. (1962), 218–9, no. 5; Baraut, 'Els inicis de la inquisició', 420–2, no. 2.

<sup>8</sup> Alvira Cabrer/Smith, 'Política antiherética en la corona de Aragón', 86–7, no. 2.

<sup>9</sup> *PL*, ccxvi, 607; *MDI*, 508–9, no. 480: 'Cum dilectus filius Durandus de Osca acolitus et socii sui a secta Waldensium per nos reconciliati sint ecclesiastice unitati, fraternitati tue per apostolica scripta mandamus, quatinus ipsos infra catholicum gregem

letter *Cum dilectus filius* concerning Durán was specifically sent by the papal chancery to the bishop of Huesca, it simply cannot be maintained that the problem of heresy was unknown in the region.<sup>10</sup>

It has been suggested by Sarasa that Durán came from a French immigrant family, as a good number of the Huescans of the twelfth century did; he may have been of the Zapateria district where many shoemakers from Languedoc settled, but this suggestion seems difficult to prove.<sup>11</sup> What can be asserted with a greater degree of confidence is that he would have been educated at the cathedral school of Huesca, given that he possessed a very impressive knowledge of scripture and the Fathers of the Church, as well as a sound foundation in Latin grammar, based on Donatus, and an easy familiarity with Virgil, Horace, Terence and Plautus. He also had some knowledge of Greek.<sup>12</sup> It is difficult to imagine where he would have acquired this degree of learning outside the cathedral. We know he was a clerk and received the order of acolyte and he may well be the Durandus who acted as *scriptor* for the donation made by Fortuño de Asín to Bishop Esteban of Huesca in 1182 when Fortuño was admitted as a cathedral canon.<sup>13</sup> Both the cathedral and the town at large may have seemed somewhat conservative in nature. Huesca and its region had a strong association with the kings of Aragon and with traditional monasticism.<sup>14</sup> But neither San Juan de la Peña, to the north, nor, San Pedro El Viejo, in the city and once home to King Ramiro II, had the influence or purpose they had once possessed. The town of Huesca itself was increasingly dwarfed by the Augustinian foundation of Montearagón, which under Berenguer, half-brother of Alfonso II, became the most powerful religious house in Aragon.<sup>15</sup> Yet Montearagón was impressive in terms of

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admittens et benigne pertractans, ob notam, quam de pristina conversatione contraxerant, non permittas eos a quoquam temere molestari; sed ab omni eos infamia et scandalo servans immunes, tam ex litteris testimonialibus quam aliis adminiculis ipsos misericorditer adiuves propter Deum.<sup>7</sup>

<sup>10</sup> Smith, *Innocent III and the Crown of Aragon*, 252–3.

<sup>11</sup> Sarasa Sánchez, 'Durán de Huesca', 227.

<sup>12</sup> Dondaine, 'Durand de Huesca et la polémique anti-Cathare', 248; M.-H. Vicaire, 'Rencontre à Pamiers des courants Vaudois et Dominicain (1207)', *Cahiers de Fanjeaux*, 3 (1968), 175; Thouzellier, *Catharisme et Valdésisme*, 215; Sarasa Sánchez, 'Durán de Huesca', 227.

<sup>13</sup> *CDCH*, i., 372–3, no. 373.

<sup>14</sup> On the Huesca of the twelfth century, see R. del Arco, 'Huesca en el siglo XII', *II. CHCA*, i. (1920), 307–461.

<sup>15</sup> J. Bauer, 'La Corona de Aragón y las elecciones de Abad en Montearagón durante los siglos XI al XIV', *VII. CHCA*, iii. (1962), 12–13.



its possessions rather than its spirituality and there, as elsewhere, the see of Huesca found itself involved in intractable disputes over land and rights.

There was another side to the see, represented by the reforming efforts of Bishop Ricardo and particularly the cathedral canon Galindo de Perola.<sup>16</sup> Indeed, looking at Galindo, we perhaps see the career path that the young Durán might have taken. Already a canon in 1178, by the following year Galindo held the position of *elemosinarius*, which he would keep during the next thirty-four years.<sup>17</sup> Galindo took his task seriously and on 1 May 1184 secured from Lucius III papal protection for the almshouse of the cathedral, a privilege which may well have aided him in obtaining donations for his enterprise.<sup>18</sup> Across the years, mainly in alliance with the supportive Ricardo, Galindo secured the economic well-being of the almshouse. In July 1191, Sancha daughter of Fortuño de Pallaruelo, gave to the hospital of the almshouse a field in Huesca.<sup>19</sup> In January 1194, Bishop Ricardo rented property in Almuniente to Pedro Napal in return for an annual tribute of a quarter of a pound of pepper to the almshouse.<sup>20</sup> In February of that year Ricardo gave to Domingo Cibaria some properties in Quinzano and a vineyard in Bolea, with the obligation of paying an annual tribute to the almshouse.<sup>21</sup> In May 1195, the canons Martín and Juan de Seres, the sons of García Sanz, gave a house with a garden in the city to the hospital of the almshouse.<sup>22</sup> In September 1198, Juan, son of Pedro de Iamila de Liesa, gave to the almshouse various properties in exchange

<sup>16</sup> A. Durán Gudiol, 'El bisbe Ricard d'Osca', *Monastica*, 1 (1965), 135–51; Sarasa Sánchez, 'Durán de Huesca', 228.

<sup>17</sup> *CDCH*, i., 333–4, no. 338; 342–3, no. 345.

<sup>18</sup> *CDCH*, i., 388, no. 390; *Papsturkunden in Spanien*, ii., 504, no. 157: 'Dilectis filiis Gal. magistro et fratribus helemosinarie domus Oscensis ecclesie salutem et apostolicam benedictionem. Cum aliqua piis locis amore Dei fuerint assignata, ne alicuius malignitate turbentur, apostolica convenit protectione muniri et ut eorum, pro quibus concessa sunt, usibus illibata servantur, sedis apostolice munimine roborari. Eapropter, dilecti in Domino filii, vestris iustis postulationibus annuentes, domum elemosinariam, in qua estis pauperum Christi servitio deputati, sub beati Petri et nostra protectione suscipimus et ea, que bone memorie Gars(ias), Petrus et Stephanus quondam Oscenses episcopi de suorum clericorum assensu vestre dederunt domui et scriptis suis firmarunt, sicut ea iuste et sine controversia possidetis, vobis et per vos vestre domui auctoritate apostolica confirmamus et presentis scripti patrocinio communimus.'

<sup>19</sup> *CDCH*, ii., 446–7, no. 458.

<sup>20</sup> *CDCH*, ii., 460, no. 477.

<sup>21</sup> *CDCH*, ii., 460–2, no. 478.

<sup>22</sup> *CDCH*, ii., 478, no. 497.

for receiving food and clothing from the church.<sup>23</sup> In May 1211, Galindo had built things up to a position where he was renting shops in Huesca to Abdella de Hafara, Abraim de Pez and Juzeph Alfanaqui in return for fourteen or fifteen *sueldos* annually.<sup>24</sup> Galindo's personal status had risen with that of his almshouse. By 1189, he was archdeacon and certainly between March 1190 and March 1191, prior of the cathedral.<sup>25</sup> In 1194, Galindo was chosen as judge in a dispute between Bishop Ricardo and the Hospitallers over the possessions of that order within the diocese.<sup>26</sup> Galindo continued as archdeacon certainly until 1212, a distinguished and trusted figure in the Huescan church.<sup>27</sup>

In taking a different path, it is very probable that Durán was looking to combine deeds with words, his need for letters coupled with his reforming spirit leading him along a less conventional road. Perhaps we can best understand Durán's motivation by looking at the man he chose to follow and his first companions. Just as Durán is likely to have been reacting to problems within Huesca, Valdes himself was probably responding to the efforts at reform within the church of Lyon, which were undertaken during the episcopate of the Cistercian Guichard, often in opposition to a number of the cathedral canons and to a society which had proved extremely conservative when faced with church reform.<sup>28</sup> Valdes was not as well educated as Durán, but had built up considerable wealth (probably by usurious practices, though by no means necessarily as a merchant) when probably in 1170 or 1173, he decided to change his life and give away his personal possessions to the poor.<sup>29</sup> This conversion may have come in response to something in particular, variously reported as hearing a jongleur tell of the life of

<sup>23</sup> *CDCH*, ii., 519–20, no. 544.

<sup>24</sup> *CDCH*, ii., 709–10, no. 738.

<sup>25</sup> *CDCH*, ii., 431–2, no. 443; 436–8, no. 448; 444–5, no. 456.

<sup>26</sup> *CDCH*, ii., 466–8, no. 485.

<sup>27</sup> *CDCH*, ii., 720–1, no. 750.

<sup>28</sup> On which, see M. Rubellin, 'Au temps où Valdès n'était pas hérétique, hypothèses sur le rôle de Valdès à Lyon (1170–1183)', in *Inventer l'hérésie*, ed. M. Zerner (Nice, 1998), 193–218; idem, 'Guichard de Pontigny et Valdès à Lyon, deux idéaux réformateurs', *Revue de l'histoire des religions*, 217 (2000), 39–58; O. Legendre and M. Rubellin, 'Valdès, Un «Exemple» a Clairvaux? Le plus ancien texte sur les débuts du Pauvre de Lyon', *Revue Mabillon*, n.s., t. 11 (= t. 72) (2000), 187–95. Also see J. Gonnet, 'La figure et l'œuvre de Vaudès dans la tradition historique et selon les dernières recherches', *Cahiers de Fanjeaux*, 3 (1968), 87–109.

<sup>29</sup> *Chronique de l'Anonyme de Laon* in *MGHSS*, xxvi, 447–9; *Anecdotes historiques, légendes et apologues tirés du recueil inédit d'Étienne de Bourbon, dominicain du XIIIe siècle*, ed. A. Lecoy de la Marche (Paris, 1877), 290–3.

Saint Alexis, a gospel reading, or a vision of eternal torments, or it may have been a slower process, a gradual realization that his way of life would not guarantee his salvation.<sup>30</sup> In such circumstances he consulted the clergy of the *schola* of the cathedral church of Lyon, either on what mode of life he should follow or in order to have the scriptures translated.<sup>31</sup> Valdes then decided to live a life of evangelical poverty, giving away his possessions to friends and family and providing for his family (though at first not to the satisfaction of his embarrassed wife).<sup>32</sup> He decided to preach poverty and begged his food from his friends.<sup>33</sup> During the 1170s, with Guichard as the archbishop, Valdes remained out of trouble and attracted supporters within Lyon. It is possible that he acted as a well-respected lay auxiliary for Guichard's reforming efforts.<sup>34</sup>

Indeed it may well have been the archbishop who encouraged the followers of Valdes to take the path to Rome at the time of the Third Lateran Council. There, they presented to Alexander III translations of books of scriptures with glosses and asked him for license to preach.<sup>35</sup> Interrogated by Walter Map concerning their beliefs, they slipped up by accidentally declaring belief in the Virgin Mary as if she were a person of the Trinity, but, while this may have caused some amusement, nevertheless the pope approved of their vow of voluntary poverty and also gave them permission to preach provided they had the authorization of the local ordinary.<sup>36</sup> In 1180 at Lyon they attended a synod,

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<sup>30</sup> *Chronique de l'Anonyme de Laon*, 447–9; *Anecdotes historiques*, 290–3; Bibliothèque municipale de Troyes, MS 946, *Liber Visionum et Miraculorum*, f. 175, 'Apud metropolim primam Lugdunum, fuit vir quidam ditissimus atque famosissimus, qui omnia que habebat, nichil sibi reservans, pauperibus erogavit. Hic adeo pauper effectus est, ut etiam ostiatim mendicitate publica, sicut et ceteri pauperes, in civitate qua gloria et honore divitiarum fulserat, victum abhorrentibus suis concivibus mendicaret. Conventus itaque ab eis, sciscitantibus causam tam inopinate et repentine, stupende ammirandeque mutationis, tale fertur dedisse responsum, 'Si, inquit, vobis datum esset videre et credere, que vidi et credo tormenta futura, forsitan et vos similiter faceritis. Verum modo abscondita sunt ab oculis vestris, sed velitis nolitis, per experientiam noveritis, que nunc credere et formidare recusatis.' Cited Legendre/Rubellin, 'Valdès, Un «Exemple» a Clairvaux?', 188.

<sup>31</sup> *Chronique de l'Anonyme de Laon*, 447–9; *Anecdotes historiques*, 290–3; Rubellin, 'Au temps où Valdès n'était pas hérétique', 203.

<sup>32</sup> *Chronique de l'Anonyme de Laon*, 447–9; Rubellin, 'Au temps où Valdès n'était pas hérétique', 203.

<sup>33</sup> *Ibid.*

<sup>34</sup> Rubellin, 'Guichard de Pontigny et Valdès à Lyon', 39–58.

<sup>35</sup> Walter Map, *De nugis curialium*, ed. M. R. James (Oxford, 1914), 60–2.

<sup>36</sup> *Ibid.*; *Chronique de l'Anonyme de Laon*, 449.

presided over by Archbishop Guichard and two more reforming Cistercians, Cardinal Henry of Marcy, and Geoffrey of Auxerre.<sup>37</sup> There they may have abjured some errors which perhaps arose from their attempts at preaching but more importantly they made an orthodox profession of faith. It is possible, if Duvernoy is correct, that Durán himself composed it, though we have no absolute proof that he was involved with the movement at this early stage.<sup>38</sup> Again at the synod there was no condemnation either of Valdes or his supporters. It appears that they continued to flourish until Archbishop Guichard's death, after which, in 1182/3, with the appointment of a new and less sympathetic archbishop in the person of Jean Bellesmains, they were expelled from Lyon in circumstances which remain slightly obscure. Following this, in 1184, at Verona, they were condemned by Pope Lucius III in *Ad abolendam*.<sup>39</sup>

The spread of Waldensianism (or Waldensianisms) in the years after *Ad abolendam* is not always easy to follow. It appears to be the case that in the years after the Verona decree, Archbishop Bernard-Gaucelin of Narbonne sought to inquire further into the orthodoxy of the Poor of Lyon in his diocese and that they argued their case before secular and religious clergy, who condemned them anew.<sup>40</sup> In a second series of disputes, probably in 1189–90, they were condemned as heretics.<sup>41</sup> It remained the case, as is evidenced against them in Bernard de Fontcaude's *Contra Valdenses et contra Arianos*, that lay preaching lay at the centre of the charges brought against them.<sup>42</sup> It is likely that Durán was with Valdes in these years, that he spent considerable time in the dioceses of Toulouse, Carcassonne and Albi, that he considered his faith orthodox, and that he occupied most of his time in confuting the errors of heretics, most particularly, though not exclusively, those heretics whom he would later on describe as 'the modern Cathars'.<sup>43</sup>

<sup>37</sup> Geoffrey d'Auxerre, *Super Apocalypsim*, ed. F. Gastadelli (Rome, 1970), 179.

<sup>38</sup> A. Dondaine, 'Aux Origines du Valdésisme, Une profession de foi de Valdès', *Archivum Fratrum Praedicatorum*, 16 (1946), 231–2; J. Duvernoy, 'Le mouvement vaudois, origines', *Heresis*, 13–14 (1990), 181–3.

<sup>39</sup> *Mansi*, xxii, 476–8; *Anecdotes historiques*, 290–3; Geoffrey d'Auxerre, *Super Apocalypsim*, 179; Rubellin, 'Au temps où Valdès n'était pas hérétique', 204.

<sup>40</sup> Bernard de Fontcaude, *Adversus Waldenses* in *PL*, cciv, 794.

<sup>41</sup> Bernard de Fontcaude, *Adversus Waldenses*, 794–5.

<sup>42</sup> Bernard de Fontcaude, *Adversus Waldenses*, 793–840; Thouzellier, *Catharisme et Valdésisme*, 48–59.

<sup>43</sup> *Liber contra Manicheos*, 169, 217, 306.

*The Liber Antiheresis*

It is also highly likely that Durán was the author of the work called the *Liber Antiheresis*, which was written by a moderate Waldensian, probably in the late 1180s (the Madrid manuscript) and then subsequently revised (the Paris manuscript) in the early 1190s, probably in response to some criticism from churchmen.<sup>44</sup> The similarities in style, structure and content between the *Liber Antiheresis* and Durán's later *Liber contra Manicheos* strongly suggest they were written by the same hand, even though the later work is clearly the product of more mature thought.<sup>45</sup> Since the *Liber Antiheresis* begins by restating the profession of faith made by Valdes and his first followers at Lyon in 1180, it is reasonable to suppose that the author is very closely tied to Valdes himself and represents views which would be not dissimilar to those of his leader.<sup>46</sup>

The *Liber Antiheresis* seeks to confute the stupidity of the heretics (as its author sees it) by exposing their beliefs as contrary to scripture, at times bombarding the reader with scriptural passages, both from the Old and New Testaments, supported by the Church Fathers, but with an emphasis on the Gospel writers and particularly on Matthew.<sup>47</sup> The opening salvos concentrate attention on refuting the revived Sabellian anti-Trinitarian heresy which made the Son and the Holy Spirit modes of God the Father rather than distinct persons.<sup>48</sup> The semi-Arian heresy which denies the consubstantiality of the Father and the Son and makes a creature of the Holy Spirit was also rejected.<sup>49</sup> But the focus of the work did not remain there but shifted towards heresies more associated with Languedoc. Here the author appears to be responding to particular arguments which he has heard from heretics and which he strongly associates with them.<sup>50</sup> The first part of the work is thus focused on using the scriptures to show, to the author's mind irrefutably,

<sup>44</sup> *Liber Antiheresis*, ii, ix–xxvi; Thouzellier, *Catharisme et Valdésisme*, 60–79.

<sup>45</sup> Thouzellier, *Catharisme et Valdésisme*, 351–2; Eadem, 'Le *Liber Antiheresis* de Durand de Huesca et le *Contra hereticos* d'Ermengaud de Béziers', *RHE*, 55 (1960), 130–41.

<sup>46</sup> Selge, *Die Ersten Waldenser*, 3–6; Thouzellier, 'La profession trinitaire du vaudois Durand de Huesca', *Recherches de Théologie Ancienne et Médiévale*, 27 (1960), 267–89.

<sup>47</sup> See the tables of Selge, *Die Ersten Waldenser*, ii, 271–2.

<sup>48</sup> *Liber Antiheresis*, 11–16.

<sup>49</sup> *Liber Antiheresis*, 16.

<sup>50</sup> Thouzellier, *Catharisme et Valdésisme*, 61–2.

that the earthly existence of Christ was not apparent but real.<sup>51</sup> Thus he concentrates on showing that the Incarnation and humanity of Christ are overwhelmingly proved by scriptural passages, as is the fact that Christ ate and drank (a matter which the heretics seem to have concentrated much time in denying), and that the Passion, the Resurrection, and the Ascension were all things which physically happened and were historical facts.<sup>52</sup> Thus the first major preoccupation of the *Liber Antiheresis* was with a heresy which denied the physical terrestrial existence of Christ.

The author then emphatically insisted upon his own Catholic orthodoxy while declaring that the conventicles of the heretics who denied the humanity of Christ, as those who denied the Trinity, were outside of the one holy Catholic Church outside of which there was no salvation.<sup>53</sup> Though there were many churches in many different places they were not many but rather one since all were bound together by one faith, one baptism, one love, one Lord, and adored one God, Three in one.<sup>54</sup> The churches were the many members of one body and they were sustained by the very sacraments which the heretics denied - the baptism of infants and of adults, the Eucharistic sacrifice (which the heretics mocked, asking surely even if the body of Christ were as great as a mountain, it would all have been eaten by now), confirmation, penance, Holy Orders, extreme unction, and marriage (which the heretics considered a criminal offence).<sup>55</sup> Step by step, the value of all of these sacraments was explained on the basis of their foundation in scripture. They were sacraments which were rightly to be performed by the Catholic clergy but, against the accusation from the heretics that the Waldensians lacked their own hierarchy and their own bishops, and while insisting on the uselessness of the heretics' own hierarchy (since without faith it is impossible for them to please God), the author reveals

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<sup>51</sup> *Liber Antiheresis*, 21: 'Quia plerique de incarnatione summi patris filii male sentientes, qui kacodemonum aflatibus imbuti dicunt ihesum christum non veram carnem habuisse mortalem, et teotochon angelum, nec patrem vel matrem habuisse carnalem, christum datorem sapientie implorantes, tam inmanissimum errorem adoriamur'.

<sup>52</sup> *Liber Antiheresis*, 21–38.

<sup>53</sup> *Liber Antiheresis*, 39.

<sup>54</sup> *Liber Antiheresis*, 40.

<sup>55</sup> *Liber Antiheresis*, 43–69. On the Eucharist (p. 52): 'Set forte dicent heretici, Si ipsa est ostia corpus christi, quomodo fore potest, ut sint tot corpora christi? Quia in multis locis missa celebratur, et plurime ostie sunt ita consecrate. Si esset quasi mons magnus, totum comederetur.'

one of the reasons why the Waldensians found themselves in some difficulties with the Church.<sup>56</sup> The bishop of the Waldensians, he declared, is Jesus Christ.<sup>57</sup> They respect the Catholic hierarchy and obey their orders, even when they are issued by unworthy prelates. But if anything the hierarchy ordered conflicted with the words of their own high pontiff, who was the son of God, then they would have to dissent since 'it is fitting to obey God rather than man'.<sup>58</sup>

As the Waldensian defended himself from the attacks of the heretics that his own religion was new (to which he contested that it was indeed new in the sense that the New Testament was new) and that it was allied with pontiffs and priests who were no more than Pharisees, there appears a certain lukewarmness in defending the clergy of the Church.<sup>59</sup> Indeed, the author appears to concur with some of the criticisms made by the heretics concerning the popes when he fails to refute the charge that they have been simoniacs, murderers, adulterers, fornicators and always had persecuted the friends of God.<sup>60</sup> Here he seems more intent on suggesting that the heretics were no better than the Catholic clergy and that the Waldensians, while accepting the authority of the Church, had suffered at its hands for speaking out against the moral shortcomings of the clergy.<sup>61</sup> Here undoubtedly the author felt the discomfort in

<sup>56</sup> *Liber Antiheresis*, 59–60.

<sup>57</sup> *Liber Antiheresis*, 60: 'Si vero scire preobtatis, quis noster sit episcopus, sciatis dominum ihesum esse nostrum episcopum, ecclesiasticos quoque in hoc, quod diutissime fidem et ecclesiastica tenuerint sacramenta.'

<sup>58</sup> *Ibid*: 'si quid vero criminis in eis dominatur, in hoc non quasi episcopos veneramur. Si quid enim nobis iusserint, quod a dei filio, nostro summo pontifice, dissonet, ex divinarum preceptis scripturarum collegimus, quod eis fiducialiter dicere debemus, "Obedire oportet deo magis quam hominibus".'

<sup>59</sup> *Liber Antiheresis*, 94.

<sup>60</sup> *Liber Antiheresis*, 98–9, 'Set dicite, Quid vobis videtur de clero? Dicit enim clerus sub romana degens ecclesia se dei ecclesiam tenuisse et ab apostolis ipsis accepisse; et unum post alterum, a beato petro incipientes usque in odiernum diem, nominatim dicunt omnes pontifices, qualiter unus alteri successerit. Creditis hac de causa, ut sit veritas hec illorum assertio? Scio certe, quod non creditis, set dicitis, Non est credendum, ut illi unquam dei ecclesiam tenuissent, quia sunt simoniaci, homicide, adulteri, fornicatores, et dei semper amicos persecuntur, quod est inauditum fecisse apostolos. Nos vero dicimus, Si ideo credendum non est, ut ipsi dei ecclesiam teneant, quia opera dei non faciunt, nec de vobis credendum est, quia fidem apostolicam, sine qua impossibile est deo placere, neque opera illorum minime habetis.'

<sup>61</sup> *Liber Antiheresis*, 99, 'Set forte dicent, Vos semper contra nos illam fornicariam romanam manu tenetis ecclesiam! – Nos autem respondententes dicimus, Non fornicationem neque alia illicita manu tenemus neque prava sacerdotum vel aliorum opera excusamus, set potius redarguentes resistimus; qua de causa ab ipsis exosi multas patimur persecuciones.'

his position, feeling that charges laid against the Waldensians had to be answered. Fear of misrepresentation also forced him to respond chiefly in two other matters. The first of these concerned the Waldensian attitude towards manual labour. This had certainly provoked attacks from Catholic apologists to which he replied that it was the Waldensian intention to imitate the lives of the apostles who abandoned their professions to follow Christ and to live like the birds of the sky or the lilies of the field (Mt. 6: 26–8).<sup>62</sup> The Waldensians avoided manual labour because they had given themselves over to preaching and the work of salvation. Why were they to be condemned for not doing manual labour when Catholic prelates did little or none and neither had the Apostles?<sup>63</sup> Concerning predestination, the author commented at length. Salvation or damnation rested on the works which one did, rather than on predestination. The Lord had declared that he would judge all men according to their merits and therefore that made predestination to salvation impossible.<sup>64</sup>

Here the *Liber Antiheresis* was insistently orthodox as indeed it was throughout what is book two of the Madrid manuscript where the author concentrated on theological questions concerning the oneness of God, the creation, the fall of the angels, the Law of Moses and the resurrection of the dead.<sup>65</sup> He denied the idea that the devil is the creator of the visible world and god without beginning, or that there existed a *terra viventium* where souls had their origin. Rather he argued that Lucifer was not a god at all but a fallen angel who chose a path of evil and that souls have no pre-existence but are made every day by God.<sup>66</sup> To argue their position that there existed two gods the heretics had, of course, to make a very selective use of the Old Testament and they also rejected the Law as the product of the evil god, particularly as it imposed blood judgments.<sup>67</sup> Rather, said our author, the Law is the product of the One True God and teaches the two great commandments to love God and our neighbour. The just are those who observe the Law in the practice of a life of love realized in Christ. Ample evidence was provided to demonstrate from both Old Testament and New

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<sup>62</sup> *Liber Antiheresis*, 77–8.

<sup>63</sup> *Liber Antiheresis*, 87–8.

<sup>64</sup> *Liber Antiheresis*, 89–93.

<sup>65</sup> *Liber Antiheresis*, 111–99.

<sup>66</sup> *Liber Antiheresis*, 121–41.

<sup>67</sup> *Liber Antiheresis*, 162–93.



that punishment for wrongs was both necessary and just. In all these matters, the Waldensian was undoubtedly in line with the teaching of the Church, as he was, finally, concerning the resurrection of the body, arguing against the heretics, who rejected the idea, and maintaining that the bodies of the just, now incorruptible, were to share in the kingdom of God, and those of the unjust to be judged.<sup>68</sup>

The Paris version of the *Liber Antiheresis* refined some of the earlier arguments and added sections on themes where the Waldensians had been heavily criticized.<sup>69</sup> One concerned the taking of oaths, which the author was at pains to show from scriptural passages was acceptable in many circumstances, an argument which was probably directed as much against the less moderate followers of Valdes as against other heretics.<sup>70</sup> Another concerned justice and the demonstration that, as with oaths, so with killing, there were times when such a practice was legal, and, indeed, if not, then, according to scripture, both God and his angels had sinned.<sup>71</sup> These moves to indicate a greater degree of orthodoxy seem to have helped even the moderate Waldensians little in practice since those who attacked the Waldensians did so most of all on the basis that they were laity who preached and, moreover, did not work. This was the case with Alain de Lille, whose *De Fide Catholica* argued against the heretics in a similar manner to the *Liber Antiheresis*, but nevertheless in its second part turned its attention to the Waldensians who appear to have been quite numerous in Montpellier where Alain was writing.<sup>72</sup> While Alain concentrated more of his attention on the radical Waldensians, nevertheless he had harsh words to say about the false preachers who did not work and exploited the humble through their laziness.<sup>73</sup> Joachim of Fiore, in his *De articulis fidei*,

<sup>68</sup> Ibid., and, on the resurrection, *Liber Antiheresis*, 193–9.

<sup>69</sup> *Liber Antiheresis*, 202–57; Thouzellier, 'Controverses vaudoises-cathares à la fin du XIIe siècle', *Archives d'histoire doctrinale et littéraire du moyen âge*, 27 (1960), 137–227.

<sup>70</sup> *Liber Antiheresis*, 248–52.

<sup>71</sup> *Liber Antiheresis*, 252–7.

<sup>72</sup> Alain de Lille, *De fide Catholica*, in *PL*, ccx, 377–400; Thouzellier, *Catharisme et Valdéisme*, 94.

<sup>73</sup> Alain de Lille, *De fide Catholica*, in *PL*, ccx, 400, 'Praedicti ergo qui propriis manibus laborare nolunt, hic suae ignaviae auxilium quaerunt. Illa vero auctoritas, *Nemo militans Deo* (I Tim. II), etc., sic est intelligenda, *Nemo saeculum relinquens, ut Deo militet; implicet se saecularibus negotiis* (ibid.), id est non debet intendere curis saecularibus. Praedicti itaque haeretici, et puri mercenarii per mundum discurrentes, fingunt se praedicatores, ut a simplicibus victualia emungant, et sic malunt turpiter otiosi quam manibus operari, cum Psalmista dicat, *Labores manuum tuarum manducabis*,

equally forcefully admonished the Waldensians.<sup>74</sup> Joachim likened the heretics of Lyon to gyrovagues and complained that both men and women, who had no doctrine, no grace, and no order, nevertheless announced, or rather adulterated, the *verbum Dei* under the guise of sanctity as they organized their satanic conventicles.<sup>75</sup>

*The Crown, Durán and the Catholic Poor*

By the time that these attacks were being written, the Waldensians had certainly entered into the lands of the crown of Aragon. The legislation of Alfonso II of Aragon against heretics at the council of Lleida in October 1194, probably influenced by the visit of Cardinal Gregory of Sant'Angelo and strongly backed by the Cistercians, among others, centred its attention on the Waldensians, also called *Sabatati* and the Poor of Lyon. Other heretics were mentioned only after these.<sup>76</sup> This was equally the case with the legislation of Peter II in February 1198 at Girona, issued after another visit from Gregory, and this time backed by the episcopate and the higher nobility. The first objects of censure were the Waldensians, who were colloquially known as *Sabatati*, and who also went under the name of the Poor of Lyon. Other heretics came afterwards but the Waldensians were the first focus of Peter II's draconian legislation.<sup>77</sup> Equally, in 1200, in the county of Urgell, when A. de Puigverd swore on the Gospels to Bishop Bernat that he would not knowingly sustain heretics, he also added that he would not sustain *Inçabatati*.<sup>78</sup> So, in Urgell, the Waldensians were also present by 1200 but were not perceived to be the greater threat. It is possible that some of the Waldensians shifted south to

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etc. (Psal. XVII.) Item, dicant ipsi pseudopraedicatores cur laborare nolunt, estne peccatum, vel a lege prohibitum? nonne melius est proprio labore actualia acquirere, quam inverecunde ab aliis exigere? Nonne et praedicatoribus hoc exemplum dedit Doctor gentium, qui proprio labore sibi acquirebat victum? (Act. XX) Ipsi sunt similes pseudopraedicatoribus, quos arguebat Apostolus, qui ut laborem fugerent, ab his quibus praedicabant, sumptus ultra necessitatem sumebant.

<sup>74</sup> Thouzellier, *Catharisme et Valdésisme*, 123.

<sup>75</sup> Joachim de Fiore, *De articulis fidei*, ed. E. Buonaiuti (Rome, 1936), 52–3, 64.

<sup>76</sup> Marqués, 'Alfonso II el Casto y la seo de Gerona', 218–9, no. 5; On Cardinal Gregory, see S. Weiss, *Die urkunden der päpstlichen legaten von Leo IX. bis Coelestin III (1049–1198)* (Böhlau, 1995), 300–305.

<sup>77</sup> Baraut, 'Els inicis de la inquisició', 420–2, no. 2.

<sup>78</sup> ACU, Liber Dotaliorum, i, fol. 269v, doc. 939; Baraut, 'Els documents, dels anys 1191–1200, de l'arxiu capitular de la Seu d'Urgell', 69, no. 1904.

avoid the attacks against them from the Church, while others may have wished to disassociate themselves from the more radical among Valdes' followers. For Durán, of course, it was coming home and it is not unreasonable to speculate that although the legislation of the crown against the Waldensians was then harsher than that in Languedoc, at this time he decided to run the risk of the royal wrath by returning to his native Huesca.

That may well be suggested by a fascinating correspondence between Sancha of Aragon, widow of Alfonso II, and Innocent III concerning the problem of heresy, which led the pope to send Sancha a copy of the famous decretal *Vergentis in Senium*, which the papal chancery had first sent to Viterbo in March 1199, then to Languedoc, and also to the king of Hungary, in 1200.<sup>79</sup> The letter to Sancha is of 1203, and while the original is lost, it was fortunately copied by Jaime Juan Moreno in his *Jerusalén Religiosa* of 1622/4, then mentioned by Mariano de Pano y Ruata in his *La Santa Reina Doña Sancha*, written in 1920 but only published in 1943, and finally carefully re-edited by Martín Alvira Cabrer in 2007.<sup>80</sup> The issuing of *Vergentis* to Sancha is of great significance since the pope declared that he was writing in response to concerns expressed by Sancha that heretics should not be sustained in her land and questions from her about how she was to proceed against them.<sup>81</sup> Probably from 1197, after her son Peter II had reached his majority, Sancha was a *humilis soror* of the Hospitaller community of Santa María de Sixena in the Huescan diocese.<sup>82</sup> Given the close proximity of Sancha to Huesca, the fact that Durán was almost certainly from Huesca, the general absence of other types of heretics in Alto Aragón, and the evidence of Innocent's *Cum dilectus filius* of 1212 that there were indeed Waldensians in Huesca, it is probable that the heretics about whom Sancha was so worried were indeed Waldensians and

<sup>79</sup> *Register Innocenz' III.* ii, 3–5, no. 1; Potthast, 1092 (Languedoc); *PL*, ccciv, 872 (Hungary).

<sup>80</sup> J. Moreno, *Hyerusalem Religiosa o Santa historia del Real Monasterio de Nuestra Señora de Sijena de religiosas de la Orden de San Juan de Jerusalén, del reino de Aragón (1622–4)*, ADH, sección 7, “Archivos parroquiales”, Serie 7. 3, “Libros de Culto y Fábrica”, Sariñena (El Salvador), ms. 7–3–130, lib. I, cap. 51, fols. 108v–109v; M. de Pano y Ruata, *La Santa Reina Doña Sancha, hermana hospitalaria fundadora del monasterio de Sijena (Album de Sijena)* (Zaragoza, 1943), 100; Alvira Cabrer/Smith, ‘Política antiherética’, 86–8.

<sup>81</sup> ‘Fidem et devocionem tuam in domino commendamus, quod sicut mulier catholica, in terra tua non vis hereticos sustinere, sed qualiter procedere debeat contra ipsos per Apostolicam Sedem postulas edoceri.’

<sup>82</sup> Alvira Cabrer/Smith, ‘Política antiherética’, 66.

that Durán would have been among their number.<sup>83</sup> Nevertheless, it should be pointed out that Innocent referred to the threat of heresy *in terra tua* and, by the terms of various agreements between the time of her marriage to Alfonso in 1174 and 1203, Sancha held a range of territories not only in Aragon but equally in Catalonia, including in the mountains of Siurana, which would certainly become an active centre for heretics other than Waldensians.<sup>84</sup>

Whatever the case, we can say with confidence that Durán returned to his battles in Languedoc, representing a moderate wing of the Waldensian movement, which nevertheless had felt itself justified in preaching, rejecting manual labour, and whose attitudes towards oath-taking and killing were sufficiently ambiguous for them to be called into question.<sup>85</sup> At the same time, he respected the authority of the Roman Church, though he was willing to repeat the harsh criticisms made of the clergy in general. With the advance of the heretics whom Durán would come to call the modern Cathars, as well as that of the advocates of a more radical Waldensianism, by the time of Valdes' death in perhaps 1206 or 1207, Durán probably felt that his own ideas, as those of his master, were closer to the teaching of the Catholic Church than to his more revolutionary colleagues.<sup>86</sup> One of the problems in reconciling, however, lay with finding figures within the Church who were willing to lend Durán and his followers a sympathetic ear. That did not seem to be the case with Arnau Amalric or Bishop Foulques of Toulouse, whose preaching was described as sounding to the locals like the buzzing of bees.<sup>87</sup> It was rather to outsiders, other *Hispani*, to whom Durán turned in the persons of Bishop Diego of Osma, and one of his canons, Dominic, who, after an unsuccessful Scandinavian mission on behalf of Alfonso VIII of Castile, and having had their plan to preach against the Cumans rejected by the pope, had come to Languedoc to preach by word and example.<sup>88</sup>

<sup>83</sup> Alvira Cabrer/Smith, 'Política antiherética', 83.

<sup>84</sup> Aurell, *Les noces del Comte*, 445–50. And above, chapter 3.

<sup>85</sup> Thouzellier, *Catharisme et Valdésisme*, 215–17.

<sup>86</sup> K. Selge, 'Caractéristiques du premier mouvement Vaudois et crises au cours de son expansion', *Cahiers de Fanjeaux*, 3 (1968), 110–42; idem, 'L'aile droite du mouvement Vaudois et naissance des Pauvres Catholiques et des Pauvres Réconciliés', *Cahiers de Fanjeaux*, 3 (1968), 27–43; *Liber contra Manicheos*, 169, 217, 306 ('moderni Kathari').

<sup>87</sup> *Chanson de la croisade albigeoise*, i, 112, 'Anc re que preziquessen no mezon dins l'aurelha/Ans dizon per esquern, <Ara roda l'albelha>'.  
<sup>88</sup> Jordan of Saxony, *On the beginnings of the Order of Preachers*, ed. S. Tugwell (Chicago, 1982), chs. 14–17; M. Vicaire, *Histoire de Saint Dominique* (Paris, 1957), i, 57; On the mission to Denmark, M. Roquebert, *L'Épopée Cathare*, i, 184–5.

In August/September 1207, there was a public debate at Pamiers between the Waldensians under Durán and the Catholics led by Bishop Diego.<sup>89</sup> Such debates between Catholics and Waldensians, as well as with the other heretics, were quite common in Languedoc in the period before the Albigensian crusade. Indeed, Peter II of Aragon had presided at one such debate in Carcassonne in 1204.<sup>90</sup> They were carefully stage-managed events and it seems very likely that Diego would have met beforehand with Durán to check that everything went according to plan. The debate was well-attended. Not only were the people of Pamiers there but the bishop of Couserans and Bishop Foulques of Toulouse, as well as Raymond-Roger of Foix, who had Waldensians within his family.<sup>91</sup> With the agreement of both sides, Master Arnold of Crampagna sat as umpire in the debate and, at least according to Vaux-de-Cernay, he too was sympathetic to the Waldensians.<sup>92</sup> After arguments were put forward by both sides, whether or not he was truly defeated and confounded, Durán sought reconciliation.<sup>93</sup> It was a dramatic moment, no doubt carefully planned, in which in front of Waldensian sympathizers and wondering townspeople, a blow was very publicly struck for the Church against its opponents, as a leading figure and his supporters admitted their errors and decided to set off to Rome to be reconciled by the pope himself. Durán thus embraced the Roman church which so many of the heretics despised.

During the next four and a half years, Durán and his followers, who included Bernard de Béziers, Jean de Narbonne, Ermengaud, Ebrinus, Guillaume de St. Antonin, Raimond de St. Paul and others, spent a considerable amount of time at the Roman Curia.<sup>94</sup> From late 1207 until the end of 1208, then from July 1209 until May 1210, then again in spring 1212, members of the group pleaded their cause before some

<sup>89</sup> *PVC*, ch. 48; Ventura, *Els Heretges Catalans*, 89; idem, 'La Valdesia de Catalunya', 296; Vicaire, 'Rencontre à Pamiers', 164, 192; Thouzellier, *Catharisme et Valdésisme*, 218.

<sup>90</sup> *Bullaire du bienheureux Pierre de Castelnau, martyr de la foi (16 février 1208)*, ed. A. Villemagne (Montpellier, 1917), 107–9, no. 29.

<sup>91</sup> *PVC*, ch. 48; *Puylaurens*, 54, ch. 8.

<sup>92</sup> *PVC*, ch. 48. *Puylaurens*, 54, ch. 8, does not suggest Arnold was sympathetic or otherwise: 'Fuitque ibi disputatum contra Valdenses, sub magistro Arnaldo de Campranho, tunc clerico seculari, arbitro a partibus electo, qui cum eius iudicio succubuissent, ex eis ad cor aliqui redeuntes, ad sedem apostolicam adierunt et poenitentiam habuerunt, datam sibi licentiam vivendi regulariter, ut audivi, in quibus Durandus de Osca fuit prior, et composuit contra haereticos quaedam scripta.'

<sup>93</sup> *PVC*, ch. 48.

<sup>94</sup> Smith, *Innocent III and the crown of Aragon*, 255–8.

of the key figures in the papal government.<sup>95</sup> The pope himself was too busy with political, legal and liturgical duties to deal personally with every group of enthusiasts who turned up to see him. Rather it was the responsibility of the cardinals (cardinals close to the pope, it should be said) who undertook so much of the burden of papal government. Many of those who helped him when he was in Rome are mentioned by Durán in the Paris manuscript of his great work, the *Liber contra Manicheos* (c. 1223): Cardinals Pelayo, Nicholas of Clermont, Stephen of Fossanova, Guala Bicchieri, and John Colonna.<sup>96</sup> These were men who all played a very notable part in the political and ecclesiastical history of the papacy both in Rome and abroad during the first quarter of the thirteenth century.

Even among these great cardinals one figure stood out, Cardinal Leo Brancaleone, to whom Durán dedicated the *Liber contra Manicheos*. Durán would describe Leo in his prologue as ‘the most reverend pillar of the Church of Christ.’<sup>97</sup> It was Leo, whom Pope Innocent had made a cardinal in 1200 (and who had already in 1204/5 undertaken an important political mission in Hungary and Bulgaria), who acted as a special protector to these Catholic Poor, as he indeed played a key role in the reconciliation or approval of other new groups who came to Rome in this period.<sup>98</sup> This was also the case with Leo Brancaleone’s great friend, Cardinal Peter Capuanus, whom Durán would almost certainly have met, and a revised version of whose *Alphabetum* he produced a little later.<sup>99</sup> Peter Capuanus gave the sort of support to the Humiliati that Leo gave to the Catholic Poor and that Cardinal Hugolino gave to Saint Francis.<sup>100</sup> It was these men rather than the pope himself who took the lead in channeling the evangelical

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<sup>95</sup> The dates calculated by R. and M. Rouse, ‘The Schools and the Waldensians’, a new work by Durand de Huesca’ in *Christendom and its Discontents, Exclusion, Persecution and Rebellion, 1000–1500*, ed. S. Waugh and P. Diehl (Cambridge, 1996), 88–92.

<sup>96</sup> *Liber contra Manicheos*, 32, 36–7, 67, 82, 84; Maleczek, *Papst und Kardinalskolleg*, 141–50, 154–62, 166–9, 179–83.

<sup>97</sup> *Liber contra Manicheos*, 66; Rouse and Rouse, ‘The Schools and the Waldensians’, 94.

<sup>98</sup> Maleczek, *Papst und Kardinalskolleg*, 137–9.

<sup>99</sup> Maleczek, *Petrus Capuanus, Kardinal, Legat am Vierten Kreuzzug, Theologe (d. 1214)* (Vienna, 1988); Rouse and Rouse, ‘The Schools and the Waldensians’, 93–5.

<sup>100</sup> F. Andrews, *The Early Humiliati* (Cambridge, 1999), 94; On Hugolino (Pope Gregory IX, 1227–41) and Francis, see Maleczek, ‘Franziskus, Innocenz III., Honorius III. und die Anfänge des Minoritenordens. Ein neuer Versuch zu einem alten Problem’, in *Il papato duecentesco e gli ordini mendicanti* (Spoleto, 1998), 64–74.

enthusiasm which swept across Western Europe. The connections established between Durán and many of the cardinals remind us that enormous importance was attached to the reconciliation of Durán and his followers. A year in Rome gave them ample opportunity to question Durán about his own beliefs as well as those of more radical Waldensians and the other heretics of Languedoc. This was an opportunity which the papacy did not have often, which was part of the reason why it was often somewhat vague in its treatment of heretical beliefs.

After all this scrutiny, in December 1208, Durán and company came before Innocent III and made a profession of faith.<sup>101</sup> The profession was very familiar. That is, it was in large part the very same profession which Valdes had made to the Church at Lyon in 1180 and which had been placed at the beginning of the *Liber Antiheresis*.<sup>102</sup> They expressed belief in the Trinity, three persons, one God, each person fully God, who had made both the visible and invisible world, and was the author of both the Old Testament and the New. They professed belief in the holy mission of John the Baptist, the spiritual conception of the Virgin Mary, the Incarnation of Christ, true God and true man, who ate and drank, slept and tired, and in his Passion, death, resurrection, and ascension into heaven; and that he would come again to judge the living and the dead. They professed that there was one, holy Roman Catholic and Apostolic Church, outside of which there was no salvation. They professed the validity of the sacraments, even in spite of the unworthiness of the minister who performed them. They professed that it was acceptable to eat meat and that the Devil had been made evil by his own choice. They professed belief in the resurrection of the flesh, the Final Judgment, the value of offerings for the dead and that those who remained in the secular world doing good works and following the commandments of the Lord would be saved.<sup>103</sup>

That is to say, they professed belief in all those things which a member of a dualist heresy or a more radical Waldensian would have had great difficulty with, but which the author of the *Liber Antiheresis* had argued vigorously in favour of. There were, however, other matters in

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<sup>101</sup> MDI, 410–4, no. 394; Wakefield and Evans, *Heresies of the High Middle Ages*, 222–6; M. Maccarrone, ‘Riforme e innovazioni di Innocenzo III nella vita religiosa’, in idem, *Studi su Innocenzo III* (Padua, 1972), 298–9.

<sup>102</sup> *Liber antiheresis*, 3–6.

<sup>103</sup> MDI, 410–4, no. 394.

the profession which suggest they had been discussed long and hard at Rome and where it was felt clarification of the position of Durán and his companions was necessary.<sup>104</sup> Perhaps, under questioning, Durán himself or some of the others had expressed doubts or made comments which indicated that they were not as orthodox on some points as Rome required them to be. There appear to have been five problem areas. Firstly, the profession insisted that the Eucharistic sacrifice could only be performed by a priest who had been properly ordained by a bishop and that no other person could perform that sacrifice. Anybody who believed otherwise was a heretic and separated from the Holy Roman Church.<sup>105</sup> Secondly, the profession insisted that they did not condemn oaths but rather that they believed that they may be sworn legally, when fair and just.<sup>106</sup> Thirdly, that the secular power could without mortal sin inflict the death penalty when the decision was just and not made through hatred.<sup>107</sup> These were, of course, matters which the author of the *Liber Antiheresis* had insisted upon. Fourthly, that the clergy had the right to receive tithes, first fruits and other offerings.<sup>108</sup> Fifthly and perhaps most importantly given the problems which the Waldensians had had, they asserted that preaching was both necessary and praiseworthy but that it could only be performed with the authority of the pope or with the permission of prelates.<sup>109</sup> Having been given that permission, they insisted that in all places where there were manifest heretics they ought to argue with them and dispute with them in

<sup>104</sup> Thouzellier, *Catharisme et Valdésisme*, 219.

<sup>105</sup> *MDI*, 412, no. 394: 'Unde firmiter credimus et confitemur, quod quantumcumque quilibet honestus religiosus sanctus et prudens sit, non potest nec debet eucharistiam consecrare nec altaris sacrificium conficere, nisi sit presbiter a visibili et tangibili episcopo regulariter ordinatus. Ad quod officium tria sunt, ut credimus, necessaria, scilicet certa persona, idem presbiter ab episcopo, ut prediximus, ad illud proprie officium constitutus, et illa solempnia verba, que a sanctis patribus in canone sunt expressa et fidelis intentio proferentis. Ideo firmiter credimus et fatemur, quod quicumque sine precedenti ordinatione episcopali, ut prediximus, credit et contendit se posse sacrificium eucharistie facere, hereticus est et perditionis Chore et suorum complicum est particeps atque consors et ab omni sancta Romana ecclesia segregandus.'

<sup>106</sup> *MDI*, 412, no. 394: 'Non condempnamus iuramentum, immo credimus puro corde quod cum veritate et iudicio et iustitia licitum sit iurare.'

<sup>107</sup> *MDI*, 412, no. 394: 'De potestate seculari asserimus, quod sine peccato mortali potest iudicium sanguinis exercere, dummodo ad inferendam vindictam non odio, sed iudicio non incaute sed consulte procedat.'

<sup>108</sup> *MDI*, 413, no. 394: 'Decimas, primitias et oblationes ex precepto Domini credimus clericis persolvendas.'

<sup>109</sup> *MDI*, 412–3, no. 394: 'Predicationem necessariam valde et laudabilem esse credimus; tamen ex auctoritate vel licentia summi pontificis vel prelatorum permissione illam credimus exercendam.'



order to confound them.<sup>110</sup> Thus, they separated themselves from what had been seen as the major Waldensian error, which was not in preaching, but in preaching without the proper permission.

Having professed their faith, Durán submitted for approval his *propositum conversationis*, which had clearly been carefully drawn up better to utilize the evangelical spirit of the group, while keeping it within an orthodox framework.<sup>111</sup> The nature of the *propositum* was such that it gave Durán and his followers the character of a religious community without allowing them the status of a *religio*.<sup>112</sup> The first emphasis of the community was on poverty, accompanied by prayer at the canonical hours. Since most of the brethren were clerics and almost all of them *litterati*, they determined to spend their time in disputation against all heretical sects. The most learned of the brothers, proved and instructed *in lege Domini*, would take part in debates with the heretics. The most honourable and learned brothers would teach the word of God to the brothers and friends of the community in their assemblies. With the permission of prelates, brothers instructed in scripture and sound in doctrine were to argue with errant people and draw them by whatever means to the faith and recall them to the bosom of the Holy Roman Church. Virginitiy and chastity were to be observed and fasting at the appropriate times. The brothers were to wear a modest habit and would wear shoes distinctively cut away at the top to show that they were wholly separated from the Poor of Lyon, and would continue to be until those were reconciled to Catholic unity. They would receive the sacraments from the bishops and priests in whose dioceses and parishes they remained and would show due obedience and reverence to them. Lay brothers, when it was appropriate, would be allowed to dispute with heretics and exhort the faithful, but the others were to remain in their homes, living a religious and ordered life, distributing their goods justly and compassionately, labouring by their hands, and giving the tithes, first fruits, and offerings due to the Church.<sup>113</sup>

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<sup>110</sup> 'In omnibus vero locis, ubi manifesti heretici manent et Deum et fidem sancte Romane ecclesie abdicant et blasphemant, credimus, quod disputando et exhortando modis omnibus secundum Deum debeamus illos confundere et eis verbo dominico, veluti Christi et ecclesie adversariis, fronte usque ad mortem libera contraire.'

<sup>111</sup> *MDI*, 413–4, no. 394.

<sup>112</sup> Thouzellier, *Catharisme et Valdésisme*, 219–21; Eadem, 'La profession trinitaire', 267–8; Foreville, *Le Pape Innocent III et la France*, 219–20; Maccarrone, 'Innocenzo III, teologo dell'Eucarestia', in *Studi su Innocenzo III* (Padua, 1972), 390.

<sup>113</sup> *MDI*, 413–4, no. 394.

Dated 18 December 1208, a letter of Innocent, *Eius exemplo*, containing the profession of faith and the *propositum conversationis*, was sent to Archbishop Ramon de Rocabertí of Tarragona and his suffragans.<sup>114</sup> That the recipients were the prelates of the Tarragonan archdiocese is significant since it indicates that this was considered the intended main area for Durán's operations. Ramon was instructed that if he received similar oaths from other brothers they too were to be reconciled to the unity of the Church by use of a similar profession of faith and, keeping the brothers from scandal and infamy, he should publicize their return to the faith.<sup>115</sup> At the same time, Innocent gave copies of the profession and *propositum* to Durán and confirmed his approval of the way of life of the *pauperes catholici* (as they were to be known) in case anybody challenged them.<sup>116</sup> In a special concession, Innocent also allowed that laymen who sought the guidance of the brothers were not to be compelled to participate in secular warfare against fellow Christians, and that they were dispensed from taking an oath in secular business, in as far as this dispensation could be healthily observed without prejudice or scandal, while preserving the rights of secular lords.<sup>117</sup> While carefully worded, the concession showed just how far the papacy was prepared to go to keep the Catholic Poor within the fold, attempting to find some sort of unlikely compromise to help deal with their major concerns.

In early 1209, while letters concerning the reconciliation of the Catholic Poor reached the Tarragona province, Durán, carrying his letters of recommendation from the pope, was kindly received by Archbishop Hubert of Milan (1206-1211) and between them they set about reconciling many Milanese who had been excommunicated.<sup>118</sup> According to the information that the pope received from Durán, there were almost a hundred more who hoped to be reconciled. However, there was a condition. There was a meadow that had once been conceded to them by the commune of Milan, where they were accustomed

<sup>114</sup> Ibid.

<sup>115</sup> 'Nos igitur habito fratrum nostrorum consilio per apostolica vobis scripta mandamus quatinus, recepto a ceteris fratribus simili iuramento, reconcilietis eos ecclesiastice unitati, et denuntietis ipsos vere catholicos ac recte fideles, in prescriptis et aliis eos secundum Deum ab omni scandalo et infamia servantes immunes, et in litteris testimonialibus et aliis adminiculis ipsos propter Deum misericorditer adiuvetis.'

<sup>116</sup> *MDI*, 414-5, no. 395.

<sup>117</sup> *MDI*, 415, no. 396.

<sup>118</sup> *PL*, ccxvi, 29; Thouzellier, *Catharisme et Valdéisme*, 225; Foreville, *Le Pape Innocent III et La France*, 220.

to assemble at the *schola* which they had built and where they had exhorted their brothers and friends, a *schola* which the previous bishop had had destroyed, at a time when they were excommunicated, but which had now been reconstructed. With Archbishop Hubert willing, Durán hoped that the pope would concede this meadow to them anew so that they could spread the word of God.<sup>119</sup> Whether those previously excommunicated were all Waldensians is not entirely clear and has been cast into doubt by Montari.<sup>120</sup> Perhaps Durán was seeking to emphasize to the pope their similarities with his own followers, hoping to show what good he was doing for the Church as a whole. As well as this, he was clearly hoping to establish a centre for his Catholic Poor in Milan. Writing in April 1209, the pope was slightly more cautious than Durán or Hubert, since Innocent would not have spiritual conversion made subject to material conditions, but if the conversion came first, then Hubert could certainly subsequently concede the meadow to them if he saw fit.<sup>121</sup> Even though Innocent had here to curb excessive enthusiasm, he had at least been given an indication that his compassionate approach was bearing some fruit. In these months, Durán also spent some time in Pavia, where he appears to have completed his work on the *Alphabetum*.<sup>122</sup> That work was submitted for correction to Bishop Bernard of Pavia, with whom Durán was also acquainted. A wise precaution indeed, given that Bernard was one of the great canonists of the age and author of the *Compilatio Prima*.<sup>123</sup>

### *Opposition and the Protection of the Catholic Poor*

However well Durán was doing in Italy, and however impressive the list of friends he had acquired, when he and the Catholic Poor returned to Languedoc and across the Pyrenees, they found themselves vigorously opposed by the higher clergy. Somewhat ironically, given that he had himself long been under suspicion, Archbishop Berenguer II of Narbonne (perhaps attempting to show that he was in active pursuit of

<sup>119</sup> *PL*, ccxvi, 29–30.

<sup>120</sup> P. Montari, 'Valdesi a Milano tra XII e XIII secolo', *Revue de l'histoire des religions*, 217 (2000), 59–74.

<sup>121</sup> *PL*, ccxvi, 30.

<sup>122</sup> Yale, MS Marston 266; Rouse and Rouse, 'The Schools and the Waldensians', 95.

<sup>123</sup> On Bernard, see G. Le Bras, 'Bernard de Pavie', *Dictionnaire de droit canonique*, ed. R. Naz, 7 vols (Paris, 1935–65), ii, 782–9.

heretics) was to lead the attack upon them and in the early summer sent two Cistercian brothers to Rome to inform the pope of the activities of Durán and his followers.<sup>124</sup> But Berenguer was not an isolated voice here. Rather, the attack in Languedoc was a concerted one, and letters were sent to the pope from the bishops of Béziers, Nîmes, Uzès and Carcassonne.<sup>125</sup> They complained that unreconciled Waldensians were attending Mass and were generally in the brothers' company, that, likewise, monks who had abandoned both vocation and monasteries were to be found in their ranks, that people were drawn away from their normal churches to hear the brothers preach, that the clerics of their communities did not frequent the Divine Office in accordance with the canonical norms, and, most seriously of all (given what they had professed at Rome) they preached that no secular authority could without mortal sin impose a blood judgment.<sup>126</sup>

On 5 July 1209, the pope directed letters to Archbishop Berenguer and Archbishop Ramon of Tarragona, who, as far as we know, had not sent any complaints to Rome. Careful to weigh the concerns of the bishops against the needs of the newly reconciled, Innocent called on the bishops to recognize that the Catholic Poor might need to meet their former heretical brothers half-way in order to draw them back into orthodoxy. The pope reminded them that the prudent surgeon used sweet ointment on the healing wound.<sup>127</sup> Innocent also sent more copies of the profession of faith and the *propositum* to Archbishop Ramon. The original bull *Eius exemplo* was slightly altered so as to insist upon the brothers and their friends frequenting parish churches and hearing the preaching there rather than just in the assembly of the Catholic Poor.<sup>128</sup> For there was no doubt Innocent was concerned he had acted hastily and he also wrote to Durán expressing his concern that he may have acted too quickly in reconciling him and advising him that the brothers were to avoid contact with heretics, that the brothers and their friends were to fulfill their parish duties, that their clerics should respect the canonical hours, that they should preach the word of God alongside other Catholic preachers and that they must accept the rights of the secular power to deliver blood judgments.<sup>129</sup> The pope also

<sup>124</sup> *MDI*, 420, no. 404.

<sup>125</sup> *MDI*, 422, no. 405.

<sup>126</sup> *Ibid.*

<sup>127</sup> *MDI*, 425, no. 406; *PL*, ccxvi, 73.

<sup>128</sup> *Ibid.*

<sup>129</sup> *MDI*, 421–4, no. 405.

insisted that the Catholic Poor were to wear sandals which were more obviously different from those of their former companions since the continued similarity was acting as a source for scandal.<sup>130</sup>

As the crusade gathered pace in Languedoc and as the crown of Aragon was gradually drawn into that conflict, the reconciliation of Waldensians willing to return to the fold was, for the Catholic Poor, a matter of extreme urgency. But the reaction of Archbishops Berenguer and Ramon left them in such despair that Durán and many of the brothers trekked to Rome again in early 1210 to complain to the pope that the archbishops were making no efforts to reconcile Waldensians and that many had been put off by the prelates' unnecessary harshness or procrastinations.<sup>131</sup> Again, there was a stark contrast between the attitude of the pope, who had the bigger picture in mind and the attitude of the higher clergy in Languedoc and Catalonia, who simply did not trust either the reconciled or the unreconciled Waldensians, who had been so critical of the Church. The pope sent a series of letters dated 12 May 1210, in which he put the complaints of the Catholic Poor to the archbishops of Narbonne and Tarragona and their suffragans (and to the archbishop of Milan and his), reminding them that Durán and his followers had been reconciled, ordering them to receive those who were truly penitent according to the manner which he had previously set out, and again sending them the form of the profession of faith and the *propositum conversationis*.<sup>132</sup> In a separate letter, not only to Berenguer and Ramon but also to Archbishop Hubert of Milan and his suffragans, the pope reminded them of their pastoral obligations, adding that with the return of Durán and his companions to the fold others might follow their example and desert the blindness of their error.<sup>133</sup> A little after, the pope wrote to the Catholic Poor themselves, further aiding them in the structure of their communities by allowing them freedom of election of their provost (with the assent of the diocesan bishop), who should be a suitable man, proved in faith, healthy in doctrine, and honest in his conversion.<sup>134</sup>

The further intensification of the crusade in the years 1210-12 made the situation in Languedoc almost impossible for the Catholic Poor. It was clear to Durán and to Durand de Najac, who was playing an

<sup>130</sup> *MDI*, 423, no. 405.

<sup>131</sup> *MDI*, 460-3, nos. 433-4.

<sup>132</sup> *MDI*, 460-2, no. 433; *PL*, ccxvi, 274.

<sup>133</sup> *MDI*, 462-3, no. 434; *PL*, ccxxvi, 256.

<sup>134</sup> *MDI*, 468, no. 438; *PL*, ccxvi, 274.

increasingly important role in the organization of the group, that they could not hope to survive for long in such circumstances and that the Catholic Poor would be best suited to focusing their attentions on other areas. The four areas which they chose to strengthen were Marseille, Huesca, Barcelona and Elne.<sup>135</sup> This major shift, mainly into the crown lands, was certainly not without risk. If it allowed them some respite from the full fury of the forces of Simon de Montfort, nevertheless it placed them at the mercy of a king in Peter II who had legislated severely against heresy. Nor did it really take away the problem of unreceptive bishops. Indeed, the Catholic Poor were attacked by the justiciars of King Peter, and they certainly lived in fear of facing attacks from other people because of their past lives.<sup>136</sup> Again, in early 1212, they had recourse to Rome, and again Innocent III obliged with a series of letters written in their favour. In letters dated 30 May 1212, the pope instructed the bishops of Huesca, Barcelona and Marseille to treat Durán of Huesca and his companions benignly and not allow them to be harmed because of what they had been before their conversion.<sup>137</sup> At the same time, a letter along the same basic lines was also sent to the new archbishop of Narbonne, Arnau Amalric.<sup>138</sup> The pope also wrote to the king of Aragon to instruct him that he should see to it that the Catholic Poor were not unjustly treated by his justiciars.<sup>139</sup> Moreover, Innocent also wrote to the two Duranduses, allowing that since it was the case that some of the reconciled had relapsed and fallen to dishonest deeds, they were to report the matter to the diocesan bishop and that, with his advice and consent, they were to correct them.<sup>140</sup> He also renewed his protection to the Catholic Poor at this time.<sup>141</sup>

<sup>135</sup> Thouzellier, *Catharisme et Valdésisme*, 255–62.

<sup>136</sup> *MDI*, 506–8, nos. 476, 478.

<sup>137</sup> *MDI*, 508–9, no. 480; *PL*, ccxvi, 607; above, note 9.

<sup>138</sup> *PL*, ccxvi, 608: 'Cum catholici pauperes Durandus de Osca, Durandus de Naiaco, Guillelmus Sancti Antonini, et socii sui reconciliati ecclesiasticae unitati, quasi nova planta sint benigne fovendi, per apostolica vobis scripta mandamus quatenus vos eis in fide catholica et pia operatione manentibus exhibeatis favorabiles et benignos, et non permittentes eosdem a quoquam indebite molestari, in litteris testimonialibus et aliis adminiculis ipsos propter Deum misericorditer adjuvetis.' The letter was also sent to the bishop of Uzès.

<sup>139</sup> *MDI*, 506–7, no. 476: 'Ut illi complaceas, in cuius miseracione regni gubernacula suscepisti, te convenit confovere humiles et devotos et excessus corrigere delinquentium; inde est quod serenitatem tuam rogamus atque monemus, quatinus pauperes catholicos et hospites eorundem in orthodoxa fide ac pia operatione manentes non permittas a quoquam temere opprimi vel a iusticiariis tuis iniuste gravari.'

<sup>140</sup> *MDI*, 507, no. 477.

<sup>141</sup> *MDI*, 508, no. 479.

However, the main event of May 1212 was the approval of the community of Catholic Poor in Elne.<sup>142</sup> There Durán, Durand de Najac, Guillaume de Saint-Antonin and others wished to set up an institution whose members, having abandoned all their ill-gotten worldly gains, holding nothing for themselves but all in common, and wronging nobody, promised to observe chastity and virginity; abstaining from lying or swearing illicit oaths and wearing a white or grey tunic, the members would be under the discipline and visitation of the Catholic Poor. Never lying on beds, except in case of infirmity, they were to fast from All Saints to Christmas, abstaining from fish on Friday (unless the Friday was a feast day), and on Tuesdays, Thursdays and Saturdays they were not to eat meat (except for Christmas Day). During Lent they were not to eat fish, except on Sundays. They were to fast during the octave before Pentecost and they were to observe the other fast days instituted by the holy Roman Church. Every Sunday they would join together to hear the *exhortationis verbum*. Seven times a day the *litterati* were to chant fifteen Pater Nosters, the *Credo* and *Miserere Mei, Deus*, while the clerics would recite the canonical hours. The main purpose of the community would be to assist the poor. One of their number, who had received an inheritance, wished to construct a house, which was to be divided into two parts, one for men and one for women. And next to that a hospital was to be constructed. There they would be able to revivify the poor and the downtrodden, help the sick, nourish babies abandoned by their mothers, as well as poor women in labour. As far as was possible they wished to clothe poor people in winter and provide fifty beds for them (with covers). Next to the house, they would also build a church, where the brothers of the house could hear the Divine Office. This would be constructed in honour of Mary, mother of God and would pay to the Apostolic See one bezant annually.<sup>143</sup>

The pope, unsurprisingly, was delighted at the prospect of a community dedicated to poverty and charity and he greeted the proposal very warmly. Amidst all the violence, a group of clergy and people of not particularly high status, working together towards a common end, had designed a remarkably Christian way of life, dedicated to the helpless and the needy. Innocent wrote to Bishop Raimond of Elne

<sup>142</sup> Thouzellier, *Catharisme et Valdéisme*, 257–9; Maccarrone, 'Riforme e innovazioni', 299.

<sup>143</sup> *MDI*, 504–6, no. 474.

asking him to verify the orthodoxy of the enterprise and if all seemed well to give it his assent and favour with papal approval.<sup>144</sup> The bishop was asked to take special care that he should be aware of the subject of the preaching on Sunday and should make sure that the preachers were competent. Since this was a community of both men and women, the bishop was also to make sure that everything was laid out in order that nothing inappropriate should occur.<sup>145</sup> The pope also directed himself to the key part of the scheme – the money. The benefactor was a knight of the region, B., who intended to use the tithes that his parents had left him, held from the Benedictine abbey of Saint-Genis-des Fontaines, for the building of the hospital. Innocent wrote, on 29 May 1212, to the abbots of Saint-Martin de Canigou and Sainte-Marie d'Alet to oversee the process by which all interested parties would work towards building the hospital.<sup>146</sup> These were the final dealings of Innocent III with the Catholic Poor, unless there were more in the lost registers of his last years.<sup>147</sup> But very possibly there were not. The Catholic Poor were now established on a firm footing, protected by the pope, away from the epicentre of the crusade, and with a Third Order engaged in irrefutably noble endeavours. Moreover, the disaster of Muret and the chaos that followed meant that they were unlikely to be the chief concern of either Church or Crown for some time to come.

### *The Liber contra Manicheos*

The chief concern of Durán remained the modern Cathars, or the Cathar Goths, as he also called them.<sup>148</sup> It was these heretics, and the

<sup>144</sup> Ibid.

<sup>145</sup> Ibid.

<sup>146</sup> *PL*, ccxvi, 609: 'Ad nostram noveritis audientiam pervenisse quod B. miles decimas quasdam, quas progenitores ac ipse hactenus ab abbate Sancti Genesii tenuerunt, hospitali quod ad sustentationem infirmorum pauperum aedificare proposuit desiderat assignare, si nostrae sederit beneplacito voluntatis. Quocirca discretioni vestrae per apostolica scripta mandamus quatenus dictum militem, ut decimas ipsas ecclesiis illis ad quas noscuntur pertinere resignet, moneatis prudenter et efficaciter inducatis; quod si ad id induci non poterit, et abbatis praedicti et dioecesan episcopi super hoc assensum quiverit obtinere ut eas conferat hospitali praefato, auctoritate nostra concedatis eidem liberam facultatem.'

<sup>147</sup> H. Grundmann, *Religiöse Bewegungen im Mittelalter* (Hildesheim, 1961), 166; Thouzellier, *Catharisme et Valdésisme*, 298; Smith, *Innocent III and the Crown of Aragon*, 258.

<sup>148</sup> *Liber contra Manicheos*, 169, 217, 306 (modern cathars); 205 (goths).



beliefs that they held in the dioceses of Toulouse, Carcassonne, and Albi, which continued to be his major concern.<sup>149</sup> As the crusade raged on, the leader of the Catholic Poor dedicated himself to defeating the heretics in argument rather than by the sword. At some point, probably in the early 1220s, a compilation of Cathar doctrine fell into Durán's hands, in which 'they tried to prove that all is double, that the Devil made all that is visible and that he is god without beginning'.<sup>150</sup> Durán determined to refute point by point what he saw as the stupidity and errors of this compilation. The result was Durán's magnum opus, the *Liber contra Manicheos*, written around 1223, using the dialectical method and designed to be read or listened to.<sup>151</sup> Still a grammarian at heart, and profound neither as theologian nor philosopher, it was a work of more mature thought than the *Liber Antitheresis*, again built around the use of scripture, backed up by the Fathers, to defeat the poison of those heretics whom he had come to know so well and named – Sicard Cellerier, Gaucelm, Bernard de Simorre and Vigoreux de Bachona, bishops of an unspeakable heresy, and men who preferred to die for that heresy, hateful to God and all the saints, than to return to the orthodox faith that they had abandoned.<sup>152</sup>

The first focus of the *Liber contra Manicheos* lay in refuting the dualistic heresies, which confronted Durán in the Cathars' compilation. Much of this was, of course, very familiar, had already been dealt with in the *Liber Antitheresis* and has been made even more familiar by the excellent studies of Thouzellier.<sup>153</sup> The heretics, called 'good men' by their supporters, believed there to be two principles, a good principle and an evil principle, that is a good god and an evil god, co-eternal and both creators.<sup>154</sup> As there were two gods, they argued, so there were two worlds, two kingdoms, two heavens and two earths.<sup>155</sup> Yet this was not the case, Durán argued, backed by the whole force of scripture. Rather there was a single, all-powerful God, three in one. This true

<sup>149</sup> *Liber contra Manicheos*, 119, 211, 217, 236.

<sup>150</sup> *Liber contra Manicheos*, 82, 'Compilationem igitur quamdam ipsorum in qua probare nisi sunt omnia duplicia esse, et diabolum quecumque sunt visibilia fecisse et ipsum deum sine initio esse, quam habebam pre manibus, capitulatim interponere dignum duxi et post serio, prout sophia Patris qui habet clavem David michi dignabitur ostium aperire, fumum eorum teterrimum ventilabo.'

<sup>151</sup> *Liber contra Manicheos*, 101, 236.

<sup>152</sup> *Liber contra Manicheos*, 76–8.

<sup>153</sup> Thouzellier, *Catharisme et Valdéisme*, 303–451.

<sup>154</sup> *Liber contra Manicheos*, 105.

<sup>155</sup> *Ibid.*

God was eternal and the maker of all things. For Durán, there was not a single piece of evidence in the authorities which the heretics themselves cited to suggest that any of their dualistic doctrines had any basis at all.<sup>156</sup> Moreover, if, as some of the heretics believed, the Devil had made nature, that is the bodies and souls of men, then no evil or unfaithful man would ever be able to convert to God and be saved, since no work of the Devil could be good.<sup>157</sup> Yet this was not the case. Men and women were made up of bodies and souls, the work of God, who mysteriously infused souls into human bodies on a daily basis.<sup>158</sup> It was only through sin that men and women became subjected to the Devil.<sup>159</sup> And sin was a matter of the free will which God had granted.<sup>160</sup> Sin did not depend on God but rather in man's perversion of his own will, the will which God had given man for doing good.<sup>161</sup>

Durán insisted that there was no salvation outside the Catholic Church.<sup>162</sup> In contrast to the *Liber Antiheresis*, he did not focus his attention on the idea that it is better to obey God than man, nor does he spend time justifying any actions of the Waldensians, or, indeed, on refuting the Waldensians or the matters where they had fallen away from the Church, concerning preaching or oath-taking. Rather the *Liber contra Manicheos* is now very squarely anti-Cathar and equally squarely in defense of the Roman Church, even though it still allows some complaints against prelates to be repeated.<sup>163</sup> But even though there were members of the Roman church who were not all that they should be and even though some lived unworthy lives, it was the case that many were good and loyal, and, as was vital, all in the unity of the Faith and through baptism professed belief in a single omnipotent God.<sup>164</sup> The oneness of the Catholic Faith contrasted sharply with the

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<sup>156</sup> Ibid.

<sup>157</sup> *Liber contra Manicheos*, 172: 'Nam si diabolus fecisset naturam, id est animas vel corpora quibus homines constant, nunquam mali homines et infideles possent converti ad Dominum nec salvari, quia nullum opus diaboli potest esse bonum.'

<sup>158</sup> *Liber contra Manicheos*, 309–10.

<sup>159</sup> *Liber contra Manicheos*, 144.

<sup>160</sup> *Liber contra Manicheos*, 186.

<sup>161</sup> *Liber contra Manicheos*, 144.

<sup>162</sup> *Liber contra Manicheos*, 94, 'non potest invenire veram salutem nisi in Iherusalem, id est in ecclesia Katholica, que fide recta et sana doctrina et iusta operatione pacem Domini contuetur.'

<sup>163</sup> Thouzellier, *Catharisme et Valdéisme*, 352.

<sup>164</sup> *Liber contra Manicheos*, 139: 'Romana vero ecclesia, licet multos habeat pravos operarios et iniustos, nonnullos tamen habet bonos et iustos et omnes una fide, uno baptismo, non sese iudicando dampnantes, unum verum omnipotentem Dominum confitentur.'

divisions among the heretics. Here Durán mocked the Cathars. If it was the case, as the Cathars argued, that all in this world was discord and therefore this world could not have been made by the good god, then it followed by the same reasoning that the souls of the Cathars could not have been made by the good god either, since the divisions between them in the dioceses of Toulouse, Albi and Carcassonne were well-known, as was the fact that the Greek Manicheans did not agree with the Bulgarian Manicheans and neither of them were of accord with the Dragovinthian Manicheans.<sup>165</sup>

For Durán, the discord of the heretics was only to be matched by their hypocrisy. In an unusual and revealing passage, Durán, who was himself, of course, dedicated to poverty, wrote that while the heretics denounced this world and material things as a product of evil, their beliefs contrasted dramatically with their practices.<sup>166</sup> As far as our author is concerned, while the heretics insistently quoted from the first letter of John ‘Do not love the world, nor the things that are in the world’ (‘Nolite diligere mundum neque ea que in mundo sunt’ (I John, 2:15)), in reality they loved the world all too much and seemed all too preoccupied with material things.<sup>167</sup> From what Durán had seen himself, and from what he had heard, in certain parts of the province of *Gothia*, (by which Durán appears to mean the county of Toulouse, the duchy of Narbonne and the viscounty of Carcassonne), as well as in the province of Aquitaine, and as was well known to all

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<sup>165</sup> *Liber contra Manicheos*, 210–11: ‘Ad hoc autem quod notant kathari maximam discordiam esse in cunctis fere que in hiis terris existunt, et ideo quasi probare intendunt ea Dominum non fecisse, dicimus, Si hec est probabilis ratio Deum, qui bonus est, non fecisse ista temporalia que videntur, quia discordia est in quibusdam, eadem ratione probabile est Deum benignum non fecisse animas katharorum, quia inter se dissentiunt et se ipsos ad invicem condemnant, sicut nos et maxima pars populi, tam clerici quam layci, vidimus et audivimus ab ipsis in Carcassonensi, et Tolosanensi, Albiensi diocesisibus manifeste. Preterea Greci manichei dissentiunt a Bulgariis et ab utrisque dissonant Drogovethi. Si discordia ergo ostendit Deum non fecisse ista que videntur in mundo, manifesta ratio erit Deum non fecisse eos. Quod is verum est, nunquam salvari poterunt in eternum. Si enim est aliqua creatura quam Deus non fecit, nunquam regnum Dei poterit adipisci. Nos autem, irridendo merito stulticiam ipsorum, dicimus unum Deum fecisse omnes visibiles et invisibiles creaturas.’

<sup>166</sup> *Liber contra Manicheos*, 118. Criticisms of the rapacity of the heretics were, of course, quite common, their usurious practices having been described by Vaux-de-Cernay (*PVC*, ch. 13) while their supposed riches and avarice were to be a theme for Raynier Sacconi (*Summa de Catharis*, ed. A. Dondaine in *Un traité néo-manichéen du XIIIe siècle*, le “*Liber de duobus principiis*”, suivi d’un fragment de rituel cathare (Rome, 1939), 68.)

<sup>167</sup> *Liber contra Manicheos*, 118.

the inhabitants of the diocese in which they remained, the heretics held fields, vineyards and their own houses, workshops, oxen, asses, mules, rouncies, gold and silver and many earthly possessions of this world. They were, moreover, expert businessmen, and laboured night and day for the sake of money.<sup>168</sup> How could it be, Durán argued, that the heretics really concurred with the words of the apostle and really believed that when John had written ‘Nolite diligere mundum’, he was declaring this material world to be evil, when they so clearly loved the earth and its possessions, and the fruits which arose from the earth?<sup>169</sup>

As was the case with the *Liber Antiheresis*, so with the *Liber contra Manicheos*, the final part of the text is much preoccupied with questions surrounding predestination. The question posed by the heretics was ‘why has God created souls who will be damned?’<sup>170</sup> For Durán all are not to be saved. For those who sin abuse the free will which they have received and some of them will die. But this was not the will of God, who far from wishing the death of the sinner wishes his conversion and life.<sup>171</sup> Why, asked the heretics, if God knows all things in advance, would he not make souls which were impeccable, faithful and imperishable?<sup>172</sup> For Durán, it was a dangerous business for men or angels to scrutinize God’s plan.<sup>173</sup> But people who were wicked were not the work of the devil and they had the opportunity to be sanctified by God.<sup>174</sup> Vice and sin did not proceed from heaven but from the

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<sup>168</sup> *Liber contra Manicheos*, 119–21, ‘Item, si de presenti mundo intelligunt heretici, id est de visibilibus creaturis, et ita debet intelligi, audacter dicimus quod ipsi consulte faciunt contra illud. Nam ut vidimus et audivimus in quibusdam partibus Gothie et Aquitanie provinciarum, et fere omnibus incolis diocesum in quibus manebant innotuit, quod ipsi habebant agros, vineas et domos proprias, ergasteria, boves, asinos, mulos et runcinos, aurum et argentum et multas possessiones terrenas huius mundi, et diebus ac noctibus laborabant et maximi negociatores erant pro terrena peccunia adquirenda.’

<sup>169</sup> *Liber contra Manicheos*, 121, ‘Si de hoc mundo visibili intelligenda sunt testimonia predicta, ut ipsi dogmatizant, consulte ipsimet faciunt contra apostolum qui dixit, Nolite diligere mundum, neque ea que in mundo sunt, quia diligunt terram et possessiones, et fructus que oriuntur ex ea.’

<sup>170</sup> *Liber contra Manicheos*, 319.

<sup>171</sup> *Liber contra Manicheos*, 320.

<sup>172</sup> *Liber contra Manicheos*, 323: ‘Si Deus omnipotens Salvator, ut ipsi asserunt, fecit animas que salvantur in manibus suis, quas dicunt esse oves domus Israel que perierant, quare ipse Deus, si novit omnia antequam fiant, non fecit eas tales ut peccare non possent neque ab eo recedere nec perire?’

<sup>173</sup> *Liber contra Manicheos*, 321.

<sup>174</sup> *Liber contra Manicheos*, 324–5.

choices of the human heart.<sup>175</sup> God gave man existence, conferred on him faith and the knowledge that God is just and merciful. He wishes that man likewise should become just and merciful through his daily prayer and by abandoning his perverted will.<sup>176</sup> God is not the cause of the damnation of man, who has the choice between the two ways of life and death.<sup>177</sup> He does not wish man's perdition and his foreknowledge does not cause that perdition.<sup>178</sup> Man's salvation lies in his observance of the commandments of God. Whoever listens to the word of God and fulfils it will be saved.<sup>179</sup> But was it not the case that anybody whose name was not in the Book of Life was condemned to the abyss? Durán answers that the Book of Life is nothing other than 'the memorial of the love of God', wherein are written all the names of those who observe the two precepts of charity and not impious sinners. The name of whoever loves God and obeys his laws is written in the Book of Life; the names of those who return to a path of sin are erased from the book.<sup>180</sup>

Following this, Durán promises to deal further with the compilation of the Cathars in a second book of his work.<sup>181</sup> But if he wrote it, it does not survive. At exactly what point Durán died we do not know. But it was before June 1237, by which time Durand de Najac was the central figure of the Catholic Poor. Still, at that stage, they were not following any approved rule and that had clearly disquieted the brothers in the Tarragonan and Narbonnese provinces, who asked the pope to help

<sup>175</sup> *Liber contra Manicheos*, 327: 'Vicia vero et peccata non de celo veniunt, sed ex corde procedunt, teste Domino Ihesu Christo.'

<sup>176</sup> *Liber contra Manicheos*, 327: 'Deus, qui dedit homini esse, contulit illi fidem et cognicionem quod Deus est iustus et misericors. Et si iustus et misericors, ergo debet homo intelligere quod Deus vult eum esse iustum et misericordem, et ab ipso corde et ore debet illa cotidie postulare et avertere se a sua prava voluntate.'

<sup>177</sup> *Liber contra Manicheos*, 328.

<sup>178</sup> *Ibid.*

<sup>179</sup> *Liber contra Manicheos*, 331.

<sup>180</sup> *Liber contra Manicheos*, 332: 'Item, obiciunt quidam, Qui non est inventus scriptus in libro vite, missus est in stagnum ignis. Ad quod dicimus, Liber vite non pueriliter debet intelligi, cum non sit aliud nisi memorialis dilectio Dei, in quo scripti sunt omnes qui duo precepta karitatis custodiunt, de quo delentur impii peccatores. Unde dicitur, Deleantur de libro vivencium, etc. Et Moyses, orans pro populo, Domino dixit, Aut dimitte eis hanc noxam, aut dele me de libro tuo quem scripsisti. Et Dominus Ihesus in Apocalipsi, Si quis diminuerit de verbis prophetie libri huius, auferet Deus partem eius de libro vite et de civitate sancta, etc. In quibus verbis datur intelligi tunc quemque scriptum esse in libro vite cum vere Deum diligit et mandata eius custodit; et tunc quemque obliterari de libro quando ad vomitum relabatur.'

<sup>181</sup> *Liber contra Manicheos*, 336.

them.<sup>182</sup> To that Gregory IX responded by giving rights of visitation over the group to the provincial of the Dominicans of Tarragona. Gregory called upon him to reform the order, draw up definitive statutes, and give them a rule agreed upon by the majority.<sup>183</sup> But whatever the provincial did, and however the remaining Catholic Poor responded, it was not enough. Still in 1247, the Catholic Poor in the archdiocese of Narbonne did not have an official rule.<sup>184</sup> By then, as Innocent IV declared in a letter dated 5 June, they were no longer erudite, nor were they fitted to preaching. The pope ordered them, by the mediation of Bernat de Berga, bishop of Elne, to join an approved canonical order.<sup>185</sup> They lasted just a few years longer in Lombardy, being incorporated in 1256 to the hermits of Saint Augustine.<sup>186</sup> In their task, they had been overtaken by other forces, most obviously the Franciscans and Dominicans, and they had never received quite the same level of support at a local level, which they had achieved in Rome at the time of Innocent III.

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<sup>182</sup> *Documentos de Gregorio IX*, 538–9, no. 675: ‘quia sicut ex parte prioris et Fratrum predictorum Pauperum in terraconensi et narbonensi prouinciis existentium fuit propositum coram nobis, idem predecessor noster nullam eis concessit de regulis approbatis set, retento Pauperum Catholicorum nomine, ipsis, ut procederent, in açimis sinceritatis et ueritatis, iniunxit, nobis humiliter supplicarunt ut uel eis nomen Catholicorum Pauperum confirmare, uel unam de approbatis regulis concedere curaremus.’

<sup>183</sup> *Ibid.*, ‘Ne igitur religionum diuersitas grauem in Ecclesia Dei confusionem inducat, mandamus, quatinus de diocesanorum consilio et assensu, personaliter ad loca ipsorum accedens, ac impendens eisdem uisitacionis officium, uice nostra, corrigendo et reformando, tam in capite quam in membris, que correctionis et refomationis officio noueris indigere, concedas eis ut assumant unam, quam magis elegerint, de religionibus approbatis, secundum ipsius postmodum, per censuram ecclesiasticam compellas.’

<sup>184</sup> *Registres d’Innocent IV*, i., 410, no. 2752.

<sup>185</sup> *Ibid.*

<sup>186</sup> L. Zanoni, ‘Valdesi a Milano nel secolo XIII’, *Archivio storico lombardo*, 17 (1912), 21; J. B. Pierron, *Die katholischen Armen* (Fribourg, 1911), 168–70; Thouzellier, *Catharisme et Valdéisme*, 298–9.



## CHAPTER FIVE

### INQUISITIONS IN THE CROWN OF ARAGON

#### *The Origins of Inquisition*

The institution which would, very much later, come to be mythologized as ‘the Inquisition’ was first established in the Iberian Peninsula as a response to the heretics and the Waldensians who had first appeared in the lands of the crown of Aragon in the later twelfth century.<sup>1</sup> Already by then, of course, *inquisitiones* were not uncommon and the desire of rulers and judges, secular and ecclesiastical, to enquire into rights and wrongs was already an increasingly notable feature of government.<sup>2</sup> But heresy posed its own special problems and since there had been, in living memory, little by way of manifest heresy, equally there were few guidelines concerning how heretics were to be investigated or what should be their punishment when they had been found culpable. The *Usatges de Barcelona*, which were themselves of little practical use before the 1190s, with their peculiar mix of the requirements of princely power interwoven with the antiquated customs which would give that power legitimacy, concerning heretics only declared that they could in fact confide in the sincerity of the prince.<sup>3</sup> That was decidedly out of tune with how heretics were being

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<sup>1</sup> On inquisitions in Spain, see J. Vincke, *Zur Vorgeschichte der Spanischen Inquisition*; L. Vones, ‘Krone und Inquisition. Das aragonesische Königtum und die Anfänge der kirchlichen Ketzerverfolgung in den Ländern der Krone Aragón’, in *Die Anfänge der Inquisition im Mittelalter*, 195–233; Fort i Cogul, *Catalunya i la Inquisició*; Baraut, ‘Els inicis de la inquisició’, 407–38.

<sup>2</sup> On inquisition generally see, H. Maissonneuve, *Études sur les origines de l’Inquisition* (Paris, 1960); W. Trusen, ‘Von den Anfängen des Inquisitionprozesses zum Verfahren bei der *inquisitio haereticae pravitatis*’, in *Die Anfänge der Inquisition*, 39–76; L. Kolmer, *Ad capiendas vulpes. Die Ketzerbekämpfung in Südfrankreich in der ersten Hälfte des 13. Jahrhunderts und die Ausbildung des Inquisitionsverfahrens* (Bonn, 1982); R. Kieckhefer, ‘The Office of Inquisition and Medieval Heresy: The Transition from Personal to Institutional Jurisdiction’, *Journal of Ecclesiastical History*, 46 (1995), 36–61; E. Peters, *Inquisition* (Berkeley, 1989); B. Hamilton, *The Medieval Inquisition* (London, 1981); Lea, *A History of the Inquisition*. Also, most recently, see C. Caldwell Ames, *Righteous Persecution. Inquisition, Dominicans and Christianity in the Middle Ages* (Philadelphia, 2008).

<sup>3</sup> *Usatges de Barcelona: El Codi a mitjan segle XII*, ed. J. Bastardas (Barcelona, 1984), 96, no. 60; *The Usatges of Barcelona: the fundamental law-code of Catalonia*, ed.



viewed and of no guidance in how to deal with them. The legislation of many ecclesiastical councils was equally of little help. In the councils of Lleida both in 1155 and 1174, Cardinal Hyacinth Bobone had condemned heretics, but he had neither indicated how the heretics should be defined nor what should be done with them.<sup>4</sup> Sometimes, even towards the end of the twelfth century, there was a vagueness concerning the problem in the minds of some churchmen. In 1191, when Hyacinth, as Celestine III, appointed Berenguer, as archbishop of Narbonne, he did so sure that the half-brother of Alfonso II of Aragon would be the man to uproot heresy from that troubled region.<sup>5</sup> But he gave little indication as to what exactly he thought Berenguer was supposed to do in practical terms and there is no indication that as abbot of Montearagón or as bishop of Lleida, Berenguer had ever combated heresy at all or, indeed, had the opportunity to do so.

Yet concerning how heresy was to be treated, not everything needed to be quite as nebulous as it might have first appeared, since legislation developing outside the crown lands was increasingly tackling the problem. At the council of Tours in 1163, which had been well-attended by the prelates of the province of Tarragona, Alexander III had legislated for the confiscation of the goods of the heretics.<sup>6</sup> If they paid close attention to its constitutions, and particularly to Canon 27, those prelates who attended the Third Lateran Council in 1179 (and that was most of the Tarragonan province) would certainly have been given some idea concerning the nature of the problem and how the church was supposed to treat it. Canon 27 specified the heretics with which it was concerned.<sup>7</sup> They were of Gascony and the regions of Albi and Toulouse, and were called Cathars, as well as Patarenes or Publicans,

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D. Kagay (Philadelphia, 1994), no. 60; A. Kosto, 'The limited impact of the *Usatges de Barcelona* in Twelfth-Century Catalonia', *Traditio*, 56 (2001), 53–88.

<sup>4</sup> *Les Constitucions de Pau i treva de Catalunya*, 53, no. 12, 61, no. 13. On the dating of the council to 1174, see Smith, 'The Iberian legations of Cardinal Hyacinth Bobone', in *Pope Celestine III: Diplomat and Pastor*, ed. J. Doran and D. J. Smith (Farnham, 2008), 88, n. 59.

<sup>5</sup> *Gallia Christiana*, vi, 49. On Berenguer, see Smith, *Innocent III and the Crown of Aragon*, 38–9; E. Graham-Leigh, 'Hirelings and Shepherds: Archbishop Berenguer of Narbonne (1191–1211) and the ideal bishop', *English Historical Review*, 116 (2001), 1083–1102.

<sup>6</sup> *Mansi*, xxi, 1177–8; R. Somerville, *Pope Alexander III and the Council of Tours (1163): A Study of Ecclesiastical Politics and Institutions in the Twelfth Century* (Berkeley, 1977), 28.

<sup>7</sup> *Conciliorum Oecumenicorum Decreta*, ed. G. Alberigo, G. L. Dossetti, P. Joannou, C. Leonardi, P. Prodo, H. Jedin (Bologna, 1991), 224–5; *Mansi*, xxii, 231–3.

and were also known by other names. The council was also clear about the punishments for the heretics. They were placed under anathema along with their defenders and those who received them. They were neither to be supported nor traded with. Mass was not to be offered for those who died in heresy nor were they to receive Christian burial. The same went for those who hired, kept or supported the *routiers* who ravaged the region, despoiling churches and sparing nobody. They, the *routiers*, were to be denounced publicly in churches on Sundays and other solemnities. Anybody who was bound by any pact with any of these people was free from all obligations of loyalty, homage or any obedience. The goods of these people were to be confiscated and secular princes were to subject them to slavery. The faithful were enjoined, for the remission of their sins, to take up arms against such people in order to protect the Christian people. Those who, truly sorry for their sin, died in a conflict against them could be sure of forgiveness of their sins and eternal reward. A remission of two years penance was to be granted to those who took up arms against the *routiers* on the advice of prelates, and greater rewards were on offer for those who did most. Those who did not obey the exhortations of the bishops in this matter were to be denied Holy Communion. Those who took it upon themselves out of devotion to drive out the heretics were to be under the protection of the Church and any who did harm to them were to be excommunicated until they repaired the harm done. Bishops and priests who failed to protect them were to lose their office until pardoned by the apostolic see.<sup>8</sup>

Canon 27, of course, is problematic and there has been a tendency to interpret from the text that the action which was to be taken against *routiers* (who the Church considered like heretics or pagans) was also to be directed against those heretics not involved in violence. This does not appear to be the case but the seemingly poor structure and wording of the legislation might have been deliberate, a product of the council's own uncertainties, and even if it was not, it is not unlikely that the prelates of Tarragona, most of whom were at the council, would

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<sup>8</sup> Ibid. For commentary, see M. Meschini, *Innocenzo III e Il Negotium Pacis et Fidei in Linguadoca tra il 1198 e il 1215* (Roma, 2007), 464–9; O. Hageneder, 'La decretale Vergentis (X. V, 7, 10): un contributo sulla legislazione antiereticale di Innocenzo III', in idem, *Il sole la Luna: Papato, impero e regni nella teoria e nella prassi dei secoli XII e XIII* (Milan, 2000), 138–9; R. Foreville, *Le pape Innocent III et la France*, 252–3; Maisonneuve, *Études sur les origines de l'Inquisition*, 133–8.

have left with some degree of doubt as to what was to be done to whom.<sup>9</sup> The council called at Tarragona by Archbishop Berenguer in the following year was presumably intended to promulgate Third Lateran's legislation, even if it is better known for its decision to end the practice of dating documents with the Frankish regnal year.<sup>10</sup> It is reasonable to surmise that the legislation of Third Lateran concerning how to deal with heresy was fairly well-known in the province of Tarragona in the 1180s.

The momentous *Ad abolendam* issued by Lucius III in November 1184, would most probably have been quickly received in the province of Tarragona as well, given that it was certainly the pope's intention that it would be promulgated in all parts.<sup>11</sup> *Ad abolendam* condemned all heresies, naming the Cathars and Patarenes, the Humiliati and the Poor of Lyon, the Passagians, Josephines, and Arnaldists.<sup>12</sup> All those who preached without the authority of the Church and taught things concerning the sacraments contrary to the teachings of the Church, were to be subject to anathema. The same went for their receptors and defenders. Clerics who were guilty of heresy were to be degraded from their orders, lose any office or benefice, and handed over to the secular power for punishment, unless they returned to the unity of the faith, abjured their errors in front of the ordinary, and gave fitting satisfaction. Lay heretics, unless they immediately abjured their heresy, were to be handed over to the secular power for the punishment which fitted their crime.<sup>13</sup> Archbishops, bishops, archdeacons and other suitable honest persons were to visit twice a year parishes where heresy had been reported and there they were to take an oath from three or more reliable witnesses (or the whole parish if needs be) who would indicate any heretics or secret conventicles or dissidents. Those accused were then to come to the presence of the bishop or archdeacon and they

<sup>9</sup> *Mansi*, xxii, 466. Only the bishops of Tarazona and Zaragoza were absent.

<sup>10</sup> *Mansi*, xxii, 471–2. The practice was changed on 24 June 1180 but at Vic they kept with the old customs for some time (R. Ginebra, 'Un cas de dissidència cronogràfica: còmput cronològic a Vic i al bisbat de Vic, segles XII–XIV', *Acta historica et archaeologica Mediaevalia*, 20–1 (1999–2000), 561–90.

<sup>11</sup> *Corpus Iuris Canonici*, 2 vols, ed. A. Friedberg (Leipzig, 1879–81), ii, 780–2; *Mansi*, xxii, 476–8; Maisonneuve, *Études sur les origines de l'Inquisition*, 151–6; Kolmer, *Ad capiendas vulpes*, 29; Peters, *Inquisition*, 47–8; P. Diehl, 'Ad abolendam (X.5.7.9.) and the Imperial Legislation against Heresy', *Bulletin of Medieval Canon Law*, 19 (1989), 1–11.

<sup>12</sup> *Ibid.*

<sup>13</sup> *Ibid.*

would be punished, where fitting, with canonical sanctions. Lay authorities were called upon to see that the statute, which had been issued jointly with Frederick Barbarossa, should be observed. Anybody who refused was to have their office taken from them, they were to be excommunicated and their lands were to be placed under interdict. Cities which resisted the legislation and failed to punish the heretics were to be cut off from trading with neighboring cities.<sup>14</sup>

Alongside Third Lateran, *Ad abolendam* had a particular significance to the Crown since it condemned the Waldensians who were soon to be perceived as being the major problem in the lands of the Crown. It should also be noted that the first decrees in the Crown of Aragon against heresy coincided with the influx of the revived Roman law into the eastern Iberian Peninsula, especially through the ever increasing number of Catalans who were going to school at Bologna. There was an increased circulation of Roman law and canonical collections, most obviously the *Decretum*, which had, amongst much else, dealt at great length with the danger of heresy to Christian society, provided for criminal penalties against heresy, compared the war against heresy with the war against unbelievers, and inferred that a contumacious heretic could forfeit not only his property but also his life, provided this was done by lawful authority for the common good.<sup>15</sup>

### *The Legislation of the Crown*

Whether it was students of canon law returning to their dioceses or the lawyers and advisers within Alfonso II's own ranks, or the cardinal-legate Gregory of Sant' Angelo who framed the legislation of October 1194 at Lleida, which the royal notary Guillem de Bassia set down, is not clear.<sup>16</sup> One suspects that it was the visit of Cardinal Gregory which

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<sup>14</sup> Ibid.

<sup>15</sup> *Corpus Iuris Canonici*, i, 889–1006; On the revision of Causa 24, see A. Winroth, *The Making of Gratian's Decretum* (Cambridge, 2000), 34–76. On Catalan lawyers, see, Miret i Sans, 'Escolars catalans al Estudi de Bolonia en la XIIIa centuria', 137–55; P. Freedman, 'Catalan lawyers and the origins of serfdom', *Medieval Studies*, 48 (1986), 288–314; A. Gouron, *Études sur la diffusion des doctrines juridiques médiévales* (London, 1987).

<sup>16</sup> J. Marqués, 'Alfonso II el Casto y la seo de Gerona', 218–19; Baraut, 'Els inicis de la inquisició', 419–20. On Gregory's legations to Spain, see Weiss, *Die urkunden der päpstlichen legaten*, 300–308.

encouraged Alfonso's actions, but it should be noted that among the wide range of churchmen and knights present at Lleida, were two of Alfonso's long-term advisers, the sacristan of Barcelona, the elder Berenguer de Palou (later bishop of the same see), and the sacristan of Vic, Pere de Tavartet (whose nephew Guillem was to be elected to Vic in the following year), both of them enthusiasts for the promotion of legal studies.<sup>17</sup>

Alfonso's legislation first emphasized that it was his duty as a Christian king to see to the welfare of his people and that he was acting in accordance with his ancestors and the rulings of the Holy Roman Church. The Waldensians, and other heretics, concerning whose names the legislation seems far less certain, having been anathematized by the Church, were declared enemies of the cross of Christ and violators of the Christian religion and enemies of the king and of his kingdom. As such they were ordered to leave Alfonso's kingdom.<sup>18</sup> As well as the Waldensians or heretics themselves, anybody who helped them, by receiving them into their houses or listening to their preaching or giving them food or any *beneficium*, would incur the indignation of Almighty God and that of the king who would confiscate their goods, without possibility of appeal, punishing them as if for the crime of lèse majesté.<sup>19</sup> The king's edict was to be recited on Sundays through all the cities, castles and towns of the kingdom and in the king's power, by all the prelates of the realm and was to be observed by everybody in

<sup>17</sup> On Berenguer de Palou I and his family, see S. Puig i Puig, *Episcopologio de la sede barcinonense* (Barcelona, 1929), 177–9, 183–6. On Pere de Tavartet, see P. Freedman, *The Diocese of Vic: Tradition and regeneration in Medieval Catalonia* (New Brunswick, 1983), passim.

<sup>18</sup> Baraut, 'Els inicis de la inquisició', 419: 'Quum Deus populo suo nos preesse voluit, dignum et justum est ut de salvatione et defensione ejusdem populi continuam pro viribus geramus sollicitudinem. Quapropter precedentium patrum nostrorum imitatores et sancte romane ecclesie canonibus obtemperantes, qui hereticos a conspectu Dei et catholicorum omnium abiectos ubique damnandos ac persequendos censerant, valdenses videlicet sive sabatatos, qui et alio nomine se vocant pauperes de Lugduno et omnes alios hereticos, quorum non est numerus, a sancta ecclesia anathematizatos, ab omni regno nostro et potestativo, tamquam inimicos crucis Christi christianeque religionis violatores et nostros etiam et regni publicos hostes exire et fugere precipimus.'

<sup>19</sup> 'Si quis, igitur, ab hac die et deinceps predictos valdenses et zabatatos aliosque hereticos, cuiuscumque professionis et secte, in domibus suis recipere vel eorum funestam predicationem alio loco audire, vel eis cibum vel aliud aliquod beneficium largiri presumpserit indignationem omnipotentis Dei et nostram se noverit incursum bonisque suis absque appellationis remedio confiscandis, se tamquam reum criminis lese majestatis puniendum.'

the king's realms. Moreover, the king made it clear that any person, noble or otherwise, who came upon any of the heretics within the king's land and did them harm, excepting death or the mutilation of their members, was to be thanked and received in the churches, and was to incur no penalty for what they had done but rather would receive the king's grace.<sup>20</sup> The heretics had until the eve of All Saints (which was then less than a month away) to leave the king's land or to have begun to do so, after which the attacks upon them were to begin.<sup>21</sup>

That not all of the heretics left the kingdom is strongly suggested by the legislation of Peter II at Girona in February 1198.<sup>22</sup> It is noticeable that whereas Alfonso's decree had been issued without any bishop present, that of 1198 was promulgated in the presence of Archbishop Ramon of Tarragona, Bishops Gaufre of Girona, Ramon of Barcelona, Guillem de Tavartet of Vic and Guillem of Elne. Moreover, whereas the Lleidatan decree did not specifically mention any nobles by name who served as witnesses, that of Girona was promulgated in the presence of many of the great figures of the crown lands, including Count Ponç Hug of Empúries, Gaufre de Rocaberti, Miguel de Luesia, Guillem de Cervera, and Bernat de Portella. Besides this, it should also be noted that the sacristans of Barcelona and Vic, Berenguer de Palou and Pere de Tavartet, were there again, and alongside them Guillem Durfort, who would long be of service to the crown.<sup>23</sup> It is quite possible that these last figures had a strong hand in formulating the new decree which, at first glance, may look like the same decree as that which had been issued four years before, but which is subtly and significantly different. Perhaps unsurprisingly, given Peter II's precarious financial position, important differences in the two edicts were related

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<sup>20</sup> 'Notandum etiam quod si qua persona, nobilis aut ignobilis, aliquos supradictorum nefandorum alicubi regionum nostrarum invenerit, non prorsus ait cito inde exeuntes, sed potius contumasciter commorantes, omne malum, dedecus et gravamen, quod eis, preter solummodo lesionem mortis et membrorum detractionem, intulerit, gratum et acceptum erit in ecclesiis nostris et nullam inde penam pertimescat quoquo modo incurrere, sed magis ac magis gratiam nostram se noverit promereri.'

<sup>21</sup> 'Damus autem nephandis illis indutias, quamvis quodam modo preter debitum et contra rationem fieri videatur, usque in crastinum Sanctorum Omnium, quo vel egressi fuerint de terra nostra vel egredi ceperint, deinde spoliandis, cedendis et fustigandis ac turpiter et male tractandis.'

<sup>22</sup> Baraut, 'Els inicis de la inquisició', 420–2, no. 2.

<sup>23</sup> On Guillem Durfort, see particularly, Bisson, 'The Finances of the Young James I', *passim*.

to financial penalties for heresy or the protection of heresy.<sup>24</sup> But that was not all, as the king also specified a particular physical punishment for the heretics who remained in his lands.

Peter gave the heretics until Easter 1198 to quit his lands. But if they did not do so by that time, they were to have two thirds of their goods confiscated and the third part might go to the person who had discovered them. The bodies of the heretics were to be burnt by fire.<sup>25</sup> This appears to mean that they would be executed. The castellans and lords of castles who had received heretics in their castles and towns, were to surrender them within three days of learning of the decree and were not to give them any help. If the castellans and lords did not comply, then all the men of whichever diocese wherein the heretics were found, had to follow the king's vicars or bailiffs or *merinos* to the castles or towns of the castellans or lords where there were heretics and they would not be held accountable for any damage done there.<sup>26</sup> If the men of the diocese did not follow the king's officials, they themselves would be fined 20 bezants unless they could provide the king with a just and legitimate excuse for their absence.<sup>27</sup> Any of the officials of the king or

<sup>24</sup> Baraut, 'Els inicis de la inquisició', 408.

<sup>25</sup> 'Quapropter precedentium patrum nostrorum in fide imitatores, sacrosancte romane ecclesie canonibus obtemperantes, qui hereticos a consortio Dei et sancte ecclesie et catholicorum omnium exclusos utique damnandos ac persequendos censurerunt, valdenses videlicet, qui vulgariter dicuntur sabbatati, qui et alio nomine se vocant pauperes de Lugduno, et omnes alios hereticos, quorum non est numerus nec nomina sunt nota, a sancta ecclesia anathematizatos, ab omni regno et potestativo nostro, tanquam inimicos crucis Christi christianeeque fidei violatores et nostros etiam regni que nostri publicos hostes, exire ac fugere districte irremeabiliter precipimus. Et sub eadem districtione vicariis, bajulis et merinis totius nostre terre ut ad exeundum eos compellant usque ad dominicam Passionis Domini mandamus. Et si post tempus prefixum aliqui in tota terra nostra eos invenerint, duabus partibus rerum suarum confiscatis, tertia sit inventoris, corpora eorum ignibus crementur.'

<sup>26</sup> 'Eidem mandato fortiter adjicientes ut dicti vicarii, bajuli, merini castlanos et castrorum dominos, qui eos in castris suis et villis recipiunt, moneant ut de villis et castris suis et de omni terra sua infra triduum post ammonitionem suam, omni postposita occasione eiciant et nullum prorsus subsidium eis conferant. Quod si monitis eorum acquiescere noluerint, omnes homines villarum seu ecclesiarum vel aliorum locorum religiosorum in diocesi illius episcopi constituti, in cujus territorio idem castlanus ac dominus castri vel ville fuerit, ex mandato et auctoritate nostra sequantur vicarios, bajulos et merinos nostros illius episcopatus super castra et villas eorum et super loca ubi inventi fuerint, et de damno quod castlanis et villas eorum et super loca ubi inventi fuerint, et de damno quod castlanis seu dominis castrorum vel villarum aut receptoribus dictorum nefandorum dederint nullatenus teneantur.'

<sup>27</sup> 'Sed si sequi eos noluerint ex quo eis denuntiatum fuerit, ultra iram et indignationem nostram, quam se noverint incursuros, viginti aureos pro pena singuli eorum, nisi juste et legitime se excusare potuerint, nobis prestabunt.'

men who neglected his mandate or transgressed it would be liable to the same confiscation of goods and the same corporal punishment as the heretics. Within eight days of receiving the order, the king's vicars, *merinos* and bailiffs were to go to the bishop of the diocese they were in and swear upon the Holy Gospels that they would fulfill the king's mandate. If they refused to do so, as well as incurring the king's anger and indignation, they were to be subject to a fine of 200 bezants.<sup>28</sup>

The royal legislation gave ample advice on the pursuit of Waldensians and other heretics and on the punishments to be meted out not only to the heretics and their supporters but to those who failed in their duty to pursue them. But it was, as one would expect, far less clear on how to identify heresy in the first place. *Ad abolendam* may have had some effect. In 1200, when the conscientious Bishop Bernat of Urgell received an oath from the cleric Arnau de Puigverd that he would have no more to do with the heretics and *Sabatati*, it is likely, though by no means certain, that this had been preceded by some sort of episcopal visitation, such as we find in the case of several heretics at La Charité-sur-Loire in the same period. Perhaps Bernat, like Archbishop Michel of Sens in that case, instituted a court to investigate.<sup>29</sup>

It is certainly the case that Peter II interested himself in discovering what the heretics actually believed. In February 1204, at Carcassonne, alarmed by the number of heretics, the king had called for Waldensians to come forward and debate against the bishop of Carcassonne and the

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<sup>28</sup> 'Si vero, quod non credimus, vicarii, bajuli, merini et totius terre nostre homines vel populi circa hoc regie dignitatis nostre mandatum negligentes vel desides extiterint seu contemptores vel transgressores inventi fuerint, bonorum omnium confiscatione procul dubio mulctabuntur et eadem pena corporali, qua nefarii plectentur. Ad ultimum omnibus predictis vicariis, merinis et bajulis nostris presentibus et futuris firmiter injungimus ut post admonitionem vel litterarum receptionem illius episcopi et ejus nuntii in cujus diocesi fuerint constituti, infra octo dies ad ejus accedant presentiam et tactis sacrosanctis corporaliter evangeliis ea que superius fieri mandavimus jurent fideliter se in perpetuum observaturos. Quod si facere noluerint, preter iram et indignationem nostram pena ducentorum aureorum feriantur.' Also see M. Menéndez Pelayo, *Historia de los heterodoxos españoles*, 2 vols (Madrid, 1965 [1880–2]), i., 454–5.

<sup>29</sup> ACU, *Liber Dotaliorum*, 1, fol. 269v, doc. 939; Baraut, 'Els documents, dels anys 1191–1200': 'Iuro ego A. de Podiovirido capellanus quod de cetero ero fidelis et obediens in omnibus et per omnia vobis, domino meo B. Urgellensi episcopo, vestrisque successoribus quod vestras sentencias observabo nec sustinebo ereticos sive inçabatos verbo vel facto, me sciente, per Deum et hec sancta. IIIlor. evangelia'; E. Chenon, 'L'hérésie à la Charité sur-Loire et les débuts de l'Inquisition monastique dans la France du Nord au XIIIe siècle', *Nouvelle revue historique de droit français et étranger* (Paris, 1917), 299–324.



papal envoys.<sup>30</sup> The king condemned the Waldensians as heretics. On another day he heard a debate between other heretics (whom he does not give a name to but who were led by their bishop Bernard de Simorre) and Catholics. They were asked whether they believed that there was a single omnipotent God without beginning or end, creator of all that was visible and invisible, and giver of the law of Moses and the New Testament. As far as the royal account of the event was concerned (and it must be treated with some caution), the heretics then prevaricated but eventually said that there were three or more gods, asserting all visible things to have been created by an evil God and the law of Moses to have been given by an evil God. They also said that Jesus Christ had a human father and mother, denied the resurrection of the body and the sacraments of baptism and the Eucharist, and asserted that the Virgin Mary was not born of carnal parents.<sup>31</sup>

Peter II, unsurprisingly, judged these too as heretics but nothing appears to have been done following their conviction. Indeed, it seems Bernard de Simorre was around for some years to come.<sup>32</sup> The inaction might be explained by the fact that the king was in the lands of Raymond-Roger and, although he was his overlord, expected the viscount to deal with the matter, but this all sits uneasily with his draconian legislation of 1198, where exile or possible death had awaited the Waldensians and other heretics. In pursuit of the little foxes, the king's bark was perhaps sometimes worse than his bite.

Yet this could not be said of Innocent III who had responded in 1203 to the dowager-queen Sancha on the question of heretics in her lands by sending her a copy of the decretal *Vergentis*, which signaled the punishments for those who were heretics or defended them.<sup>33</sup> Some of it, of course, was already reasonably familiar. Those who favoured heresy, after having ignored one or two warnings, would fall into infamy and were not to be admitted to any public office, nor to the council of citizens or the election for such, nor as a witness in a legal case. They could not make a will or receive an inheritance. They could not carry out the functions of the office of judge, lawyer or notary. Nobody was obliged to respond to them in any matter. Any clergy who favoured heretics would lose their offices and their benefices. Those

<sup>30</sup> *Bullaire du bienheureux Pierre de Castelnau*, 107–9, no. 29.

<sup>31</sup> *Ibid.*

<sup>32</sup> *PVC*, ch. 52; *Liber contra Manicheos*, 78.

<sup>33</sup> Alvira/Smith, 'Política antiherética', 84–8, nos. 1–2; *Register*, ii, 3–5, no. 1.

who maintained contact with such people after they had been condemned by the Church would be subject to anathema. The goods of those that lived within the patrimony of the Church would be confiscated. Outside of the lands of the Church, the matter was to be assumed by the secular powers and princes and if those were negligent they ought to be submitted to ecclesiastical punishments. Only in the most exceptional circumstances, after a complete abjuration of heresy, would it be possible to restore the goods to those reconciled.<sup>34</sup>

The pope, in the most original part of the bull, reasoned that if Roman imperial law showed that the goods of those condemned for the crime of *lèse majesté* ought to be confiscated and the lives of their children only spared through clemency, how much more ought this to be the case with those who offended the Divine Majesty of Christ. How much more serious it was to offend eternal majesty than temporal majesty. While the disinheritance of orthodox children might seem harsh, the pope reasoned that in many cases by divine judgment sons were punished temporally because of their fathers and that according to canonical sanctions revenge is taken not only on the authors of crimes but upon the offspring of the condemned.<sup>35</sup>

The decisions of *Vergentis* concerning the punishment of innocent children and the confiscation for goods from those not actually condemned as heretics left problems for canon lawyers and secular rulers alike (and, of course, for the pope himself).<sup>36</sup> It was the first actual letter sent from the papacy to Aragon on the matter and it probably influenced the crown to continue its system of confiscation coupled with fines, while deemphasizing the death penalty, which *Vergentis* does not mention. That this system might prove lucrative to the crown soon became evident. In his coronation oath of November 1204 at San

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<sup>34</sup> Ibid.

<sup>35</sup> 'Cum enim secundum legitimas sanctiones reis lese maiestates punitis capite bona confiscantur ipsorum, eorum filiis vita solummodo ex misericordia conservata: quanto magis, qui aberrantes in fide Deum Dei filium Iesum Christum offendunt, a capite nostro, quod est Christus, ecclesiastica debent distictione precidi, et bonis temporalibus spoliari, cum longe sit gravius eternam quam temporalem ledere maiestatem? Nec huius severitatis censuram orthodoxorum etiam exheredatio filiorum quasi cuiusdam miserationis pretextu debet ullatenus impedire, cum in multis casibus etiam secundum divinum iudicium filii pro patribus temporaliter puniantur et iuxta canonicas sanctiones quandoque feratur ultio non solum in auctores scelerum sed etiam et in progeniem dampnatorum.' See K. Pennington, 'Pro peccatis patrum puniri. A Moral and Legal Problem of the Inquisition', *Church History*, 47 (1978), 137–154.

<sup>36</sup> On which difficulties, see Hageneder, 'La decretale Vergentis', 131–63.

Pancrazio in Rome, Peter swore that he would defend the Catholic faith and pursue heretical wickedness.<sup>37</sup> In June 1205, the pope conceded a privilege to Peter which granted to him, as a Catholic prince and most Christian king, all the lands of the heretics he could legally possess,<sup>38</sup> while a letter to the papal legates in Languedoc instructed them to concede to Peter in fief the castle of Lescure, when he might capture it, in return for a fixed census.<sup>39</sup> The years ahead, of course, allowed Peter to see that others could also benefit from the confiscation of the lands of those who were supporters of heresy, including those lands of his vassal, Raymond-Roger Trencavel and his brother-in-law, Raymond VI of Toulouse. The system of fining was re-introduced in the king's legislation of March 1211.<sup>40</sup> When confronted by an unusually united Church of the Tarragonan province, Peter elaborated on the penalties for the short, medium and long-term excommunicate and the division of the fines between crown and church. While this legislation was not specifically against heretics, it was evidently a further step by which the royal coffers profited from those who were outside of the communion of the Church.<sup>41</sup>

The years of James I's minority might seem, at first sight, a period of inactivity, a calm before the storm, in terms of the development of methods of dealing with heresy but, as in so many things, these years were all important. It is true that when, in 1214, Peter of Benevento came across the Pyrenees he probably did not investigate heresy and the reconciliation of Ramon de Josa is unlikely to have been preceded by an ecclesiastical court to establish his guilt.<sup>42</sup> The following year, however, saw many of the prelates of the region, across Spain, and across Christendom generally, journey to Rome for the Fourth Lateran

<sup>37</sup> *Register*, vii, no. 229; *MDI*, 339–41, no. 337. On the motives for the coronation, see Smith, 'Motivo y significado de la coronación de Pedro II de Aragón', *Hispania*, 60 (2000), 163–79.

<sup>38</sup> *MDI*, 350, no. 319.

<sup>39</sup> *MDI*, 351–2, no. 322.

<sup>40</sup> *Los Cartularios de San Salvador de Zaragoza*, 4 vols, ed. A. Canellas López (Zaragoza, 1989), ii, 507–8, nos. 839–40; *Cartulari de la Vall d'Andorra*, ii, 262–3, no. 104; *Diplomatari de la catedral de Tortosa (1193–1212): episcopat de Gombau de Santa Oliva*, ed. A. Virgili (Barcelona, 2001), 427–31, nos. 748–9; *Cartoral dit de Carlemany*, ii, 595–7, no. 400.

<sup>41</sup> On the importance of the March 1211 privileges generally see O. Engels, 'Privilegios de Pedro el Católico en favor de obispos Catalanes', *VII. CHCA*, iii (1962), 33–9.

<sup>42</sup> Baraut, 'Presència i repressió del catarisme', 516, no. 12.

Council. Much of the legislation there was of immediate relevance to the later establishment of inquisitions.<sup>43</sup> While canon 1 offered a clear statement of orthodox Christian belief, canon 3 of the council set out the procedures, in by then traditional terms, to be taken against clerical and lay heretics, and those who were suspected of heresy, though limiting what had been said in *Vergentis* in that it said nothing concerning the confiscation of the goods of the protectors of heretics.<sup>44</sup> Canon 6 called for the appointment of suitable persons to investigate abuses within each diocese, who would then report back to an annual provincial synod.<sup>45</sup> Canon 8 outlined the threefold procedure (by accusation, denunciation and inquiry) by which prelates could investigate and punish the excesses of their clergy.<sup>46</sup> Canon 21 demanded that the faithful above the age of reason go to confession and receive the Eucharist at least once a year.<sup>47</sup> Canon 38 required that a judge have a notary or two competent men to put in writing the acts of a judicial process.<sup>48</sup>

The conciliar legislation was to get a better reception in the Tarragonan province than elsewhere in the peninsula though this would take time.<sup>49</sup> Before it had had time to take effect, although the crown was in difficulties, the *Corts* of Vilafranca in 1218 placed outside the peace and truce manifest heretics and their believers and favourers.<sup>50</sup> Certainly, by late 1220, in the diocese of Tarragona itself the Carthusians of Escaladei were engaged in a preaching campaign to correct heretics.<sup>51</sup> If the use of the Carthusians seems slightly strange it is partly explained by the region they were established in but also it should be remembered that the Dominicans, who were to

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<sup>43</sup> *Constitutiones Concilii quarti Lateranensis una cum Commentariis glossatorum*, ed. A. García y García, (Vatican City, 1981); J. F. Rivera Recio, 'Personajes hispanos asistentes en 1215 al IV Concilio de Letrán', *Hispania Sacra*, 4 (1951), 335–55; M. Meschini, *Innocenzo III e Il Negotium Pacis*, 652–664.

<sup>44</sup> *Constitutiones*, 41–3, 47–51.

<sup>45</sup> *Constitutiones*, 53.

<sup>46</sup> *Constitutiones*, 54–7.

<sup>47</sup> *Constitutiones*, 67–8.

<sup>48</sup> *Constitutiones*, 80–1.

<sup>49</sup> Linehan, *Spanish Church*, 54–82.

<sup>50</sup> *Cortes de los Antiguos Reinos de Aragón y de Valencia y Principado de Cataluña (1064–1327)*. *Cortes de Cataluña* (Madrid, 1896), i, 99; *Documentos de Jaime*, i, 35–9, no. 9: 'Ab hanc autem pace excludimus hereticos manifestos et eorum credentes atque fautores, fures, latrones et eorum receptores. Constituentes insuper firmiterque mandamus ut nullus eos defendat, imo manifestent eos et in omnibus modis evitet.'

<sup>51</sup> VL, xix, 310–1, no. 42; Gort, *Occitans i Càtars*, 51–3, no. 1.

play such a substantial part in the fight against heresy, had only arrived in the peninsula in 1217 and only established a house in Barcelona about five years later.<sup>52</sup> The *Corts* of Tortosa in April 1225 would reiterate the legislation of Vilafranca, excluding from the peace all heretics, their favourers and their receivers.<sup>53</sup> Seven months later, the Council of Bourges (30 November 1225) met under the watchful eye of Cardinal Romanus, and Raymond VII had offered 'to purge himself and mend his ways, and to the best of his ability to do justice to all convicted or confessed heretics in his land without delay, and from now on to expedite their eradication.'<sup>54</sup> In April 1226, James issued, in response to the king of France and Romanus, the edict in which he ordered that those who had any dealings with heretics would face the king's wrath.<sup>55</sup>

### *Inquisition in the Crown Lands*

Though the reform of the church remained paramount in papal thought, as is evidenced by the brave efforts of Cardinal John of Abbeville on his visit to Tarragona province in 1229,<sup>56</sup> wrath was increasingly a means by which it was felt heresy should be dealt with generally. Indeed, in the bull *Excommunicamus* of 1231 which reached Zaragoza, Gregory IX endorsed the antiheretical legislation of Frederick II, which applied the old Roman term *animadversio debita*, meaning

<sup>52</sup> T. Mamachi, *Annales Ordinis Praedicatorum* (Rome, 1756), i, 411, no. 13; F. Valls i Taberner, *Sant Ramon de Penyafort* (Barcelona, 1999 [1934]), 80; Vicaire, *Histoire de Saint Dominique*, ii, 129, n. 113, 236, n. 123, 309, n. 27. Admittedly, this does not explain why the Cistercians of Poblet were not used for the task.

<sup>53</sup> *Cortes de Cataluña*, i, 108; *Documentos de Jaime*, i, 139–44, no. 67: 'Ab hac autem pace excludimus omnes hereticos et fautores et receptatores eorum.'

<sup>54</sup> R. Kay, *The Council of Bourges, 1225: a documentary history* (Aldershot, 2002), 298–300, no. 3: 'In sequenti vero festo sancti Andree apostoli, dictus legatus convocatis archiepiscopis, episcopis, abbatibus, et capitulis totius Francie, Byturis concilium celebravit, ubi Raimundus comes Tolosanus veniens et gremium sancte matris ecclesie sibi apperiri petens, absolutionem humiliter postulavit, sui purgationem offerens et emendam, et pro posse suo de omnibus terre sue hereticis convictis vel confessis iustitiam indilatam, ed ad eos deinceps exstirpandos operam efficacem.'

<sup>55</sup> *HGL*, viii, 830–1; *Documentos de Jaime*, i, 162, no. 80.

<sup>56</sup> Linehan, *Spanish Church*, 20–34. In 1230, a provincial council at Tarragona would decree that all heretics and their receptors and their favourers should be denounced as excommunicate in all parish churches on all Sundays and Feast days. This especially applied to the church of Urgell (Pons i Guri, 'Constitucions Conciliars Tarraconenses', 255).

the death penalty.<sup>57</sup> In the following year the problems in the archdiocese were specifically targeted. Gregory's bull *Declinante iam mundi*, was sent from Spoleto and dated to 26 May.<sup>58</sup> The pope had been informed that the cancer of heresy was already infecting places within the province of Tarragona and he ordered Archbishop Aspàreg and his suffragans that they themselves or the Friars Preacher or other suitable persons should carefully inquire into the heretics and those suspected of heresy. Any who were found guilty, unless they wished to obey the mandates of the Church, were to be proceeded against in the manner set out in the statutes of Toulouse (1229) which had recently been promulgated against the heretics and no less those who were the receivers, defenders and favourers of heretics. The pope included the statutes with his letter. There the pope also included the form of absolution for those who wished to abjure their errors and return to the unity of the Church.<sup>59</sup>

The papal institution of inquisition within the province of Tarragona was backed by James I in statutes of February 1234 at the *Cort* of Tarragona where the king had assembled an impressive array of prelates, including Archbishop-elect Guillem de Montgrí, the bishops of Girona, Vic, Lleida, Zaragoza and Tortosa, and the commanders of the Hospitallers and the Templars.<sup>60</sup> The statutes were very much in line with those which had been decreed by the Languedocian bishops at the council of Toulouse in 1229:

1. No lay person was either publicly or privately to dispute the Catholic Faith. Any who did so would be excommunicated by their local bishop, and if they did not purge themselves, they would be held suspect of heresy.
2. Nobody was to have books of the Old or New Testament in the vernacular. If they did so, within eight days of their knowing of the publication of the constitution, they were to hand the books over to their bishop for them to be burnt. If they did not do so, whether they were a cleric or a layperson, they were to be held suspect of heresy until they purged themselves.

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<sup>57</sup> *Documentos de Gregorio IX*, 178, no. 169. See S. Ragg, *Ketzer und Recht. Die weltliche Ketzergeesegebung des Hochmittelalters unter dem Einfluß des römischen und kanonischen Rechts* (Hannover, 2006).

<sup>58</sup> *Documentos de Gregorio IX*, 213–4, no. 212.

<sup>59</sup> *Ibid.*

<sup>60</sup> Baraut, 'Els inicis de la inquisició', 423, no. 4.

3. That nobody who was notorious for heresy or suspect could be appointed as a bailiff, vicar or to any other temporal jurisdiction or public office.
4. That the houses where heretics had been knowingly received should, if they were allods, be pulled down and if they were fiefs or rent-paying lands should be returned to their lord.
5. So that the innocent were not to be punished and falsely accused of heresy, nobody denounced as a believer or heretic could be punished until the bishop of the place or any other ecclesiastical person who had the power to judge, assessed whether they were a believer or heretic.
6. Whosoever knowingly or through negligence, for money or for whatever reason, allowed heretics to remain on his land or domain, if he legally confessed or was convicted, would lose his land in perpetuity; if however the lands were held in fief, they were to be returned to the lord; if they were allods they were to be confiscated to the king's dominion and their bodies should be punished at the king's hand, just as was fitting. If moreover he had not been convicted and was proved negligent and heretics and believers were frequently found in his lands and upon this he was defamed, he should be punished according to the king's judgment. Any bailiff or vicar who did not show himself to be careful and diligent in finding heretics and believers was to be forever deposed from his office.
7. In places suspect of heresy, when the bishop thought it fitting, a priest or a cleric chosen by the bishop, accompanied by two or three laymen chosen by the king or his vicar or his bailiff, would investigate the heretics, believers and their receivers in every part, however hidden, without any impediment and all privileges to the contrary being rejected. These inquisitors were to make sure that the heretics and their supporters did not escape and they were not to delay in informing the ecclesiastical and civil authorities concerning them. Those who had been chosen by the bishop of the place or by the king and his officials for this business, if they were negligent in executing their office, if they were a cleric would lose their benefice, and if they were a layman were to be fined by the king's bailiff or vicar.<sup>61</sup>

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<sup>61</sup> Baraut, 'Els inicis de la inquisició', 424–5, no. 4; Menéndez Pelayo, *Historia de los heterodoxos españoles*, i., 464–5.

Much of this legislation was routine but it left clear that the sort of disputations between Catholics and Waldensians and other heretics, which in the period prior to the Albigensian crusade had not been uncommon, were to be a thing of the past. Peter II had heard such disputations but James would not (although he did with Jews and even participated in them).<sup>62</sup> It was equally clear that, in the Tarragonan province, vernacular translations of the Scriptures were no longer acceptable, something which the Church as a whole had never legislated against. But it was the fifth constitution which most clearly symbolized the Church's general aims. The area of heresy belonged to ecclesiastical jurisdiction. Secular rulers and secular courts could not interfere in that process. The council, and, of course, the inquisitions which were legislated for within constitution 7 of the council, restated that it was for bishops and for men acting on behalf of bishops to interrogate, qualify and reconcile heretics. However much we might be tempted to see this as a desire to control the mechanisms of power for the sake of power,<sup>63</sup> at the time the chief motivating factor appears to have been the obligation, keenly felt, to see that the innocent were not falsely attacked.

Of course, the constitutions at Tarragona, in these first moments of establishing inquisitions, were far from answering all questions. Guillem de Montgrí, the archbishop-elect, wrote to Gregory IX to inform him that in response to the campaign which had been begun against heresy, while it had met with considerable success, it appeared to be the case that some who were reverting from heresy to the faith did so more out of fear of the punishments which were to be imposed upon them than from sincere belief.<sup>64</sup> On this matter Gregory responded, on 30 April 1235, that such a type of conversion should indeed be tolerated given that they had an appropriate penance imposed upon them after the abjuration of their heresy.<sup>65</sup> To a further question of Guillem's concerning heretics who had said they were prepared to convert to the faith but had lied and persisted in error, these, the pope instructed, were to be perpetually imprisoned.<sup>66</sup> At the same time the pope also sent letters to James I urging him to continue with

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<sup>62</sup> R. Chazan, *Barcelona and Beyond: The Disputation of 1263 and its Aftermath* (Berkeley, 1992), 82–3.

<sup>63</sup> As does Given, *Inquisition and Medieval Society*.

<sup>64</sup> *Documentos de Gregorio IX*, no. 457.

<sup>65</sup> *Ibid.*

<sup>66</sup> *Documentos de Gregorio IX*, no. 458.



the fight against heresy in his realms and then, in May 1235, Gregory wrote naming Bernat Calvó, bishop of Vic, the prior of the Dominicans in Barcelona, and Guillem de Barberà as inquisitors in cases of suspected heresy in the religious houses of the province of Tarragona, instructing that they reform all that needed to be reformed regardless of order, sex or age.<sup>67</sup> The pope's letters of 30 April to Archbishop-elect Guillem had been accompanied by a long letter from Ramon de Penyafort, usually called the *Nota Raimundi*, in which the great canonist responded to a series of specific questions on what procedure it was necessary to follow in dealing with heretics within the province of Tarragona.<sup>68</sup>

### *Ramon de Penyafort*

The presence of Ramon would loom large over the development of inquisitorial procedure in the lands of the crown during many years.<sup>69</sup> Probably born in the early 1180s at the tower of Penyafort, not far from Vilafranca del Penedès in the region of Barcelona, he was early associated with the cathedral church of Barcelona (though he was probably never a canon there) before heading for Bologna where he was first a student, and then, having acquired a remarkable knowledge of both canon and Roman law, a teacher at the university.<sup>70</sup> Returning to Barcelona in the early 1220s, he joined the newly established Dominican order, and certainly kept himself occupied composing the first version of the *Summa de Paenitentia* and the accompanying *Tractatus de Matrimonio*.<sup>71</sup> In 1229 he accompanied John of Abbeville on his reforming

<sup>67</sup> *Documentos de Gregorio IX*, no. 459, 462.

<sup>68</sup> San Raimundo de Penyafort, *Diplomatario*, 29–32, no. 20.

<sup>69</sup> On Ramon de Penyafort and the inquisition, see C. Douais, 'Saint Raymond de Peñafort et les hérétiques', 305–22; L. Galmés, 'San Ramon de Penyafort y la inquisición en la Alta Catalunya', 85–104.

<sup>70</sup> On Ramon's life see the classic biography of Valls i Taberner, *Sant Ramon de Penyafort*. J. Baucells i Reig, 'Documentació inèdita de Sant Ramon de Penyafort i qüestions relatives al suposat canonicat barceloní', *Escrips del Vedat*, 7 (1975), 69–96, suggests that there is insufficient evidence to maintain the tradition that Ramon was a canon of the see.

<sup>71</sup> Raimundus de Pennaforte, *Summa de Paenitentia*, ed. J. Ochoa and L. Diez (Rome, 1976); S. Kuttner, 'Zur Entstehungsgeschichte der Summa de casibus poenitentiae des hl. Raymond von Penyafort', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Kanonistische Abteilung*, 39 (1953), 419–34; idem, 'The Barcelona Edition of St. Raymond's first treatise on Canon Law', *Seminar*, 8 (1950), 52–67.

legation through the province, acting as penitentiary to the legate, and he was brought to the attention of Gregory IX, whose chaplain and confessor he became.<sup>72</sup> The pope quickly recognized his supreme ability as a canonist and as a man of exceptional character and appointed Ramon to codify a new collection of decretals, which he had completed by 1234 and which, now commonly known as the *Liber Extra*, has been profoundly influential in the history of the Church and beyond.<sup>73</sup>

In 1238 Ramon was unanimously elected as master-general of the Dominicans.<sup>74</sup> It was a position he accepted reluctantly and though he made a significant contribution by revising the constitutions of the order, in 1240 he resigned his office, much to the consternation of the other friars, and perhaps especially to those in Spain, who would, when Ramon died many years later (on 6 January 1275), record that they had always held him in the same regard as the master of the order.<sup>75</sup> His influence within the peninsula was indeed massive, and he continued to dedicate himself to the study of canon law, to preaching the faith, particularly to the Muslims, instituting schools where the Dominicans could learn Arabic to help them in this task, and to debate with those of other faiths, especially the Jews, taking part in the famous disputes at Barcelona in 1263.<sup>76</sup> There, as elsewhere, he aided the crown, as the long-term confessor and advisor to James I.

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<sup>72</sup> *Summa de Paenitentia*, lxxi–lxxi. As early as 28 November 1229, Gregory had called on Ramon to preach the Majorcan crusade in the provinces of Arles and Narbonne (*Raymundiana*, ii, 12–13, no. 8).

<sup>73</sup> *Corpus Iuris Canonici*, vol. 2; A. García y García, 'Valor y proyección histórica de la obra jurídica de San Raimundo de Peñafort', *Revista española de derecho canónico*, 18 (1963), 233–51; S. Kuttner, 'Raymond of Penyafort as editor: the Decretales and Constitutions of Gregory IX', *Bulletin of Medieval Canon Law*, 12 (1982), 65–80; M. Bertram, 'Die Dekretalen Gregors IX: Kompilation oder Kodifikation?', in *Magister Raimundus: Atti del Convegno per il IV Centenario della canonizzazione di San Raimondo de Penyafort*, ed. C. Longo (Rome, 2002), 61–86.

<sup>74</sup> San Raimundo de Penyafort, *Diplomatario*, 52, no. 41; *Summa de Paenitentia*, lxxii.

<sup>75</sup> Valls i Taberner, *Sant Ramon de Penyafort*, 129–41; R. Creytens, 'Les constitutions des frères prêcheurs dans la rédaction de S. Raymond de Penyafort', *Archivum Fratrum Praedicatorum*, 18 (1948), 5–68; C. Longo, 'San Raimondo maestro dell'ordine domenicano (1238–40)', in *Magister Raimundus*, 35–50; *Acta Capitulorum Provincialium Ordinis Fratrum Praedicatorum*, ed. C. Douais, 2 vols (Toulouse, 1894), ii, 623.

<sup>76</sup> Valls i Taberner, *Sant Ramon de Penyafort*, 173–92; A. Cortabarría Beitia, 'San Ramon de Penyafort y las escuelas dominicanas de lenguas', *Escrips del Vedat*, 7 (1977), 125–54; J. Formentín Ibáñez, 'Funcionamiento pedagógico y proyección cultural de los estudios de árabe y hebreo promovidos por San Ramon de Penyafort', *Escrips del Vedat*, 7 (1977), 155–76; Chazan, *Barcelona and Beyond*, 31, 82–3, 90, 93–5, 99, 117.

Ramon, however, was rarely subservient to the crown. His voice was distinct, and in the matter of heresy he was always intent on finding a path to reconciliation, seeking practical solutions to the many problems of inquisitions, and acting on the principle that there were very few who had fallen into heresy who were irredeemable.<sup>77</sup> In the *Liber Extra* he had made a subtle but important change to Innocent III's *Vergentis* in an effort to limit the confiscation of goods to those guilty of heresy (and, it should be said, their families) rather than also involving those who had protected them.<sup>78</sup> In 1234, he had reconciled to the Church Accursio, a citizen and merchant of Florence, who when he had been in France had given money to the heretics and often bowed his head to them in sign of reverence (This, Accursio had insisted, somewhat improbably, had been before he discovered what they really were).<sup>79</sup>

Ramon's thought concerning heresy had been laid out in the revised version of the *Summa de Paenitentia*, probably between 1234 and 1236. Following Augustine, Ramon defined a heretic as somebody who gave birth to or followed a false opinion concerning faith.<sup>80</sup> There were four means of punishing the heretic – by excommunication, deposition, loss of material goods and military intervention to dispossess the heretic of his goods. Ramon emphasized that even a pope or emperor could be deposed from office for heresy.<sup>81</sup> To the question of whether laymen were allowed to despoil heretics of their goods by their own authority, Ramon answered in the affirmative but advised that in reality it was safer if they acted in response to an edict from a prince or the Church so that they were seen to fight for justice and obedience rather than out of greed or revenge.<sup>82</sup> On the question of whether repentant

<sup>77</sup> On Ramon's views of the relation between the church and the secular power, see P. Ribes Montané, *Relaciones entre la Potestad Eclesiástica y el Poder Secular, según san Ramón de Penyafort* (Rome, 1979); M. Batllori, 'Sant Ramon de Penyafort en la història político-religiosa de Catalunya-Aragó', in idem, *A través de la història i la cultura* (Montserrat, 1979), 37–54.

<sup>78</sup> *Corpus Iuris Canonici*, ii, 783, n. 18; Hageneder, 'La Decretale *Vergentis*', 141; Alvira/Smith, 'Política antiherética', 79.

<sup>79</sup> San Raimundo de Penyafort, *Diplomatario*, 21, no. 15; *Raymundiana*, ii, 27–8, no. 16.

<sup>80</sup> *Summa de Paenitentia*, Lib. 1, tit. v, 1, 317: 'haereticus est qui falsam de fide opinionem vel gignit vel sequitur.'

<sup>81</sup> *Summa de Paenitentia*, Lib. 1, tit. v, 2, 318.

<sup>82</sup> *Summa de Paenitentia*, Lib. 1, tit. v, 3, 319–20: 'Sed numquid viri catholici auctoritate propria possunt eos spoliare? Videtur quod sic. Ecclesia enim videtur eis dare generalem auctoritatem ut exterminent eos. Concedit etiam talibus idem privilegium

heretics should have their possessions restored to them, Ramon said that nobody had to restore their possessions to them though they could do so out of compassion.<sup>83</sup> On the vexed question of whether the innocent children of heretics were to lose possessions because of the crimes of their parents, Ramon judiciously set out the arguments for and against and noted that there were three crimes for which children were considered excluded from the paternal inheritance – heresy (in a specific set of circumstances); treason; and the murder of clerics.<sup>84</sup>

It is noteworthy that Ramon did not comment here on the status of the families of the defenders of heretics but, when discussing the punishments for those who had been excommunicated for heresy, repeated much of *Vergentis* without however mentioning what was to become of the possessions of the protectors of heresy. This is, of course, not to suggest that Ramon was ‘soft’ on heresy. On the contrary, he was quite clear that both recalcitrant heretics and negligent churchmen and secular rulers who allowed heresy to flourish had to face severe punishments.<sup>85</sup> But the lawyer’s deep sense of justice and equity, combined with the worthy Dominican’s sense of compassion, allowed him to steer clear of the excesses which were found elsewhere in the formative years of inquisitions into heresy.

The requirements of justice, equity and compassion were exhibited in the *Nota Raimundi* just as they had been in the *Summa de Paenitentia*. The first concentration was on the imprisonment of the heretics. This was to be in a prison with a fortified wall in a non-suspect place. The prisoners were to have Catholic guards and their needs were to be suitably provided for, while religious men were to comfort them and advise them towards penitence and patience; the foolish or those who were themselves suspected of heresy were not to have any access to the prisoners.<sup>86</sup> Concerning the prisons, the main thing was that women were not to be placed in the same cells as men nor were heretics to be with those who had been imprisoned because of other crimes.<sup>87</sup>

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quod accedentibus in Terrae Sanctae subsidium est concessum. Verumtamen, satis videtur tutum, quod semper fiat ex speciali edicto principis vel Ecclesiae, ne alias, ex cupiditate vel ultione potius quam ex iustitia vel oboedentia, pugnare videantur.’

<sup>83</sup> *Summa de Paenitentia*, Lib. 1, tit. v, 4, 320: ‘Quid si postea convertantur ad fidem, numquid restituentur sibi res abalatae? Respondeo: Non tenetur aliquis, nisi sibi gratis voluerit misereri.’

<sup>84</sup> *Summa de Paenitentia*, Lib. 1, tit. v, 5, 320–1.

<sup>85</sup> *Summa de Paenitentia*, Lib. 1, tit. v, 6, 321–3.

<sup>86</sup> San Raimundo de Penyafort, *Diplomatario*, 29, no. 20.

<sup>87</sup> San Raimundo de Penyafort, *Diplomatario*, 30, no. 20.

The conditions in the prisons were to be such that they were not so unduly harsh that they led to death but rather they should be such that would encourage life. The purpose of the punishment was to correct a man's life.<sup>88</sup> On the question of conjugal relations, a man and his wife who had converted from heresy were to be placed together and in a separate cell from other prisoners. So as to avoid the occasion of adultery, when a Catholic wife who was not a heretic and had not been divorced from her husband by the judgment of the Church, demanded the conjugal debt, if she could not be persuaded to continence, she was able occasionally to spend time with her husband, provided that this could be done without any danger to her faith.<sup>89</sup> On the question of the responsibility for the maintenance of the heretics, Ramon said that he considered that an inquisitor was able to ask and advise a bishop that he should imprison those that were caught in his diocese and that it was possible for the goods which had been confiscated from the heretics to be used for the necessities of life when they were in prison.<sup>90</sup>

On some other very complicated questions, Ramon was properly cautious. On the question of whether a particular man who had, not willingly but out of fear, confessed to having believed in the errors of heretics, and repeated them many times but who then asserted that he had mended his way five years or more before (which could not be proved except through *fama* nor had anything been proved against him from that time) should be considered a *conversus* or a heretic, Ramon decided that, although it would initially appear that the man should be punished as a heretic, given that there were doubts surrounding this case, it was safest for him not to decide at that time.<sup>91</sup> If anyone confessed spontaneously to having once believed the heretics but to having mended his ways and to having been reconciled in confession, then,

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<sup>88</sup> San Raimundo de Penyafort, *Diplomatario*, 30, no. 20: 'taliter etiam providendum est in qualitate carceris et vitae necessariis, quod non mortem eorum propter nimiam asperitatem, sed potius vitam, sicut viri evangelici in spiritu mansuetudinis et pietatis quaerere videamur; quia sicut ait pater noster Augustinus, sive plectendo, sive ignoscendo, hoc solum bene agitur, ut vita hominum corrigatur.'

<sup>89</sup> San Raimundo de Penyafort, *Diplomatario*, 30, no. 20: 'Credo, salvo meliori iudicio, quod si uxor esset ejusdem conditionis cum viro, id est ab haeresi cum ipso conversa, debent simul et separatim ab aliis in eodem carcere poni. Si autem ipsa non fuit haeretica, nec est celebratum divorcium propter carnalem vel spirituales fornicationem ab Ecclesia inter ipsos, ad instantem petitionem uxoris catholicae, si alias diligenter admonita non potest induci ad continentiam, debet, si fieri possit sine periculo, uxori fieri interdum copia viri sui, ut ei adulterandi occasio tollatur.'

<sup>90</sup> San Raimundo de Penyafort, *Diplomatario*, 29–32, no. 20.

<sup>91</sup> San Raimundo de Penyafort, *Diplomatario*, 30, no. 20.

if the crime was hidden and there were no other proofs against him, the testimony of the confessor, providing he was of good reputation, was sufficient to clear him. But if a confession was made out of fear, or the crime was not hidden, then they should proceed to judgment, especially if it turned out, that according to the knowledge of the confessor and other proofs, the suspect had kept quiet about some errors in his confession. Nevertheless, Ramon advised that the judges should give due consideration as to whether the person had done this through malice or rather in simplicity.<sup>92</sup> Ramon then dealt, as far as was possible, with the question of what was to happen when an inquisitor found suspects from another province in the province he was assigned and when they were to be judged by a judge from that province and when not.<sup>93</sup> He also discussed the circumstances when people were to be judged heretical for receiving the Waldensians and when they were not. If someone remained in sympathy with the Waldensians in spite of knowing the teaching of the Church and the actions of the secular power, then that person was to be judged a heretic but if somebody was ignorant of the cause of their persecution and considered them to be Catholics, approving what the Church approved, that person, in Ramon's opinion, should probably not be judged a heretic.<sup>94</sup> Moreover, he ended with some more words of caution, explaining when the testimony of a number of witnesses was in itself insufficient to bring about a condemnation for heresy but rather needed supportive evidence.<sup>95</sup>

### *Inquisition in Practice*

Just how much of this advice was acted upon by Guillem de Montgrí in the time that remained to him as archbishop-elect is not entirely clear.

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<sup>92</sup> San Raimundo de Penyafort, *Diplomatario*, 30–1, no. 20: 'Si quis citatus in iure confitetur sponte, id est non metu probationum vel tormentorum, se olim haereticis credidisse, dicit tamen se de crimine emendatum, et in confessione secreta reconciliatum, et paratus est probare per suum confessorem; si crimen occultum erat, ita quod, praeter confessionem, aliae probationes non habentur, videtur quod ei sufficiat, quantum ad hoc, testimonium confessoris, si tamen discretus sit et bonae opinionis. Si autem non sponte sed metu facta esset talis confessio, vel crimen non esset occultum, videtur ulterius secundum discreti iudicantes arbitrium procedendum, praesertim si, secundum confessoris cognitionem et probationes contra ipsum inventas, convinci valeat aliquos in confessione sua tacuisse errores, habita semper consideratione utrum per malitiam vel simplicitatem hoc videatur fecisse.'

<sup>93</sup> San Raimundo de Penyafort, *Diplomatario*, 31, no. 20.

<sup>94</sup> Ibid.

<sup>95</sup> San Raimundo de Penyafort, *Diplomatario*, 31–2, no. 20.

Unlike the archbishop-elect, Ramon would long play an active role in forming inquisitorial practice for the crown lands.<sup>96</sup> He was certainly present on 15 October 1236, when the *Cortes* at Monzón determined on the action which was to be taken at Castellbò against the heretics there.<sup>97</sup> That was to be further approved at a provincial synod at Lleida in early 1237 but in the practical application of the inquisition it would be other churchmen who took the lead (indeed Ramon de Penyafort never served as an inquisitor).<sup>98</sup> Guillem de Montgrí was still in charge of affairs then, supported by Bernat Calvó, and Pere d'Albalat, as well as the Dominicans, including Ponç de Planella, the Franciscans and other clergy. Castellbò had been placed in the hands of Ramon Folc, viscount of Cardona, whose good services to the church had recently been rewarded when the impediment to his long-term marriage had been dispensed with in return for a promise of forty soldiers to aid the conquest of Valencia or more generally on the frontier against the pagans.<sup>99</sup> There was, of course, little room for compromise at Castellbò, which was considered a nest of heretics. The entry of a military force under Ramon Folc, the inquisition's condemnation of the heretics and *credentes*, the exhumation of corpses, the further condemnation of those who had fled, the pulling down of houses, all this was designed both to purify the town and to shock the townspeople into submission. In the second objective, it may well have succeeded.<sup>100</sup>

Bishop Ponç of Urgell had had no part to play at Castellbò but he was determined to get in on the act. Having excommunicated Roger Bernard II of Foix in 1237, after the inquisition, Ponç went to Tarragona in order to consult with the archbishop and the Dominicans, and afterwards reported on the inquisition and other matters to the papal legate in Languedoc in order to emphasize the extent of the count's bad faith, and insist to the legate that he should not lift the sentence of excommunication he had imposed without first consulting Ponç and the Tarragonan archbishop.<sup>101</sup> A little afterwards, Ponç wrote to Ramon de

<sup>96</sup> Gregory IX wrote from Terni to Ramon on 7 February 1237, mandating him to accept Guillem's resignation as archbishop and ordering the chapter that they should elect a successor (San Raimundo de Penyafort, *Diplomatario*, 43, no. 31).

<sup>97</sup> *Documentos de Jaime*, i, 385–8, no. 238; San Raimundo de Penyafort, *Diplomatario*, no. 27.

<sup>98</sup> *HGL*, viii, 1110–1; Baraut, 'Presència i repressió del catarisme', 502–3, no. 1; Vones, 'Krone und inquisition', 221.

<sup>99</sup> San Raimundo de Penyafort, *Diplomatario*, 45–6, no. 34.

<sup>100</sup> *HGL*, viii, 1110–1; Baraut, 'Presència i repressió del catarisme', 502–3, no. 1.

<sup>101</sup> *VL*, xi, 229–30; Baraut, 'Presència i repressió del catarisme', 504–5, no. 3.

Penyafort concerning one R. de Vernigol, who was suspected of heresy and asked what was to be done with him. He also asked Ramon what was to be done concerning those who had helped Jaspert de Barberà to flee.<sup>102</sup> Whether this referred to the inquisition at Castellbò or problems elsewhere is not clear but Ramon's response to Bishop Ponç certainly was. Concerning R. de Vernigol, Ramon said that it was best that he remain under guard until such time as Ponç had seen all the letters on the *negotium fidei* which had been sent from the apostolic see to Guillem de Montgrí, and those recently published by the pope. Having consulted with prelates and those zealous for the faith, Ponç, Ramon suggested, would then be able to take decisions which were more useful and secure both for himself and for the Church.<sup>103</sup> Concerning those who had helped Jaspert, Ramon advised Ponç that he should proceed to their absolution as in other matters according to the form set down by the council (probably that at Tarragona) and according to the statutes of the pope against the *fautores hereticorum*, sending those who were able to serve to the Holy Land or to the frontier with the Saracens and imposing a fitting penance on those who could not.<sup>104</sup> Ramon advised Ponç to proceed carefully in all matters, not allowing the enormity of such a crime to go unpunished but, at the same time, making sure that those who were truly penitent should not incur 'the noose of desperation' through too much rigour.<sup>105</sup> When dealing with the hapless Ponç, Ramon remained as consistent as ever in his desire to save the penitent sinner.

It seemed to the Church of the 1230s that, in this regard, there were sinners aplenty. In 1238, Gregory IX decided to extend the inquisitions into other parts of Spain. In February, he wrote to King James authorizing and insisting upon the extension of operations into Aragon under the bishop of Huesca, Vidal de Canyellas.<sup>106</sup> Just two months later, the pope ordered the provincial master of the Franciscans

<sup>102</sup> San Raimundo de Penyafort, *Diplomatario*, 51, no. 40.

<sup>103</sup> *Ibid.*

<sup>104</sup> *Ibid.*: 'De illis quoque qui Xatberto de Barberano in sua fuga ducatum et auxilium prestiterunt, quid possum aliud dicere, nisi quos juxta formam Concilii, et prefata Domini Pape statuta fautores hereticorum edita, tam in absolutione quam in aliis procedatis, et postmodum, vel de eundo ultra mare vel in frontaria contra Sarracenos, taxato eis tempore congruo, quo ibi debeant deservire, vel si hoc non potuerunt, aliquid aliud juxta vestrum arbitrium poteritis talibus pro penitentia imponere salutari.'

<sup>105</sup> *Ibid.*

<sup>106</sup> *Registres de Grégoire IX*, no. 4071; Vones, 'Krone und inquisition', 223.



and the Dominican prior of Pamplona to set up an inquisition in Navarre.<sup>107</sup> It should be said, however, that inquisitorial activity in these regions would remain negligible when compared with Catalonia, where not only the friars but also some of the bishops remained heavily involved. Indeed, there was considerable co-operation between the episcopate and friars and this would long remain the case. The interest of Ponç of Urgell has already been noted. A little before his death in 1241, Berenguer de Palou the younger of Barcelona, who had, of course, installed the Dominicans in his diocese two decades before, had decided to set up an inquisition though death surprised him before it got under way.<sup>108</sup> Bernat Calvó, if he was not to prove himself the best bishop of Vic, was active as an inquisitor, after being commissioned by the pope to the task in 1235, and taking part in the inquisition at Castellbò in 1237.<sup>109</sup> But the most prominent episcopal figure was undoubtedly Pere d'Albalat, who as bishop of Lleida had played an important part in setting up the Urgellian inquisition and when elected archbishop of Tarragona called a provincial council which in April 1239 excommunicated heretics, their *fautores*, *credentes* and *receptatores*.<sup>110</sup> Just a few months later the dedicated Pere was off to Vic, where in August he reformed the statutes of the church of Vic, ordering that a diligent inquisition be made against heretics, as well as clerical concubines, just as the council at Tarragona had ordained.<sup>111</sup> After the death of Berenguer de Palou, setting up the inquisition in Barcelona, Pere, wishing to resolve doubts which had emerged concerning its operations, would call upon Ramon de Penyaafort and other legal experts to collaborate with him in defining more closely the categories of heretics and supporters of heretics, and to explain how those different types were to be treated. The results were promulgated

<sup>107</sup> *Bullarium ordinis fratrum praedicatorum*, ed. T. Ripoll, 7 vols (Rome, 1729–39), i, 101, no. 181; Vincke, *Zur Vorgeschichte der Spanischen Inquisition*, 16.

<sup>108</sup> San Raimundo de Penyaafort, *Diplomatario*, 74, no. 64; *Diplomatari de Sant Ramon de Penyaafort*, ed. F. Valls Taberner (Zaragoza, 1991 [1929]), 13–20, no. 3; Baraut, 'Els inicis de la inquisició', 429–34, no. 8; Douais, 'Saint Raymond de Peñafort et les hérétiques', 315–25. Berenguer made his will on 20 August 1241 (*Raymundiana*, ii, 104–7, no. 64).

<sup>109</sup> *Documentos de Gregorio IX*, no. 462; *HGL*, viii, 1110–1; Baraut, 'Presència i repressió del catarisme', 502–3, no. 1; Vones, 'Krone und inquisition', 221; Linehan, *Spanish Church*, 78.

<sup>110</sup> Pons Guri, 'Constitucions conciliars Tarraconenses', 261; J. Brundage, 'The provincial council of Tarragona, 1239: A new text', *Bulletin of Medieval Canon Law*, 8 (1978), 27; Vones, 'Krone und Inquisition', 203, n. 31.

<sup>111</sup> *VL*, vii, 249–51; Vones, 'Krone und Inquisition', 203, n. 31; Linehan, *Spanish Church*, 62.

in a further council at Tarragona in May 1242.<sup>112</sup> As usual Ramon took the lead (for it is not difficult to detect his hand here) and responded to the challenge with his customary diligence and care.

The decisions of Tarragona were clearly aimed firstly at the Waldensians and only secondarily at the other heretics, which strongly suggests that in the diocese of Barcelona Waldensians were perceived to be the greatest threat. The constitutions dealt with some issues which had been broached before but also new problems and doubts, which had arisen during the previous few years. They began however by defining just what was meant by the different types of heretic and that remains perhaps the most interesting and abidingly useful part of the text. *Heretici* were those who persisted in error, like the *Insabbatati*, who refused to swear an oath, or to obey ecclesiastical or secular powers, or denied that a corporal punishment could be inflicted in any case.<sup>113</sup> *Credentes* were those who gave faith to the words of heretics and indeed were very much like them.<sup>114</sup> Suspect of heresy were those who for instance heard the preaching or reading of the *Insabbatati*, or who knelt praying with them, or who gave a kiss to them, or who believed the *Insabbatati* to be good men or did other things which led to them being under suspicion. A *suspectus* could simply be someone who prayed at the same time as the heretics. If the *suspectus* heard the *Insabbatati* preaching, reading or prayed with them or any of the other things mentioned previously many times he could be classed as *vehementer suspectus*. If he had done *all* of those things many times he was to be called *vehementissime suspectus*.<sup>115</sup> *Celatores* were those who saw the *Insabbatati* in the streets or in their

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<sup>112</sup> San Raimundo de Penyafort, *Diplomatario*, 74, no. 64; *Diplomatari de Sant Ramon de Penyafort*, 13–20, no. 3; Baraut, 'Els inicis de la inquisició', 429–34, no. 8; Douais, 'Saint Raymond de Peñafort et les hérétiques', 315–25; A. Errera, 'Il Directorium Inquisitoriale di San Raimundo' in *Magister Raimundus*, 165–191. Baraut's recent edition of the text is used in what follows.

<sup>113</sup> 'Et videtur quod haeretici sint qui in suo errore perdurant, sicut sunt Insabbatati, qui dicunt in aliquo casu non esse iurandum, et potestatibus ecclesiasticis vel secularibus non esse obediendum, et poenam corporalem non esse infligendam in aliquo casu, et similia.'

<sup>114</sup> 'Credentes vero dictis haeresibus, similiter haeretici sunt dicendi.'

<sup>115</sup> 'Suspectus de haeresi potest dici qui audit praedicationem vel lectionem Inzabbatorum, vel qui flexit genua orando cum eis, vel qui dedit osculum eis, vel qui credit ipsos Inzabbatos esse bonos homines, vel similia quae possunt probabiliter suspicionem inducere. Et potest dici suspectus simpliciter esse, qui semel oravit vel alterum fecit de praedictis cum eis. Si vero pluries audivisset praedicationem vel lectionem, vel orasset, vel aliquid aliud de praedictis fecisset cum eis, posset dici vehementer suspectus. Si autem praedicta omnia fecisset, maxime si pluries, posset vehementissime dici suspectus.'

houses or in another place, and knew them to be *Inzabbatati* and did not reveal this to the church or justiciar or others who were able to seize them.<sup>116</sup> *Occultatores* were those who made a pact not to reveal heretics or *Inzabbatati* and arranged that others should not reveal them.<sup>117</sup> *Receptatores* were those who on two or more occasions knowingly received heretics or *Inzabbatati* into their houses or in any other place of theirs. A receptacle was defined as a house or hospice where heretics or *Inzabbatati* convened to preach or give readings on two or more occasions, or even a place where the heretics or *Inzabbatati* were received on many occasions.<sup>118</sup> *Defensores* were those who knowingly defended heretics or *Inzabbatati*, by word or deed or by whatever trickery, in their lands or others, so that the Church was unable to exercise its office of extirpating heretical depravity.<sup>119</sup> All of those mentioned above could to a greater or lesser degree be described as *fautores* and also all those who gave advice, help or favour to heretics in any way.<sup>120</sup> *Relapsi* were those who having abjured or renounced heresy, then reverted to their old heretical beliefs. Those who, having abjured heresy or *fautoriam*, helped heretics or hid them were *relapsi in fautoriam*.<sup>121</sup> All of these people were excommunicated with a greater anathema with the single exception of those who were *suspecti sine fautoria*, if, indeed, such could possibly be found.<sup>122</sup>

Having defined just who it was dealing with, the council then dealt with specific problems which had arisen. One doubt concerned those

<sup>116</sup> 'Celatores credimus eos qui viderunt Inzabbatatos in platea vel in domo vel in alio loco, et cognoverunt eos Inzabbatatos, et non revelaverunt eos, cum haberent aptitudinem revelandi eos Ecclesie vel iustitiaro vel aliis qui possent eos capere.'

<sup>117</sup> 'Occultatores dicimus qui fecerunt pactum de non revelando haereticos vel Inzabbatatos, vel alias procuraverunt quod non revelarentur.'

<sup>118</sup> 'Receptatores sunt qui scienter bis vel ultra receperunt haereticos vel Inzabbatatos in domo sua vel in alio loco suo. Receptaculum credimus esse domum vel hospicium ubi haeretici vel Inzabbatati bis vel pluries convenerunt ad praedicationem vel lectionem, vel etiam ubi haeretici vel Inzabbatati pluries hospitantur.'

<sup>119</sup> 'Defensores dicimus qui scienter defendunt haereticos vel Inzabbatatos, verbo vel facto vel quocumque ingenio, terris suis vel alibi, quominus Ecclesia possit exercere suum officium ad extirpandam haereticam pravitatem.'

<sup>120</sup> 'Fautores credimus omnes supradictos posse dici secundum magis et minus; et etiam qui alias quocumque modo eis dederint consilium, auxilium vel favorem.'

<sup>121</sup> 'Relapsos dicimus illos qui post abiuratam haeresim vel renunciata, revertuntur in pristinam credentiam haeresis. Eodem modo dicimus relapsos in fautoriam illos qui post abiuratam haeresim vel fautoriam benefaciunt haereticis vel celant eos.'

<sup>122</sup> 'Et omnes praedictos dicimus excommunicatos maiori anathemate; exceptis suspectis sine fautoria, si forte inveniantur.'

who were either relapsed or dogmatizing heretics. After they were caught, if they wanted to repent, must they nevertheless be relinquished to the secular power for judgment? The response was in the negative; rather such were to be condemned to imprisonment.<sup>123</sup> What was to be done when a crowd of heretics or many *credentes* were prepared to abjure their heresy? A discreet judge could inflict canonical penalties other than imprisonment. What about when it was a lesser number? In the case of *credentes* a discreet judge could show moderation and could impose canonical sanctions other than prison but in the case of heretical perfects, or dogmatizers of their errors, or relapsed *credentes* who had previously renounced and abjured their errors, they should be imprisoned in perpetuity, after they had abjured their heresy and been absolved from excommunication. Why this punishment? So that their souls could be saved and others would not be corrupted.<sup>124</sup> And what of the case of one who kissed an *Inzabbatatus* or heretic whom he believed or knew to be an *Inzabbatatus*, or prayed with him, or hid him, or had him preach or read with him, and believed such to be a good man, was he to be judged a believer (*credens*) in their errors? Not so. Rather such was to be condemned as a *fautor* or an *occultator* and *benefactor* and *vehementer suspectus* because he believed their errors; unless he might be a *litteratus* or *discretus*, who was unable to pretend ignorance. That judgment was to be left in the hands of discreet judges.<sup>125</sup>

<sup>123</sup> 'Dubitatio etiam oritur apud quosdam utrum relapsi in credentiam et haeretici dogmatizantes, si postquam fuerint deprehensi voluerint poenitere, relinqui debeant iudicio saeculari? Et videtur nobis, quod non; sed in quocumque casu tales ad intrusionem sunt condemnandi.'

<sup>124</sup> 'Item, si multitudo haereticorum seu credentium fuerit multa, et parati sunt haeresim abiurare, discretus iudex secundum magis et minus iuxta provisionem apostolicae Sedis poenas canonicas poterit infligere talibus, et sic poenam intrusionis vitare; vel etiam si multitudo non est tanta. Circa credentes, discretus iudex, consideratis circumstantiis, poterit moderari, prout viderit expedire; proviso tamen quod perfecti haeretici, vel dogmatizantes eorum errores, vel credentes relapsi in credentiam post abiuratum haeresim vel renunciatam, in perpetuo carcere intrudantur, haeresi penitus abiurata et absolutione habita excommunicationis, ut ibi salvent animas suas et alios de caetero non corrumpant.'

<sup>125</sup> 'Item quaeritur utrum ille qui dedit osculum inzabbatato vel haeretico quem credebatur vel sciebat esse inzabbatatum, vel oravit cum eo, vel celavit eum, vel audivit praedicationem vel lectionem ab eo, et credidit talem esse bonum hominem, sit iudicandus credens eius erroribus? Et dicimus, quod non; sed talis condemnatur tanquam fautor vel occultator et benefactor et vehementer suspectus quod credit eius erroribus; nisi adeo esset litteratus vel discretus, quod non posset ignorantiam pretendere. Quod arbitrio discreti iudicis duximus relinquendum.'

That judgment was slightly different in tone from that which Ramon had given in the *Nota Raimundi* and on another question which had not been resolved there, the council made further attempts at clarification. What, it was asked, was to be done in the case of a heretic or *fautor* who had confessed to a priest before the beginning of the inquisition? The confessor was to be believed and if through the testimony of the priest it was found that a proper confession had been made (and the penitent had not afterwards relapsed) then the reconciled person was not to be subject to temporal punishments. An alleged reconciliation or penance could also be proved by two witnesses. While the council criticized a priest who reconciled a heretic since he should, properly speaking, have handed him over to the bishop for reconciliation, it nevertheless granted that the reconciliation was valid.<sup>126</sup> Those heretics who, before the organization of the inquisition, had confessed, were by another declaration to abjure their heresy publicly, except when they were not notorious, in which case they could do so secretly. They were not to be subject to temporal punishments. But those who when called by the inquisitors denied things at the time but later admitted them to be true and who said they kept silent through shame or fear, were to be treated as perjurers and therefore subject to more severe canonical penance.<sup>127</sup>

The form of the sentence of absolution for heretics who had finally reverted to the truth of the Church was set down, and for those who had not yet been absolved but wished to return to the truth of the Church, and, indeed, the sentence, in the presence of a secular judge, for one who did not wish to repent.<sup>128</sup> A very lengthy abjuration and confession of faith by the penitent heretic was also set down, that again

<sup>126</sup> 'Item, quaeritur quis ante inquisitionem inceptam fuit confessus sacerdoti suo de haeretici vel fautoria, et vocatur modo ab inquisitoribus? In casu isto credatur confessori suo; et si inventus fuerit bene confessus per confessionem sacerdotis, licet sacerdos male fecerit, quia ipsum non remisit ad episcopum, ille tamen confitens per talem confessionem evitet poenam temporalem, nisi inveniatur in falsa poenitentia, vel relapsus post poenitentiam vel publice diffamatus.'

<sup>127</sup> 'Si quos vere constat ante inchoatam inquisitionem de his fuisse confessos, debent publice abiurare haeresim et aliam sollemnitatem facere, nisi ita sit secretum factum, quod non habeant contra se famam vel testes; et tamen in utroque casu sunt ab omni poena temporali immunes. Si vero aliqui vocati ab inquisitoribus denegant tempore suae depositionis, et postea ad instantiam inquisitorum vel metu probationum discoperiunt veritatem, sed dicunt quod haec tacuerunt propter verecundiam vel timorem, tales credimus periuros; quia qui scienter falsum dicunt vel verum tacent, periuri sunt, et ideo poenitentia canonica est eis gravior imponenda.'

<sup>128</sup> Baraut, 'Els inicis de la inquisició', 431.

directed at those who were renouncing Waldensianism.<sup>129</sup> There was a separate oath to be sworn by suspects.<sup>130</sup> *Compurgatores* had a different and shorter oath again.<sup>131</sup> If it was found in an inquisition that any heretic or *Insabbatatus* or *credens* was buried in a cemetery, their bones were to be dug up and burnt, if they could be discerned.<sup>132</sup> The various punishments for those who were deceased *fautores* were also dealt with.<sup>133</sup>

Heretics persevering in error were to be handed over to the secular court for judgment. Heretical perfects, if they wished to convert, and those who propounded heretical dogma, having abjured their heresy and been absolved, were to be imprisoned for life.<sup>134</sup> The other categories of heretic were to perform solemn public penance, its extent depending upon their degree of involvement. Throughout the year, on various feast days and Sundays they were to walk in processions either to their parish or the cathedral church, the men barefoot and in their breeches and undershirts, the women dressed normally. There they were to be reconciled by a bishop or priest (curiously the conciliar legislation only specifies that the women were to be scourged, though presumably men suffered the same humiliation). During Lent and until Holy Thursday they were expelled from the Church and had to stand at the church door from where they could hear the office. After they had been reconciled they were to wear two crosses on their breast, which were not to be of the same colour as the clothes they

<sup>129</sup> Ibid.

<sup>130</sup> 'Ego talis iuro per Deum omnipotentem et per hec sancta quatuor evangelia que in manibus meis teneo coram vobis domino P., sancta quatuor evangelia que in manibus meis teneo coram vobis domino P., Dei gratia Terraconensi archiepiscopo, et coram aliis vobis assistentibus quia non sum vel fui insabbatatus vel valdensis vel pauper de Lugduno neque hereticus de aliqua secta heresis dampnata per ecclesiam romanam, nec credo nec credidi eorum erroribus nec credam aliquo tempore vite mee. Imo profiteor et protestor me credere et semper in posterum crediturum fidem catholicam, quam sancta romana et apostolica ecclesia publice tenet, docet et predicat, et vos domine archiepiscopo et ceteri prelati sancte universalis ecclesie tenetis, predicatis publice et docetis.'

<sup>131</sup> 'Ego talis iuro per Deum et hec sancta quatuor evangelia que in manibus meis teneo me firmiter credere quod talis non fuit nec est insabbatatus, valdensis vel pauper de Lugduno neque hereticus vel credens eorum erroribus, et credo firmiter eum in hoc verum iurasse.'

<sup>132</sup> 'Si in inquisitione inveniatur aliquis hereticus vel insabbatatus vel credens fuisse sepultus in cimiterio, ossa eius extumentur et comburantur, si possint discerni.'

<sup>133</sup> Baraut, 'Els inicis de la inquisició', 432.

<sup>134</sup> 'Heretici perseverantes in errore relinquuntur curie secularis iudicio. Perfecti vel heretici, si converti voluerint, et dogmatizantes absolutione habita et abiuratione facta perpetuo carcere intrudantur.'

were wearing and these crosses were to be worn so that it could be seen that they were solemnly penitent. The harshness and duration of the punishments that the penitents suffered corresponded to the degree of their complicity in heresy. Those penitents who lived outside of the city were to do penance in their own parishes, though they were expected to come to the bishop during Lent, unless he had dispensed them from this and the dispensation had been obtained without fraud or trickery.<sup>135</sup>

### *James I and Inquisition*

The legislation of the council of Tarragona, with its sophisticated definitions of heresy, its careful approach to complex problems, its (generally) clear punishments, its insistence on the possibility of rehabilitation for the vast majority of people – all these, surely, more the product of the mind of Ramon de Penyafort than of anybody else – was undoubtedly a step forward in inquisitorial practise. It should however be said that even if it was later to serve as an influential text for inquisitors, particularly in Languedoc, and against heretics other than Waldensians, its original impact is less certain.<sup>136</sup> It is not always clear how early or how rigidly the constitutions were adhered to within the lands of the crown, while in the diocese of Narbonne the inquisition operated on the basis of a separate set of instructions.<sup>137</sup> It was certainly the case that as inquisitorial attention increasingly shifted away from the diocese of Urgell to that of Elne in the 1240s, the pope expected that the Dominicans from Spain would adapt themselves to the form of inquisition in the northern province. Indeed, in *Volumus et praesentiam* of 20 October 1248, Innocent IV instructed Archbishop Pierre Amiel of

<sup>135</sup> Baraut, 'Els inicis de la inquisició', 433–4; Maisonneuve, *Études sur les origines de l'Inquisition*, 287–91. On Ramon's penitential system generally, see A. Teetaert, 'La doctrine pénitentielle de Saint Raymond de Penyafort, O. P.', *Analecta Sacra Tarraconensia*, 4 (1928), 121–82.

<sup>136</sup> A. Errera, ('Il Directorium Inquisitoriale', 185), sees the 1242 legislative work of Ramon as definitive: 'In sostanza, l'opera di Raimondo di Penyafort rappresenta la prima autonoma e completa sistemazione scientifica del diritto inquisitoriale che, avvalendosi della riflessione dottrinale fiorita intorno alle decretali, consente di rispondere compiutamente e con autorevolezza agli interrogativi lasciati irrisolti dalla legislazione papale.' But it is really not a complete systematization for the very reason that it is responding to particular doubts. This made it useful without making it definitive.

<sup>137</sup> Maisonneuve, *Études sur les origines de l'Inquisition*, 291.

Narbonne and the inquisitors of the region to transmit a copy of the instructions set down by Gregory IX and Innocent himself on how to proceed against heretics within the diocese of Narbonne to the provincial of the Friars Preacher in Spain and to Ramon de Penyafort.<sup>138</sup>

That instruction came as King James, now less preoccupied with the war against the Muslims in the south, focused more of his attention on establishing a measure of control over the inquisition in Roussillon and then elsewhere. As Capetian power expanded in the south, the king was increasingly conscious of the threat to royal power in Roussillon and the possibility of the loss of ecclesiastical power in the diocese of Elne.<sup>139</sup> The inquisition then operating under Pierre Durand and Bernard de Caux was thus particularly objectionable to James and the reason Archbishop Pierre and the inquisitors were handing over instructions to their Spanish counterparts was because James had previously written to the pope, demanding that inquisitors from outside of the lands of the Crown were not to operate within the lands of the Crown.<sup>140</sup> The pope had issued (or renewed) his bull on 6 October 1248, instructing them to withdraw and then two weeks later he ordered the provincial of the Dominicans in Spain and Ramon de Penyafort that in accordance with the wishes of King James suitable brothers of the order from the kingdom of Aragon were to inquire into heretical depravity in those lands, substituting for those who had been there before.<sup>141</sup> After the bitter pill of the loss of Provence, James had thus won a small but important victory. Recognizing that he could establish a significant measure of control over the operation of the inquisition in his lands, he would begin to use it for his own devices.

But that was a little way in the distance. The war against al-Azraq kept the king occupied in the south, while the renewal of inquisitorial concentration in Urgell meant it was operative in lands where his power was still weak. The Urgellian inquisitions of the 1250s have left us interesting details of its operation. The testimonies concerning the

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<sup>138</sup> San Raimundo de Penyafort, *Diplomatario*, 90, no. 72; *Diplomatari de Sant Ramon de Penyafort*, 28, no. 9; Baraut, 'Els inicis de la inquisició', 436, no. 10; *La documentacion pontificia de Inocencio IV*, 515–6, no. 553.

<sup>139</sup> On royal power in Roussillon, see especially, Daileader, *True Citizens*, passim.

<sup>140</sup> *Diplomatari de Sant Ramon de Penyafort*, 28, no. 9; *La documentacion pontificia de Inocencio IV*, 511–2, no. 547.

<sup>141</sup> *Ibid*; Y. Dossat, *Les crises de l'inquisition toulousaine au XIIIe siècle* (Bordeaux, 1959), 152, indicates that a copy of this bull had been sent previously, on 19 March 1248.



people of Gósol reveal something of what type of information the inquisitors were seeking. The key was to build up a picture of which people were the ringleaders, which people associated with one another, at what time, where they did so, the rituals they performed, and what they actually said which was heretical.<sup>142</sup> It appears that the inquisitors had very little difficulty in getting both men and women to inform, though Maria Poca was especially talkative.<sup>143</sup> We know that generally in the Urgellian diocese the inquisitors of the 1250s, with Pierre de Tenes, Pere de Cadireta and the exceptional Ferrer de Vilaroja leading the way, were highly successful in following up on the information they received and bringing the heretics to judgment.<sup>144</sup> We also know that those who were placed in the archiepiscopal prisons did not remain continuously in gaol for quite the period they were supposed to.<sup>145</sup> Furthermore, we know that the inquisition came to a sudden and alarming halt when the trial and deposition of the hapless Bishop Ponç, followed by the vacancy of the Urgellian see, threw everything into utter confusion.<sup>146</sup> There the instructions issued by a very unwell Ramon had saved the day, quashed the doubts of Archbishop Benet de Rocabertí, defied the machinations of 'he who is the enemy and adversary of truth' and allowed Pierre de Tenes and Ferrer to continue with the *fidei negotium* at Berga.<sup>147</sup>

While the papacy had attempted to maintain control of the inquisitions' operations, with Innocent IV, in April 1254, having placed the Dominican priors of Barcelona, Lleida and Perpignan in charge of affairs, in reality it was Ramon de Penyafort and the king who were overseeing proceedings.<sup>148</sup> Indeed, as the threat of al-Azraq receded, it was James who became the staunchest of heretic-hunters, particularly in the dioceses of Lleida and Tarragona. This appears to have been due to a particular hardening in the king's character as anything

<sup>142</sup> Baraut, 'Presència i repressió del catarisme', 512–13, no. 9.

<sup>143</sup> Ibid.

<sup>144</sup> Baraut, 'Els inicis de la inquisició', 436–8, nos. 11–13; Baraut, 'Presència i repressió del catarisme', 513–14, no. 10; J. Ventura i Subirats, 'Pere de Cadireta', *Gran Enciclopèdia Catalana*, v (1986), 488–9; W. Wakefield, 'Friar Ferrier, Inquisitor', *Heresis*, 7 (1986), 35–41.

<sup>145</sup> Baraut, 'Presència i repressió del catarisme', 514–5, no. 11.

<sup>146</sup> Baraut, 'Els inicis de la inquisició', 436–8, nos. 11–13.

<sup>147</sup> Baraut, 'Els inicis de la inquisició', 438, no. 13; San Raimundo de Penyafort, *Diplomatario*, 120–1, no. 92.

<sup>148</sup> *Bullarium ordinis fratrum Praedicatorum*, i, 245, no. 328; Vones, 'Krone und Inquisition', 228.

which betrayed signs of unorthodoxy was stamped upon. Not only did James give substantial help to the Dominicans of Lleida on 30 August 1257 for the construction of their house, but on the same day he started his confiscation of the goods of Lleidatan heretics and then, furthermore, eighteen days later, stipulated that the barbers of the city were no longer to work on Sundays or feast days.<sup>149</sup> It is probable that the extent of heresy in the city which had been so central to the crown's well-being during so much time spurred the king to action but, as was customary with James, he also saw economic and political opportunities in the persecution of heretics, just as his father had seen a chance of making money through the excommunicated back in 1211.

At Lleida, in August 1257, the king had granted an amnesty to heretics uncovered by the inquisition in return for payment of 2000 Alfonsine morabetins.<sup>150</sup> And in the years ahead James would certainly remain in need of money, which motive may well have spurred him to accept the proposed marriage of Prince Peter to Constanza, daughter of Manfred, a move which upset almost everybody but had the potential to fill the royal coffers.<sup>151</sup> So did the prosecution of heretics. The unfortunate son of Ponç de Vernet was exhausted in the attempt to come up with the wherewithal by which he could meet the king's demands and have his lands restored to him.<sup>152</sup> And as the king forged ahead with his attempts to make lucrative the untapped lands of the Tarragona region and his new conquests in the kingdom of Valencia, the confiscation of the goods of those found guilty of heresy and their transfer to families who had already invested in the king's ambitions allowed James to encourage economic activity in areas which were worryingly short of industrious people. So, as we have seen, in 1262, the possessions of the heretics of the mountains of Siurana found their way via the king into the hands of those whom he felt he could trust.<sup>153</sup> Likewise, in that same year, in the Morella district, the king granted the farmhouses, vineyards and fields of convicted heretics to loyal sons of the crown – Bernardo and Pedro de

<sup>149</sup> *Documentos de Jaime*, iii, 241, no. 7599 (Dominicans), 243, no. 762 (heretics), 259, no. 782 (barbers).

<sup>150</sup> *Documentos de Jaime*, iii, 243, no. 762.

<sup>151</sup> D. Girona, 'Mullerament de l'infant en Pere de Catalunya amb madona Constança de Sicília', *I. CHCA*, i (1909), 232–99; Soldevila, *Pere el Gran*, i, 90–103, 143–8.

<sup>152</sup> *Privilèges et titres*, 232, n. 1–2; Puig, 'Inquisition et hérésie', 47.

<sup>153</sup> Above, chapter 3, notes 286–92.

Fraga, García de Borja, Felipe de Ayerbe – provided that they take up residence in Morella.<sup>154</sup>

As the king took full charge, the possibility of the flames rather than reconciliation was increasing. Urban IV certainly tried to keep the inquisitions under the control of the Church and particularly of the Dominican order. In July and August 1262, he conceded various privileges to the inquisitors against heretical depravity in Aragon, gave faculty to the Dominican prior of Spain that he could name and remove inquisitors, and conceded to the inquisitors in the Aragonese kingdom that they could not even be excommunicated by apostolic delegates while they went about their business.<sup>155</sup> But the institution conceived of by the papacy was now, in the Crown's lands, becoming increasingly an instrument of monarchy. In July 1264, the king no doubt saw the political benefits of mercy in responding to the request of the inquisitor Pere de Cadireta to restore the lands of the heretical Bernat d'Alió to his innocent son.<sup>156</sup> Even then the king surely had his eye on the fact that two of the castles of Bernat had fallen into the hands of Roger Bernard III of Foix,<sup>157</sup> and it is certain that he saw the potential, political and economic, of using the inquisition in his long-term struggle in the lands of Urgell and against the count of Foix.

The tragic Àlvar, bigamous count of Urgell, who had first married Constança de Montcada, niece of the king, and then Cécile, sister of the count of Foix, died in March 1268. He had left a daughter, Elionor, from the union with Constança and two sons, Ermengol and Àlvar, from the union with Cécile. The Montcada family fought for the rights of Elionor, the count of Foix and the viscount of Cardona for the rights of Ermengol, and to complicate matters a little further, Guerau de Cabrera, brother of the late Àlvar, also claimed the county. But only the king himself was in a position to pay off the debts with which the county of Urgell found itself crippled after the civil wars of Àlvar's unhappy reign. Thus the king subsequently received in pledge the principal places of the county.<sup>158</sup>

<sup>154</sup> Above, chapter 3, notes 318–21.

<sup>155</sup> *La documentación pontificia de Urbano IV (1261–1264)*, ed. I. Rodríguez de Lama (Rome, 1981), 90–2, nos. 48–52; *Potthast*, 18387–18390, 18395.

<sup>156</sup> *Documentos de Jaime*, v, 105, no. 1409.

<sup>157</sup> In March 1267, James ordered Roger Bernard III of Foix to hand over the castles of Son and Cheragut to the Alio heir, Guillem, and ordered Pierre Pauc of Perpignan to make sure that he did so (Baudon de Mony, *Relations politiques*, ii, 114, nos. 49–50).

<sup>158</sup> Sobrequés, *Barons de Catalunya*, 68–73.

If possible, control of the county was a prize worth having and James was, at least for a time, prepared to fight for it. Roger Bernard III of Foix, likewise, was unwilling to see the rights of his nephew Ermengol set aside, and alongside Ramon of Cardona and other Catalan nobles, waged war in the county through 1268.<sup>159</sup> As viscount of Castellbò, Roger Bernard had access to castles, soldiers and lands which made it difficult for James to defeat him militarily without a strong commitment of forces. But James and Prince Peter, who was involved in the case when his father took off to Toledo to spend Christmas with his younger son, Sancho, now archbishop there, were not unaware of Roger Bernard's unsavoury family past and it was no doubt with strong royal encouragement that the inquisitors Pere de Cadireta and Guillem de Calonge began to investigate the lives of Roger Bernard's grandmother, Ermessenda, and his great-grandfather, Arnau de Castellbò, who had never been condemned for heresy.<sup>160</sup>

Enthusiastically aided by Bishop Abril of Urgell, the two Dominican inquisitors built up a body of evidence against Roger Bernard III's long-dead relatives which left little doubt that they had been active participants in the spread of heresy. Through many witnesses, the inquisitors discovered that Arnau de Castellbò had been a faviourer, defender and receiver of heretics. He had adored the heretics many times. He had sown heretical error, had heretics visit him when he was sick and he had died a heretic.<sup>161</sup> Ermessenda, likewise, had been a faviourer, defender, and receiver of heretics. She too had adored the heretics many times, given them many *beneficia*, been visited by them when dying and it was well-known that the heretical perfects had been wont to brag to their followers that she had died in their hands.<sup>162</sup>

The accusations were too numerous and too weighty for Roger Bernard to answer when called to do so by the inquisitors and therefore answer he did not, trying to delay the process against his forebears through what Pere de Cadireta and Guillem de Calonge considered absurd delaying tactics.<sup>163</sup> But what was frivolous for the inquisitors was far from frivolous for Roger Bernard since as he sought the rights

<sup>159</sup> Soldevila, *Pere el Gran*, i, 290–1.

<sup>160</sup> *Llibre dels Fets*, ch. 474; Soldevila, *Pere el Gran*, i, 291; *Cartulari de la vall d'Andorra*, ii, 296–7, no. 122; Baraut, 'Presència i repressió del catarisme', 521–3, nos. 16–17.

<sup>161</sup> Baraut, 'Presència i repressió del catarisme', 521–2, no. 16.

<sup>162</sup> Baraut, 'Presència i repressió del catarisme', 522–3, no. 17.

<sup>163</sup> *Ibid.*

of Ermengol in Urgell and victory over the king, it transpired that he held the viscounty of Castellbò as a descendant of heretics and, as was by then well-known, in these instances, as in the case of treason and the murder of a cleric, the sins of the father were very much to be visited upon the son. Not only could the county of Urgell be lost but the viscounty of Castellbò as well.

The inquisition into the lives of Arnau and Ermessenda formed the backdrop to the political negotiations of 1269 in which Prince Peter arbitrated between Roger Bernard and his supporters and the king, who was increasingly eager to set off on his Holy Land crusade.<sup>164</sup> The unfortunate count of Foix found himself paying something of James's fare for the costly voyage. With the trial of the count's dead ancestors still on-going, on 11 May, James ceded to Roger Bernard, for the payment of 45000 Barcelonan sous, all the rights he held in the viscounty of Castellbò and the other possessions which he held through Arnau and Ermessenda, then accused of heretical depravity. Even if they were found guilty of the crime of heresy by the Church, nevertheless, through the king's liberality and special grace, James guaranteed all the possessions Roger Bernard held through his criminal heretical forebears.<sup>165</sup>

Unsurprisingly, James's calculated humiliation of the count of Foix did not lead to a lasting peace between Foix and the crown or in the county of Urgell.<sup>166</sup> A truce held while James gave himself to his doomed mission to the East in September 1269 but whatever deal might have been done to spare Arnau and Ermessenda when the inquisition hit Castellbò in the late 1230s was not to be repeated in the 1260s. The wheels of the inquisition set in motion would have been difficult to stop and it is unlikely that James had any desire to stop them. On 11 November, as James returned, himself humiliated by failure, and set off in the direction of Castile, the inquisitors Pere and Guillem, at the house of the Friars Preacher in Barcelona, in the presence of the abbot

<sup>164</sup> Soldevila, *Pere el Gran*, i, 294–8; *Llibre dels Fets*, ch. 483.

<sup>165</sup> *Cartulari de la vall d'Andorra*, ii, 294–5, no. 121; Baraut, 'Presència i repressió del catarisme', 520–1, no. 15.

<sup>166</sup> Miret, *Investigación histórica sobre el Vizcondado de Castellbó*, 214–5; Sobrequés Vidal, *Els barons de Catalunya*, 97; R. Viader, *L'Andorre du IXe au XIVe siècle: Montagne, féodalité et communautés* (Toulouse, 2003), 127. In the short-term, of course, in the early 1270s, the greater threat of Philip III of France forced Roger Bernard and James into alliance, and saw the marriage of Roger Bernard's sister, Esclarmonde, to Prince James (Baudon de Mony, *Relations politiques*, i, 216–24) but in the longer-term Roger Bernard was almost constantly at odds with the Crown (Baudon de Mony, *Relations politiques*, i, 226–325).

of Montserrat, many of the brothers of their own house and many citizens of Barcelona, formally condemned both Arnau and Ermessenda as heretics and, as noted above, ordered that their bones, if they could be identified, were to be exhumed and hurled far from the cemetery of the faithful.<sup>167</sup>

In his later years then, James had re-established the crown's position at the forefront in the prosecution of heresy, a position it was to hold for a very long time. The role of the episcopate had gradually decreased but that of the Friars Preacher did not. Indeed, probably a year after the king's own death, it appears that Pere de Cadireta, who had set up the first Dominican house at La Seu d'Urgell a few years before, was also to meet his end, stoned to death by the heretics.<sup>168</sup> Kings would sometimes have other aims than the Dominicans, and the Dominicans, of course, did not have the prosecution of heresy as their sole purpose for being by any means. Between them, they had thought out methods for controlling orthodoxy dramatically more complex than anything that had been attempted before. The years ahead, however, were to demonstrate that those sophisticated methods would have to confront individuals and communities who were themselves often more highly developed and diverse in their religious beliefs and practices than those who had come before them.<sup>169</sup>

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<sup>167</sup> *Cartulari de la vall d'Andorra*, ii, 296–7, no. 122; Baraut, 'Presència i repressió del catarisme', 521–3, nos. 16–17. And Chapter Three, above.

<sup>168</sup> Diago, *Historia de la Provincia de Aragon*, 12; Ventura, 'Pere de Cadireta'.

<sup>169</sup> On the next stages of inquisition, see Vincke, *Zur Vorgeschichte der Spanischen Inquisition*; E. Fort i Cogul, *Catalunya i la Inquisició*.



## CONCLUSION

We are, of course, only at the beginning of a number of stories. In the summer of 1213, Innocent III had confirmed the papal privilege protecting Peter II from excommunication by the papal legate. Towards the end of the century, in 1282, Pope Martin IV, a Frenchman, would have little hesitation in excommunicating Peter III, placing Sicily under interdict, relieving the king's subjects from their fealty, and offering the kingdom of Aragon to a son of Philip III of France.<sup>1</sup> New struggles lay ahead and ones in which, perhaps surprisingly, the Crown fared far better than it had when, quite unexpectedly, it lost out at Muret. There were still heretics aplenty. The old ones had not yet faded away. Those whom we tend to call Cathars had their famous swansong in Morella and San Mateo in the 1310s before being spied out by Arnaud Sire.<sup>2</sup> Waldensians returned to the scene. As late as 1344 Clement VI, at the behest of the inquisitor of Toulouse was calling on Peter IV for their capture in the lands of the Crown.<sup>3</sup> And there were new ones to deal with – visionaries, Beguines, Fraticelli, misfits, and misguided intellectuals (misguided, at least, in the eyes of the Church).<sup>4</sup> Inquisitors, which evermore meant the Dominicans as the role of the episcopate diminished, were generally encouraged to deal with them by the crown.<sup>5</sup> That, however, was not to be the case with the Jews. There the crown insisted on its own rights to judge Jews who acted against Christianity and the value that they continued to have meant that in the first decades of the fourteenth century even those who had reverted

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<sup>1</sup> On relations between the papacy and Aragon, see J. M. Pou y Martí, 'Conflictos entre el pontificado y los reyes de Aragón en el siglo XIII', *Sacerdozio e Regno da Gregorio VII a Bonifacio VIII* (Rome 1954), 139–160.

<sup>2</sup> On which, as well as Le Roy Ladurie's *Montaillou*, see S. Weiss, *The Yellow Cross: the Story of the Last Cathars, 1290–1329* (London, 2001).

<sup>3</sup> *Bullaire de l'inquisition française au XIV siècle et jusqu'à la fin du grand schisme*, ed. J. M. Vidal (Paris, 1913), 302–4; Lea, *A History of the Inquisition*, ii, 170.

<sup>4</sup> Pou y Martí, *Visionarios, beguinos y fraticelos catalanes: Siglos XIII–XV* (Madrid, 1991[1930]); Lea, *A History of the Inquisition*, 169–80.

<sup>5</sup> Vincke, *Zur Vorgeschichte der Spanischen Inquisition*; Fort i Cogul, E., *Catalunya i la Inquisició*.



to Judaism could still rely on royal protection against inquisitorial efforts.<sup>6</sup>

Other stories are at an end. The Crown of Aragon never again came so close to dominating the Occitan lands as it had done in the first part of 1213. Not so much defeat in battle but rather the death of the king proved catastrophic, as it often had in the past. At Vouillé, in 507, the defeat and death of Alaric II had seen the fall of the Visigothic kingdom of Toulouse and the Frankish armies reached as far as Barcelona.<sup>7</sup> In 712, the defeat and death of King Rodrigo by Arabs and Berbers had seen the fall of the Visigothic kingdom in Spain altogether.<sup>8</sup> Equally, in 1134, the defeat of Alfonso I the Battler at the battle of Fraga and his death a little time afterwards had resulted in the disintegration of the Navarro-Aragonese union and, indeed, the formation of the Arago-Catalan union.<sup>9</sup> Peter II's death might well have split that union but, as a result of some wise heads, it did not. However, as a consequence of the precarious situation of his orphaned son, it did mean that the very real possibility of the ultimate formation of a Crown of Aragon which incorporated the Languedoc was replaced with what until that time would have seemed the far less likely prospect of Capetian dominance in lands in which its rulers had been little interested. Meaux-Paris, the loss of 1245, and Corbeil were to confirm that the emotional reaction of Dalmau de Creixell and others to news of the death of the king had not been without some justification.<sup>10</sup>

To what extent the defeat of Muret may have aided the advance of heresy is less clear. Nuno Sanç, who had missed the battle because of Peter II's impatience, was clearly of the party which had sought to avenge the king and continue the struggle against the Crusade, and even though he eventually came to terms in April 1226, it is probably not coincidental that in the lands where he was lord, heresy continued to flourish.<sup>11</sup> The figures who were instrumental in the spread of heresy into the Catalan lands, Raymond Roger of Foix and particularly Arnau

<sup>6</sup> Y. Assis, 'The Papal Inquisition and Aragonese Jewry in the Early Fourteenth Century', *Mediaeval Studies*, 49 (1987), 391–410.

<sup>7</sup> *Chronica Gallica*, A. DXI, items 688–91, ed. T. Mommsen, *MGH, Auctores antiquissimi*, ix (Berlin, 1892) 664–5; Collins, *Visigothic Spain*, 36.

<sup>8</sup> *Crónica muzárabe de 754*, ed. J. E. López Perreira (Zaragoza, 1980), 68, lii.

<sup>9</sup> On the defeat at Fraga, see A. Ubieto Arteta, *Historia de Aragón: Creación y desarrollo de la corona de Aragón* (Zaragoza, 1987), 189–99.

<sup>10</sup> *Chanson*, ii, 30, ch. 140. Above, chapter 1.

<sup>11</sup> *Llibre dels Fets*, ch. 9; *HGL*, viii, 831; above, chapter 3.

de Castellbò, were almost certainly in sympathy with the heretics in the period prior to the calling of the crusade.<sup>12</sup> It was with their encouragement, and with the encouragement of other disaffected lords, that the heretics worked their way through the mountains and into the towns. Why some people in Castellbò, in Josa, at Gósol, in the mountains of Siurana, in Lleida, decided that they would throw in their lot with the heretics while others did not is often far from clear but overall heresy had its greatest success where the power of the crown was weakest or in areas where immigration from Languedoc had been particularly encouraged. The number of heretics was, of course, very small, and with good reason the erudite Durán of Huesca, who tells us more about heresy than most, concentrated his attention on the heretics of the dioceses of Toulouse, Carcassonne and Albi.<sup>13</sup>

The Waldensians, on the other hand, were probably more numerous than is usually allowed and it is significant that the first legislation of the kings of Aragon against heresy in the 1190s is primarily directed against them. So too were those well-known directives, carefully devised by Ramon de Penyafort and some others, which were promulgated at Tarragona in 1242.<sup>14</sup> Then, as at other times, the guiding hand of one of the great lawyers of the age meant that the inquisition in the Crown lands placed its emphasis on justice, equity and mercy, the compassionate Dominican firmly believing that almost all could be reconciled to the Church. In spite of its sophisticated methods, which provided a great leap forward for legal thought and practice, it is unlikely that it played the major part in rooting out the heretics or the Waldensians. Two other factors were surely more important here. Firstly, the determination of the Crown to defeat heresy. Secondly, the charitable work, especially of the Dominicans and the Franciscans, which attracted to the Church so many of those who might otherwise have been attracted to the heretics.<sup>15</sup>

<sup>12</sup> Above, chapter 3.

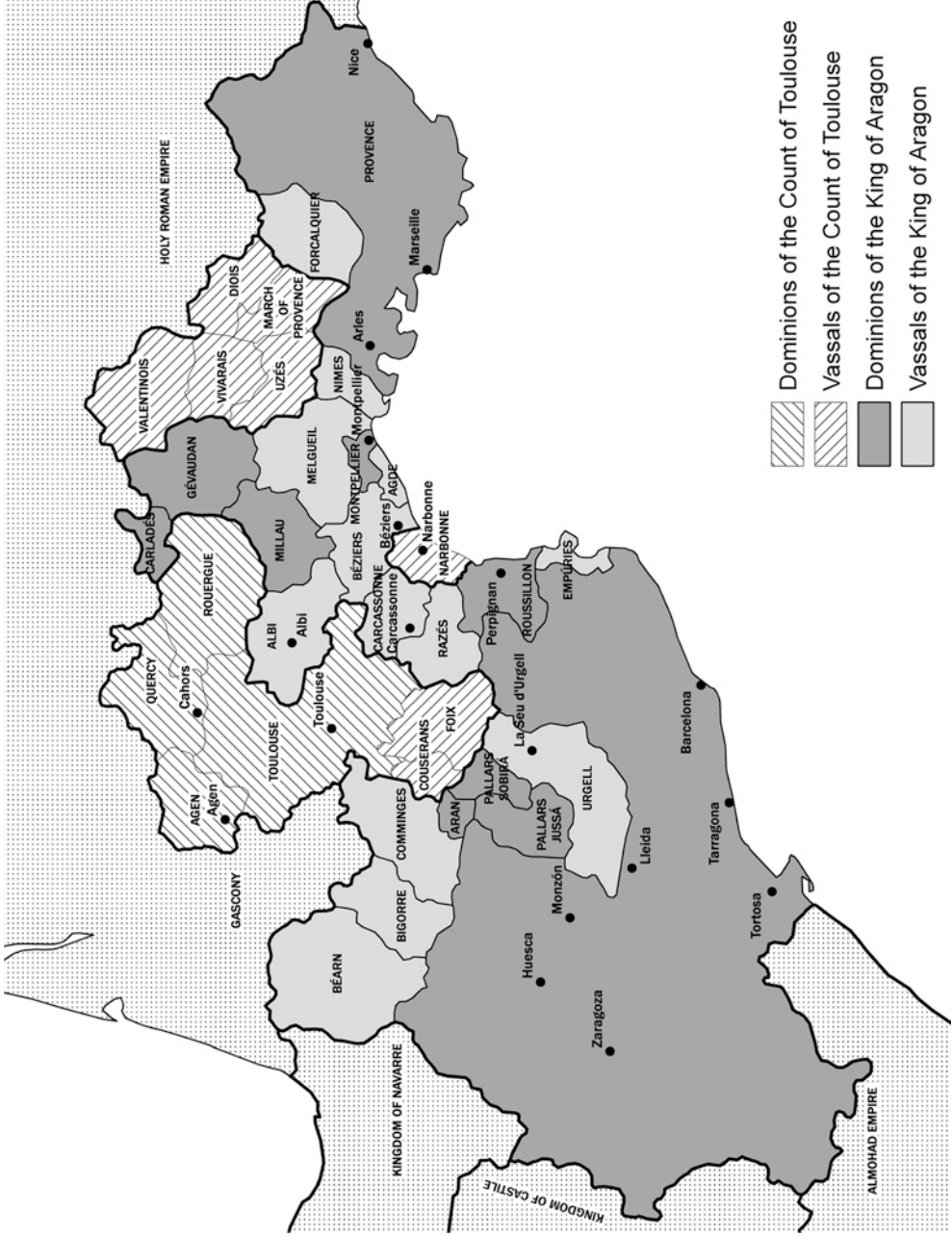
<sup>13</sup> *Liber contra Manicheos*, 119, 211, 217, 236; above, chapter 4.

<sup>14</sup> Baraut, 'Els inicis de la inquisició', 429–34, no. 8; above chapter 5.

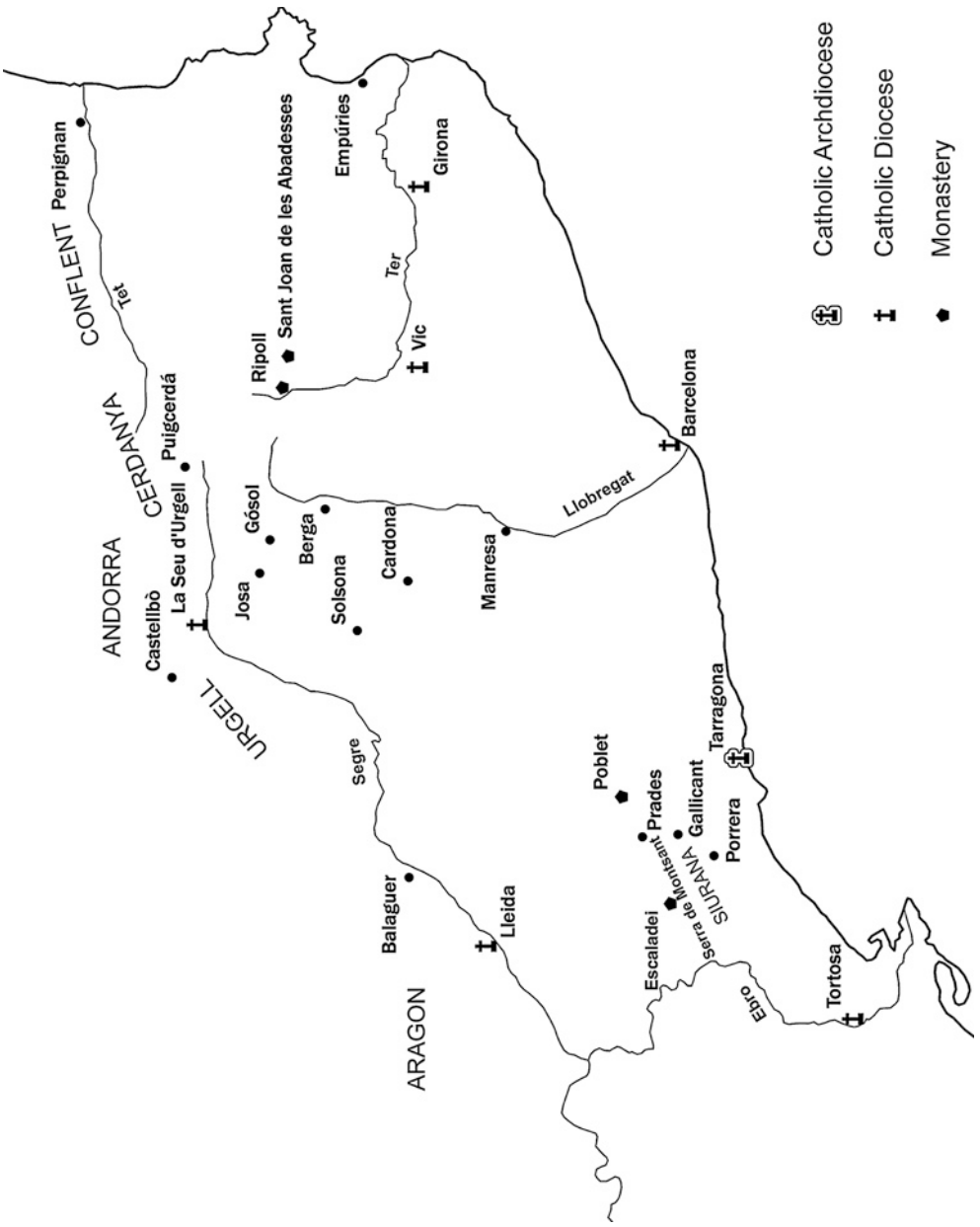
<sup>15</sup> On which, see C. Batlle, 'La Seu d'Urgell a la segona meitat del segle XIII, segons els testaments', *Urgellia*, 3 (1980), 383–4; eadem, 'Les institucions benèfiques de la Seu d'Urgell durant l'edat mitjana (segles XI–XV)', *Urgellia*, 6 (1983), 285–334.



MAPS



Map 1: Aragon and its neighbours on the eve of the Albigensian Crusade.



Map 2: Centres of heresy and orthodoxy in Catalonia in the thirteenth century.



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## INDEX

- Abdella de Hafara, 141  
Abraim de Pez, 141  
Abril, bishop of Urgell, 102, 106, 207  
Accursio, merchant of Florence, 190  
Agde, 27, 66, 96  
Agen, 79, 86  
Agenais, the, 51, 68  
Aglesa, N', 107, 119  
Agramunt, 107  
Aimeric Arquer, 121  
Aimery de Montréal, 34  
Aimery, viscount of Narbonne, 42  
Aix, 61, 64  
Alain de Lille, 148  
Alans, 20  
Alarcos, battle of, 3, 30  
Alaric II, king, 212  
al-Azraq, 57, 203–4  
Albert of Lavana, 70  
Albi, 76–7, 79, 90, 143, 164, 166, 172, 213  
Albigois, the, 51, 68, 77  
Alexander III, 76, 88, 94, 142, 172  
Alexander IV, 119  
Alfonso I of Aragon, 212  
Alfonso II of Aragon, 15, 19, 30–1, 64, 91, 117, 138–9, 149–51, 172, 175–7  
Alfonso II of Provence, 29, 31  
Alfonso VIII of Castile, 3, 16, 31, 151  
Alfonso IX of León, 16, 54, 131  
Alfonso X of Castile, 57, 63  
Alfonso, prince of Aragon, 64, 67  
Almenara, 56  
Almodis, 26  
Almohads, 3, 16, 30–1, 33–6, 42, 54  
Almuniente, 140  
al-Nasir, 16  
Alphonse-Jourdain of Toulouse, 28  
Alphonse of Poitiers, 55, 61, 71  
Alvâr, count of Urgell, 206  
Alzira, 62  
Ambialet, 27  
Amicie, daughter of Montfort, 34  
Andorra, 9, 92, 94, 102, 117  
Andrew of Hungary, 15  
Anselm of Alessandria, 73  
Aquitaine, 25, 47, 166  
Aran, Val d', 30–1, 79, 85–7, 116  
Arbolí, 123  
Arles, 31, 41, 44, 68  
Arnaldo, bishop of León, 134  
Arnaldo de Segarra, 128  
Arnau Amalric, 1, 16, 35, 151, 161  
Arnau de Bretos, 97, 104–5, 121–2  
Arnau de Castellbò, attacks on diocese of Urgell, 91–2, 94–7  
before Muret, 13  
involvement with heretics, 96–7, 212–13  
posthumous condemnation, 102–3, 207–9  
Arnau de Joval, 105  
Arnau de Lagnetis, 118  
Arnau de Preixens, bishop of Urgell, 94, 95  
Arnau de Puigverd, 179  
Arnau de Saga, 95  
Arnau Mestre, 121–3  
Arnau de Caboet, 94  
Arnaud, French heretic, 133–4, 136  
Arnaud de Cos, 115  
Arnaud de Mudagons, 115  
Arnaud de Paris, 97–8  
Arnaud de Puigvert, 93, 149, 179  
Arnaud de Sault, 110  
Arnaud de Serra, 118  
Arnaud Godera, 118, 129–30  
Arnaud Sicre, 211  
Arnold of Crampagna, 152  
Aspàreg, archbishop of Tarragona, 43, 119–20, 123, 185  
Atbrand, 58  
Augustus, 20  
Aurembiaix, countess of Urgell, 32, 51–2  
Avignon, 22, 47, 68  
Avignonet, 62  
Azille, 60

- Baetica, 20  
 Bacaudae, the, 20  
 Bagà, 108  
 Bager, En, 107  
 Bagnères-de-Luchon, 31  
 Bairén, 57  
 Balaguer, 46  
 Balaruc, castle, 62  
 Baldwin, count, 42, 119  
 Baraut i Obiols, Cebrià, 9  
 Barcelona,  
   bishops of, 138, 161  
   cathedral church of, 188  
   citizens of, 209  
   city of, 46, 50, 52, 67, 129–30, 161,  
     177, 184, 188–9, 212  
   county of, 21, 27–8, 68  
   diocese of, 197  
   Dominicans of, 188, 204, 208  
   house of, 26, 29–30, 38–9, 95  
   inquisition in, 196  
   region of, 188  
   university of, 10  
 Barcelona, Na, 107  
 Baridà, 33  
 Barranc de Planells, 128  
 Bartolomeu de Gallicant, 122  
 Baux family, 28–9, 44, 69–70  
 Béarn, 30, 37, 44, 46  
 Beatrice, daughter of Ramon Berenguer  
   V, 59, 63–5  
 Beatrice, wife of Hugh de Saissac, 113  
 Beatrice de Bretos, 105  
 Beaucaire, 46–7  
 Bellegarde, 34  
 Beneg de Termes, 115  
 Benet de Rocabertí, archbishop of  
   Tarragona, 106, 123  
 Benifallet, 119  
 Berenguela of Castile, 131  
 Berenguer Amorós, 124  
 Berenguer, archbishop of Narbonne, 31,  
   88, 139, 158–60, 172  
 Berenguer, archbishop of Tarragona, 44,  
   90, 174  
 Berenguer, bishop of Girona, 66  
 Berenguer Barba, 118  
 Berenguer d'Abella, 94  
 Berenguer de Calonge, 90  
 Berenguer de Castellbisbal, 13  
 Berenguer de Cervera, 14  
 Berenguer d'Erill, 119  
 Berenguer de Palou the elder, 176  
 Berenguer de Palou the younger, 129,  
   177, 196  
 Berenguer de Pi, 97  
 Berenguer de Plegamans, 14  
 Berenguer Forner, 128  
 Berenguer Ramon II, 27  
 Berenguer Ramon, count of  
   Provence, 28  
 Berenguera, wife of Arnau Mestre, 122  
 Berenguera de Cornellana, 97  
 Berga, 97, 103–8, 118, 204  
 Bernard Ato, 27, 89  
 Bernard Catalanus, 79, 80, 84, 86  
 Bernard de Béziers, 152  
 Bernard de Caux, 125, 203  
 Bernard de Fontcaude, 143  
 Bernard de Penne, 15  
 Bernard de Sault, 111  
 Bernard de Simorre, 164, 180  
 Bernard Gaucelin, archbishop of  
   Narbonne, 143  
 Bernard Gui, 101  
 Bernard Guillaume de Claira, 115  
 Bernard of Clairvaux, 74–5  
 Bernard IV of Comminges, 14, 31  
 Bernard of Pavia, 158  
 Bernard Oth, 110  
 Bernard Raimond, 79  
 Bernarda, wife of Pere de Bretós, 106  
 Bernardo de Fraga, 128, 205–6  
 Bernat Calvó, bishop, 99, 188, 194, 196  
 Bernat d'Alió, 110–1, 113, 206  
 Bernat de Berga, 114, 126, 169  
 Bernat de Calça, 128  
 Bernat de Castelló, bishop, 95  
 Bernat de Costes, 123  
 Bernat de Montaut, 97  
 Bernat de Paratge, 107  
 Bernat de Portella, 42, 177  
 Bernat de Travesseres, 101  
 Bernat de Vilamur, bishop, 93, 149, 179  
 Bernat del Bac, 111  
 Bernat Guillem d'Entença, 56  
 Bernat Lorda, 124  
 Bernat Narbonès, 121, 123  
 Bernat Olibia, 106  
 Bernat Pere of Arbolí, 124  
 Bertrán de Tarascó, father, 94  
 Bertrán de Tarascó, son, 94  
 Bertrand, cardinal, 47, 50  
 Bertrand de Saissac, 112  
 Bertrand Marty, 121  
 Bertrand of Béziers, 37  
 Besalú, 68, 114  
 Béziers, 27, 29, 33, 42, 45, 67, 77, 81  
 Biar, 57  
 Bigorre, 44, 46

- Biterrois, the, 67  
 Blanche de Caramny, 115  
 Blanche of Castile, 51, 55, 60  
 Blasco de Alagón, 54, 128  
 Bogomils, 73  
 Bolea, 140  
 Bologna, 57, 175, 188  
 Boniface de Castellana, 69–70  
 Bonrepòs, monastery, 120  
 Borràs Calça, 128  
 Borriana, 54–5  
 Bourges, council of, 184  
 Bouvines, battle of 3  
 Bulgaria, 80, 153, 166  
 Burgos, 132
- Cabaret, 34  
 Cabó, 94  
 Cahors, 51, 68  
 Calatarao, 13  
 Camp de Vuldiaves, 128  
 Capcir, 110  
 Capestang, 43  
 Carcassès, 62, 67  
 Carcassonne,  
   bishop of, 159  
   city of, 21, 26–9, 59–60, 67, 110,  
     152, 179  
   diocese of, 27, 143, 164, 166, 213  
   heretical bishop of, 78  
   heretical church of, 78–80, 83–4, 86–7  
   lands of, 67  
   seneschal of, 71  
   siege of, 33  
   viscounty of, 45, 166  
 Carladès, 27–8, 68  
 Carreras i Candi, Francesc, 8  
 Castelfixel, 68  
 Castelnau, 62  
 Castile, 42, 63, 66, 70, 130–1, 208  
 Castres, 90  
 Catalane, 130  
 Cathars, 2, 4, 9–11, 74, 123, 130, 137,  
   143, 151, 163–6, 168, 172, 174, 211  
 Cécile, sister of count of Foix, 206  
 Celestine III, *see* Hyacinth Bobone  
 Celestine IV, 61  
 Centulle of Bigorre, 30  
 Cerdanya, 13, 33, 68, 92–5, 108–12  
 Charlemagne, 21  
 Charles of Anjou, 3, 64–5, 69, 70, 72  
 Charles Martel, 21  
*Charte de Niquinta*, 78, 81, 85, 88  
 Cistercians, 1, 14–16, 22, 36, 102, 120,  
   141, 143, 149, 159
- Clement IV, 66  
 Clement VI, 211  
 Clement of Bucy, 73  
 Cluny, 22, 64  
 Conflent, 13, 33, 68, 108–12  
 Conrad, son of Frederick II, 64  
 Conrad of Porto, cardinal, 50, 82–3  
 Constance of Aragon, 15–16, 19  
 Constanza, daughter of Manfred, 205  
 Corbeil, treaty of, 3, 58, 67–8, 72, 113,  
   212  
 Cornudella de Montsant, 120, 123  
 Cullera, 55–6
- Dalmatia, 80  
 Dalmau de Creixell, 13–15, 19, 43, 47,  
   49, 212  
 Dénia, 56  
 Diego, bishop of Osma, 151  
 Diego García, 42  
 Doat, Jean de, 7  
 Domènec de Montanya, 124  
 Domingo Cibaria, 140  
 Dominic, Saint, 151  
 Dominicans, 5, 55, 66, 96, 116, 137,  
   169, 183, 188–9, 191, 194, 196, 202–7,  
   209, 211, 213  
 Donnezan, 110  
 Douce, 27–8  
 Dragometia, 80  
 Drugunthia, 80, 84  
 Durán de Huesca,  
   birthplace of, 138–9  
   and Catholic Poor, 149–62  
   and *Liber antitheresis*, 144–9  
   and *Liber contra manicheos*, 163–8  
   and Valdes, 137, 141–3  
   value of, 1, 5, 213  
 Durand, inquisitor, 97  
 Durand de Brouille, 125,  
 Durand de Najac, 160–2, 168  
 Durance, river, 27–8  
 Dyas de Deine, 97
- Ebrinus, 152  
 Ebro, river, 19, 138  
 Eckbert of Bonn, 75  
 Edward, prince of England, 70  
 Eleanor, sister of Peter II, 31  
 Elionor, daughter of Alvàr of Urgell, 206  
 Elne, 110, 113–5, 161–2, 203  
 Elvira, countess of Urgell, 32, 120  
 Emporion, 19  
 Empúries, 53, 60 68  
 Ermengard, 29

- Ermengaud, 152  
 Ermengol VIII, 51, 94, 96, 110  
 Ermengol, master of Amposta, 90  
 Ermengol, son of Àlvar of Urgell, 206–8  
 Ermessenda, daughter of Arnau de Castellbò, 95–8, 102, 207–9  
 Ermessenda, grandmother of Ramon Berenguer I, 26  
 Esclarmonde, 97, 101, 111  
 Escaladei, monastery of, 119–20, 183  
 Estavar, 110  
 Esteban, bisop of Huesca, 90, 139  
 Étienne de Saint-Thibéry, 63  
 Étienne de Salagnac, 101  
 Everard of Bucy, 73  
 Everwin of Steinfeld, 74–5  
 Evol, 110  
  
 Faenza, 57  
 Fanjeaux, 80  
 Fenouillet, 67  
 Fenouillèdes, the, 62, 67  
 Ferdinand, abbot of Montearagón, 41, 44  
 Fernando III of Castile, 131–2  
 Ferrer de Vilaroja, 97, 104, 106, 114–5, 204  
 Ferrer Draper, 107–8  
 Foix, 37, 68  
 Font del Cup, 128  
 Forcall, 128  
 Forcalquier, 29  
 Fortuño de Asín, 139  
 Foulques, bishop of Toulouse, 151  
 Fraga, battle, 212  
 Francesca Narbonès, 121  
 Francis, saint, 153  
 Franciscans, 5, 60, 115, 137, 169, 194–5, 213  
 Franks, 21, 35, 79, 212  
 Frederick I, 29, 175  
 Frederick II, 15, 55, 57, 59, 64, 184  
 Frontignan, 62  
 Fuente de Vinachos, 128  
  
 Galcerán de Castellarnau, 97  
 Galcerán de Pinos, 107  
 Galindo de Perola, 140–1  
 García de Borja, 128  
 García Gudal, bishop of Huesca, 138  
 García Sanz, 140  
 Garsende, 29  
 Gascony, 62, 76, 172  
 Gaston, viscount of Béarn, 14, 44  
  
 Gaucelm, bishop of Lodève, 77  
 Gaucelm, heretic, 164  
 Gaufre, bishop of Girona, 177  
 Gaufre de Rocabertí, 177  
 Gaufred, 90  
 Genoa, 56  
 Geoffrey of Auxerre, 143  
 Gerard, heretical leader, 76  
 Gérard Mercier, 79, 86  
 Géraud de la Barthe, 116  
 Géraud de Niort, 60  
 Gerberge, 27  
*Gesta Comitum Barcinonesium*, 18, 41  
 Gévaudan, 27–8, 62, 67  
 Gilabert de Cruïlles, 90  
 Girard II of Roussillon, 30  
 Girona, 21, 68, 91, 129, 149, 177, 185  
 Gósol, 8, 103, 107–8, 204, 213  
 Gregory IX,  
     and Catholic Poor, 169  
     death of, 61  
     *Declinante iam mundi*, of, 185  
     documents of, 7,  
     *Excommunicamus*, of, 130, 184  
     and Géraud de la Barthe, 116  
     and heretics at Majorca, 125  
     and heretics at Palencia, 130–2  
     and inquisition, 110, 116, 187–8, 195, 203  
     and Ramon de Malloles, 114  
     and Ramon de Penyafort, 189  
     and Robert de Castell-Rosselló, 112–13,  
     and Saint Francis, 153  
     support for Valencian crusades, 56,  
 Gregory X, 70  
 Gregory of Sant'Angelo, 149, 175  
 Grèzes, viscounty, 68  
 Guala Bicchieri, cardinal, 153  
 Guerau de Cabrera, 32, 41, 51, 96, 206  
 Guerriat, 104  
 Gui Faucoi (Clement IV), 66  
 Guichard, archbishop, 141  
 Guillabert de Castres, 97, 110, 125  
 Guillaume VI of Montpellier, 29  
 Guillaume Arnaud, 62, 110  
 Guillaume Bélibaste, 129  
 Guillaume Besse, 78, 81, 86  
 Guillaume, bishop of Albi, 77  
 Guillaume Cabiblanç, 115  
 Guillaume Clergue, 97  
 Guillaume de Cohardon, 71–2  
 Guillaume de Nangis, 65  
 Guillaume de Ormes, 60

- Guillaume de Perpignan, 124  
 Guillaume de Puits, 103–4  
 Guillaume de Saint-Antonin, 152, 162  
 Guillaume, inquisitor, 119  
 Guillem Adalbert, 14  
 Guillem, bishop of Elne, 177  
 Guillem, bishop of Lleida, 119  
 Guillem Català, 121–2  
 Guillem de Barberà, 188  
 Guillem de Bassia, 175  
 Guillem de Berguedà, 95  
 Guillem de Calonge, 102, 207–8  
 Guillem de Canfrance, 124  
 Guillem de Cardona, 42–3  
 Guillem de Cervera, 13, 41, 45–6, 177  
 Guillem de Creixell, 13–14  
 Guillem de Gallicat, 122  
 Guillem de Gósol, 107–8  
 Guillem d'Horta, 13  
 Guillem de Josa, 104  
 Guillem de Montcada, 13, 17, 41, 43, 46, 49, 53  
 Guillem de Montcada, husband of Marie of Béarn, 30  
 Guillem de Montgrí, 53–4, 99, 185, 187–8, 193–5  
 Guillem de Niort, 60, 109–10  
 Guillem de Santa Melià, 127  
 Guillem de Tavartet, bishop of Vic, 130, 176–7  
 Guillem Durfort, 14, 177  
 Guillem Ramon de Josa, 103–5  
 Guillem Ramon de Montcada, 44–7  
 Guillem Serrà, 128  
 Guillema, 107  
 Guillema de Paratage, 107  
 Guillermo de Tudela, 1, 33  
 Guy de Lucy, 35  
 Guy de Montfort, 46  
 Guy de Ventadour, 32  
  
 Hannibal, 19  
 Henry II of England, 29, 76–7  
 Henry III of England, 61–2  
 Henry of Albano, cardinal, 89–90  
 Henry of Marcy, cardinal, 143  
 Hildegard of Bingen, 73–4  
 Hispan of Segorbe, 43, 45  
*Les homilies d'Organyà*, 24  
 Honorius III, 1, 47–8, 50, 131  
 Hospitallers, 43, 90, 141, 150, 185  
 Hubert, archbishop of Milan, 157–8, 160  
 Huesca, 44, 87, 90, 138–41, 150, 161  
 Hug, count of Empúries, 14, 43, 52, 129  
 Hug de Mataplana, 13  
 Hugh de Saissac, 113, 125  
 Hugh III of the Baux, 44  
 Hugh of the Baux, 69–70  
 Hugh of La Marche, 62–3  
 Hugh of Poitiers, 76  
 Hugolino, *see* Gregory IX  
 Hyacinth Bobone (Celestine III), 88, 94, 172  
  
 Ibiza, 54  
 Imbert de Sales, 112  
 Imre of Hungary, 15  
 Innocent III,  
   and church of Urgell, 91  
   and Church reform, 5  
   and Durán of Huesca, 150–1, 154, 157–63, 169  
   and Fourth Lateran, 45  
   and Las Navas de Tolosa, 36  
   and marriage of Alfonso and Berenguela, 131  
   and Peter II, 37–8, 211  
   and Peter of Benevento, 43  
   and Ramond VI of Toulouse, 32, 180, 190, 211  
   and Sancha of Aragon, 130, 138, 150, 180  
   and *Vergentis in Senium*, 150, 180–1, 183, 190–1  
 Innocent IV, 61, 64–5, 111, 115–6, 119, 126, 169, 202–4  
*Insabbatati*, 11, 197, 201  
*Inzabatati*, 198  
 Isarn de Castillon, 98  
 Isarn, viscount, 15  
  
 Jaca, 44  
 James I of Aragon,  
   and Amicie de Montfort, 34  
   and Arnau de Castellbò, 96  
   and Aurembiaix, 32, 51  
   and Charles of Anjou, 69–70  
   and conquest of Majorca, 52–4  
   and conquest of Valencia, 54–8  
   and edict of Barcelona, 50, 184  
   and heretics, 96, 105, 111–13, 115–6, 119, 123–4, 126–8  
   and inquisition, 185, 195, 202–9  
   and Languedoc, 3, 58–63  
   and *Llibre dels Fets*, 6–7  
   and Montpellier, 58, 66–8  
   and Peter II, 13, 17–18  
   and Peter of Benevento, 43



- and Prince Peter, 71–2
- and Provence, 63–6
- and Ramon de Penyafort, 189
- and threatened invasion of
  - Aragon, 47–8
  - and treaty of Corbeil, 67–9
- James, prince of Aragon, 67, 69–70
- Jaspert de Barberà, 53, 112, 126–7, 195
- Jean Bellesmains, archbishop
  - of Lyon, 143
- Jean de Beaumont, 60
- Jean de Narbonne, 152
- Jeanne of Toulouse, 51, 55, 61, 71
- Joachim de Fiore, 148–9
- Joan d'Arximbald, 124
- Joan de Tàrrega, 124
- Joan Espaers, 119
- John Colonna, cardinal, 153
- John of Abbeville, 184, 188
- John of England, 3, 38
- John, the Baptist, 154
- John, the Evangelist, 166–7
- Jordana de la Creu, 108
- Josa del Cadí, 103–7, 118, 213
- Juan de Iamila, 140
- Juan de Mariana, 133
- Juan de Seres, 140
- Juan of Osma, bishop, 16
- Juana de Segarra, 124
- Julius Caesar, 20
- Juzeph Alfanaqui, 141
  
- La Palu, castle, 66
- Larramet, 15
- Las Navas de Tolosa, 3, 4, 16, 34–6, 42, 54
- Laszlo of Hungary, 15
- Lateran III, council, 78, 89, 142, 172, 174–5
- Lateran IV, council, 45, 182
- Latour-de-Carol, 118
- Lattes, castle, 62, 66, 69
- Laurac, 67
- Lauragais, 67
- Laure, 60
- Lavaur, 36–7, 90
- Leo Brancalione, cardinal, 153
- León, 54, 130, 132–6
- Le Puy, 125
- Lers, river, 80, 88
- Liège, 75–6
- Limoux, 60
- Lisiard, bishop of Soissons, 73
- Livy, 20
  
- Lleida,
  - antiheretical legislation at, 91, 149, 172, 175–7
  - conquest of, 29
  - city of, 20, 88, 91
  - Cort* at, 42
  - council at, 98–9
  - diocese of, 87, 204
  - Dominicans at, 204–5
  - heresy at, 80, 84, 88, 107, 117–9, 126, 213
  - inquisition at, 205
  - synod at, 194
- Lobar, 89
- Lodève, 77
- Lomers, council of, 77, 81
- Louis the Pious, 21
- Louis VII, 29
- Louis VIII, 44, 48, 50–1
- Louis IX, 51, 55, 57, 59–60, 64–9, 118, 127
- Lourdes, 46–7
- Lucas of Túy, 132–6
- Lucius II, 75
- Lucius III, 140, 143, 174
- Lupian, 62
- Lusitania, 20
  
- Mabilia Calça, 128
- Maguelonne, bishop of, 59, 66
- Majorca, 4, 6–7, 28, 52–5, 59, 63, 113, 124–7
- Manfred, 70
- Marguerite of Provence, 55, 68
- Maria d'Urgell, 122
- Maria Martina, 107
- Maria Pastor, 122
- Maria Poca, 107, 204
- Marie of Béarn, 30
- Marie of Montpellier, 32, 37, 48
- Mark of Lombardy, 79, 86
- Marseille, 19, 31, 46–7, 53, 55, 59, 68–70, 138, 161
- Martial, 20
- Martin IV, 72, 211
- Martín de Seres, 140
- Mas Deu, 110, 112
- Matthew Paris, 57, 65
- Mauricio, bishop of Burgos, 132
- Meaux, treaty of, 3, 50, 55, 71, 212
- Melenguia, 80
- Melgueil, 62
- Menorca, 53
- Miguel de Luesia, 14, 17, 177

- Miquel de Casis, 124  
 Milan, 56, 157–8  
 Millau, 48–9, 62, 67  
 Millavois, 62  
 Michel of Sens, archbishop, 179  
 Minerve, 67  
 Minervois, 67  
 Mirepoix, 97–8, 118  
 Miret i Sans, Joaquim, 8–9, 96  
 Mistral, Fredric, 25  
 Montauban, 14, 42, 124  
 Montearagón, 139, 172  
 Montferrand, 62  
 Montferrier, 62  
 Montfort, Simon de, 17–18, 33, 36–8,  
     40, 42–9, 161  
 Montolieu, 60  
 Montpellier,  
     consuls of, 111  
     council of, 44  
     merchants of, 52–3  
     revolt at, 58–9  
     suspected heresy at, 116  
     town of, 32, 35, 42, 48–9, 61–2  
     treaty of Corbeil and, 66–8  
     versus Charles of Anjou, 68–70  
     Waldensians at, 148  
 Montréal, 60  
 Montségur, 63, 105, 109, 111–2,  
     121, 123  
 Montserrat, monastery, 9  
 Montwimers, 75  
 Monzón, 63, 130, 194  
 Moralles, 128  
 Morella, 54, 128–9, 205–6, 211  
 Murcia, 4, 63  
 Muret, 1, 3, 13, 16–19, 25–6, 38–40,  
     42, 45, 50, 61, 67, 71, 96, 163, 211–2  
  
 Narbonne,  
     archbishop of, 21, 31  
     archdiocese of, 80, 87, 169  
     city of, 21–2, 42–3, 68, 90  
     diocese of, 202–3  
     Dominican inquisitors of, 116  
     duchy of, 166  
     duke of, 46  
     province of, 47, 168  
     region of, 21–2, 68, 123  
     revolt at, 55  
 Navarre, 42  
 Nice, 31  
 Nicetas, 79–80, 83–4, 86  
 Nicholas of Clermont, 153  
  
 Nîmes, 42, 67, 77, 159  
 Nuno Sañç,  
     and Arnau de Castellbò, 96  
     before and after Muret, 13–15, 17,  
         24, 212  
     and conquest of Majorca, 52–4  
     excommunication of, 47  
     and heretics, 109–12, 115, 212  
     and Jaspert de Barberà, 126  
     and Louis IX, 50  
     projected marriage to Peronella, 46–7  
     and rescue of James, 43  
     treaty with the Montcada, 46  
     treaty with the Baux, 43–4,  
     and war with Guillem de  
         Montcada, 49  
  
 Oliver de Termes, 53, 55, 59, 127  
 Olivier de Penne, 15  
 Omeladés, the 62, 68  
 Omelàs, 62  
 Ot de Peyrestortes, 115  
 Otto IV, 3  
 Oxford, 76  
  
 Palad, 92–3  
 Palencia, 7, 131–2  
 Palma de Mallorca, 53, 125–6  
 Pals, 15  
 Pamiers, 34, 152  
 Pamplona, 196  
 Paulus, 21  
 Pedro the Cruel, kin of Castile, 89  
 Pedro Ahones, 45, 50  
 Pedro de Alcalá, 14  
 Pedro de Fraga, 128, 205–6  
 Pedro de Iamila de Liesa, 140  
 Pedro de Segarra, 124  
 Pedro Napal, 140  
 Pelayo, cardinal, 153  
 Pelhisson, chronicler, 110  
 Peníscola, 54  
 Pere, abbot of Sant Miquel de Cuixà, 14  
 Pere Albiol, 98, 104  
 Pere, bishop of Urgell, 16  
 Pere Blanc, 104  
 Pere d'Albalat, archbishop of Tarragona,  
     92, 99, 119, 123, 194, 196  
 Pere de Berga, 108  
 Pere de Bretos, 104–6  
 Pere de Cadireta, 102, 111, 123, 204,  
     206–9  
 Pere de Corona, 119  
 Pere de Puigvert, bishop of Urgell, 96

- Pere de Tavartet, 176–7  
 Pere d'Urgell, 121–2  
 Pere Girberta, 121  
 Pere Martell, 52  
 Pere Narbonès, 121  
 Pere Oliola, 127  
 Pere Ramon, son of Ramon  
     Berenguer I, 27  
 Pere Ramon, viscount of Castellbò, 94  
 Períco de Botzècom, 123  
 Peronella of Béarn, 44, 46  
 Perpignan, 13–14, 70, 112, 115,  
     124, 204  
 Peter II of Aragon,  
     and Albigensian Crusade, 32–8  
     antitheretical legislation of, 91, 138,  
         149, 161, 177–9, 182  
     build-up of power in the Midi, 31–2  
     and debate at Carcassonne, 152,  
         179–80, 187  
     and heretics, 96, 110–11  
     and Las Navas, 16, 35–6  
     and Muret, 1, 13–19, 212  
     support of Alfonso VIII, 31  
 Peter III of Aragon, 62, 67, 70–2, 205,  
     207–8, 211  
 Peter IV of Aragon, 211  
 Peter Capuanus, 153  
 Peter of Benevento, cardinal, 43,  
     103, 182  
 Peter of Portugal, 54  
 Peterborough, chronicle of, 88  
 Petronilla, 29  
 Peyrepertuse, castle, 67  
 Philip II of France, 37, 39, 45, 47–8  
 Philip III of France, 67, 71–2, 211  
 Piacenza, 57  
 Pierre Amiel, archbishop of Narbonne,  
     56, 109, 202–3  
 Pierre Autier, 117  
 Pierre Barba, 118  
 Pierre Boniface, 58  
 Pierre d'Auteil, 127  
 Pierre de Caseneuve, 78  
 Pierre de Castelnaud, 32  
 Pierre de Corona, 98, 103–4, 117, 121  
 Pierre de Fenouillet, 112–3, 126  
 Pierre de Gavaret, 98  
 Pierre de Tenes, 104, 106, 111, 113,  
     119, 204  
 Pierre des Vaux de Cernay, 18, 34–5,  
     42–3, 91–3, 152  
 Pierre Durand, 203  
 Pierre Guillaume d'Arvigna, 97  
 Pierre Isarn, 78, 83–4  
 Pierre Pollan, 78, 83–4, 86  
 Pierre Pons de Peyrestortes, 115  
 Pierre-Roger de Cabaret, 34  
 Pierre-Roger de Mirepoix, 63  
 Pieuusse, council at, 98, 117–8  
 Pliny the Elder, 20  
 Poblet, 1, 14–16, 24  
 Poitiers, 21  
 Pompey, 20  
 Ponç de Cabrera, 101  
 Ponç de Planella, 101, 107–9, 194  
 Ponç de Vernet, 111, 205  
 Ponç de Vernet the younger, 111–2, 205  
 Ponç de Vilamur, bishop of Urgell, 92,  
     94, 99–101, 103–4, 106, 117, 126,  
     194–6, 204  
 Ponç Hug de Empúries, 177  
 Pons, archbishop of Narbonne, 88–90  
 Pons Beruinha, 105  
 Poor of Lyon, 11, 143, 156, 174  
 Porto Pí, battle, 53, 126–7  
 Pouzolles, castle, 62  
 Prades de Tavernier, 130  
 Provence, 3, 10, 19, 27–9, 31, 41–2,  
     44, 46, 50–2, 55, 58–9, 63–6, 68, 72,  
     76, 203  
 Puig, El, 56  
 Puigcerdà, 101, 108  
 Puig-Forca, 128  
 Puilaurens, castle, 68  
 Puylaurens, Guillaume de, 17, 42, 46  
 Quercy, 51, 68, 125  
 Quéribus, 68, 113  
 Quérigut, 110  
 Quié, 118  
 Quinzano, 140  
 R. de Vernigol, 195  
 Raimond, bishop of Elne, 162  
 Raimond Arquer, 121  
 Raimond d'Arvigna, 97  
 Raimond de Casals, 79, 86, 116  
 Raimond de Saint-Paul, 152  
 Raimond Pastor, 122  
 Raimond Sans de Rabat, 98  
 Raimonde, wife of Boussoulens, 125  
 Ramiro II, 139  
 Ramon Andreu de Prades, 124  
 Ramon, archbishop of Tarragona, 177  
 Ramon Berenguer I, 26–7  
 Ramon Berenguer II, 27  
 Ramon Berenguer III, 27–8

- Ramon Berenguer IV, 28–9, 118  
 Ramon Berenguer V, of Provence, 41, 49,  
 55, 59, 61, 63–4  
 Ramon, bishop of Barcelona, 177  
 Ramon, bishop of Girona, 90  
 Ramon d'Aguilella, 95  
 Ramon de Bretos, 98, 105–6  
 Ramon de Cardona, 207  
 Ramon de Castellarnau, 97  
 Ramon de Castellbò, 94  
 Ramon de Gallicant, 122  
 Ramon de Josa, the elder, 103  
 Ramon de Josa, 97, 103–5, 118, 182  
 Ramon de Malloles, 114  
 Ramon de Montcada, 53  
 Ramon de Niort, 110  
 Ramon de Penyafort,  
*Directorium* of, 5, 197–202, 213  
 early life of, 188–9  
 and inquisition, 2, 5, 195, 203–4  
 and the *Nota Raimundi*, 188, 191–3  
 and Ponç of Urgell, 104, 106, 126  
 and Robert de Castell-Rosselló, 114,  
*Summa de Paenitentia* of, 190–1  
 Ramon de Rocabertí, archbishop of  
 Tarragona, 157, 159–60,  
 Ramon de Serres, 107  
 Ramon de Tarazona, 89  
 Ramon de Torrelles, 124–5  
 Ramon Folc de Cardona, 95, 99, 194  
 Ramon Forner, 128  
 Ramon Joan d'Abia, 103, 116, 118–9  
 Ramon Pastor, 121–2  
 Ramon Vidal de Besalú, 23–4  
 Ramona de Gallicant, 122  
 Ramona Martí, 128  
 Raymond V of Toulouse, 29–30, 85,  
 89–90  
 Raymond VI of Toulouse, 17, 31–4, 36,  
 42, 45–7, 49, 59, 182  
 Raymond VII of Toulouse, 17, 46–7,  
 49–51, 55, 58–64, 66, 118–9, 127, 184  
 Raymond de Termes, 34, 53  
 Raymond de Turenne, 15  
 Raymond of Les Baux, 28  
 Raymond, prior of Sainte-Geneviève, 89  
 Raymond-Roger of Béziers, 112, 180,  
 182  
 Raymond Roger I of Foix, 14, 33–4,  
 91–3, 96, 110, 152, 212  
 Razès, 26–8, 62, 67, 79  
 Reims, 76  
 Rhône, river, 20, 51  
 Ricardo, bishop of Huesca, 140–1  
 Richard of Cornwall, 61  
 Richard of Millau, cardinal, 27  
 Riera d'Ulledecona, 56  
 Ripoll, monastery of, 18, 41  
 Robert de Castell-Rosselló, 113–4  
 Robert d'Épernon, 79, 86  
 Rodez, 27–8, 68  
 Rodrigo, Visigothic king, 21  
 Rodrigo, archbishop of Toledo, 131  
 Rodrigo Alvarez, 133  
 Roger of Béziers–Carcassonne, 26,  
 87, 90  
 Roger of Foix–Castellbò, 99–102,  
 106, 117  
 Roger de Bousignac, 97  
 Roger de Comminges, 97, 118  
 Roger Bernard I of Foix, 26  
 Roger Bernard II of Foix, 14, 96–7,  
 99–101, 194  
 Roger Bernard III of Foix, 102, 117,  
 126, 206–8  
 Romanus, cardinal, 184  
 Rouergue, the, 51, 68, 138  
 Roussillon, 13, 34, 68, 108–114, 203  
 Ruggerio di Loria, 72  
  
*Sabatati*, 149, 179  
 Saint-Félix, council of, 4, 77–85, 116  
 Saint-Genis-des-Fontaines, 163  
 Saint-Gilles, 47, 67, 125  
 Saint-Martin de Canigou, 163  
 Saint-Pons, 80  
 Saint-Ruf, Augustinians of, 22  
 Sainte-Marie d'Alet, 163  
 Saissac, 60  
 San Mateo, 211  
 San Pancrazio, 182  
 San Pedro el Viejo, 139  
 San Juan de la Peña, 139  
 Sanavastre, 92–3  
 Sanaüja, 107  
 Sanç, 31, 41, 43–7, 49  
 Sança, sister of Nuno Sanç, 109  
 Sancha, daughter of Fortuño, 140  
 Sancha, daughter of Ramon  
 Berenguer V, 59, 61  
 Sancha of Castile, queen of Aragon, 31,  
 120, 129, 138, 150–1, 180  
 Sancha, sister of Peter II, 55, 59, 61  
 Sancho VII of Navarre, 54  
 Sancho, archbishop of Toledo, 207  
 Sant Joan, 94  
 Sant Miquel de Cuixá, 110, 114, 126–7  
 Sant Sadurní de Tavernoles, 100

- Santa Caterina at Barcelona, 102  
 Santa Maria de Costoja, 102  
 Santiago de Compostela, 22, 125, 130  
 Sault, 68, 110  
 Saurine Rigau, 112  
 Scala Dei, *see* Escaladei  
 Scipios, 20  
 Septimianus, 21  
 Sertorius, 20  
 Sicard Cellarius, 79, 86, 164  
 Sicily, 3, 15, 211  
 Siurana, mountains of, 118, 120–4, 129,  
     151, 205, 213  
 Sixena, 48, 138  
 Solsona, 94, 107, 119  
 Stéphanie de Châteaueverdun, 130  
 Stephen of Fossanova, 153  
 Stephen of Tournai, 89  
 Strabo, 20  
 Suevi, 20  
 Suintila, 21  
 Sulla, 20
- Taillebourg, battle, 63  
 Tarascon, 47  
 Tarbes, 46  
 Tarn, river, 51  
 Tarraconensis, 20–2  
 Tarragona,  
     archdiocese of, 157  
     church of, 104  
     city of, 52, 121, 213  
     *Cort* at, 185  
     councils at, 174, 196–202  
     diocese of, 119–20, 183, 204  
     Friars Preacher at, 123, 169  
     prison of, 107  
     province of, 5, 20, 47, 56, 168, 172,  
     174, 182–5, 187–8  
     region of, 205, 213  
 Taur, 47  
 Tello Téllez de Meneses, bp. of  
     Palencia, 131–2  
 Templars, 43, 51, 94, 110, 112, 185  
 Termenès, the, 62, 67  
 Termes, 34, 62, 67, 115  
 Timbors, 97, 103–5  
 Timoneda, 104  
 Toledo, 21, 207  
 Tortosa, 22, 29, 50, 67, 80, 85, 87, 184–5  
 Toulouse,  
     city of, 14, 38, 48, 71, 90  
     consuls of, 14, 35, 72  
     council of, 185  
     county of, 45, 55, 67, 71, 166  
     diocese of, 51, 80, 143, 164,  
     166, 213  
     Dominicans of, 55  
     heretical church of, 79–80, 86  
     lands of, 17, 42, 50  
     people of, 47, 79  
     region of, 172  
     siege of, 35, 49, 126  
     statutes of, 185  
     Templars of, 15  
     University at, 25  
     Visigothic kingdom of, 23, 212  
 Tours, 76, 88, 172  
 Trencavels, 29–33, 50, 58–61, 66, 68,  
     81, 110, 126–7, 182  
 Tuixén, 103
- Úbeda, 16  
 Urban IV, 206  
 Urgell,  
     canons of, 92  
     church of, 92, 94, 100–3, 117  
     county of, 21, 32, 41, 68, 91, 94,  
     96, 110, 149, 206, 208  
     diocese of, 91, 98–9, 108,  
     202, 204  
     La Seu d', 9, 25, 100, 117, 209  
*Usatges de Barcelona*, 171–2  
 Uzès, 159
- Valcabrère, 13  
 Valdes, 137, 141–4, 148, 150–1, 154  
 Valencia,  
     city of, 11, 56, 58, 112  
     conquest of, 4, 6, 54–6, 114, 194  
     kingdom of, 35, 57, 62, 66, 68,  
     127, 205  
     revolts in, 6  
 Vallbona de les Monges, 102  
 Vallibona, 128  
 Vall de Porrera, 121–2  
 Vandals, 20  
 Venaissin, 59, 68  
 Ventura i Subiràs, Jordi, 10  
 Verfeil, 76  
 Veruela, monastery, 128  
 Vézelay, 76  
 Vic, 68, 130, 176–7, 185, 196  
 Vidal de Arvial, 132  
 Vidal de Canyellas, bishop of  
     Huesca, 195  
 Vigoreux de Bachona, 164  
 Vilafranca, 49, 183–4, 188

- Visigoths, 20–1, 23, 212  
 Vital Terré, 104  
 Vouillé, battle, 212  
  
 Waldensians,  
   and *Ad abolendam*, 175  
   at Carcassonne, 179  
   and Catholic Poor, 151–60  
   and council at Tarragona, 197, 201  
   and inquisitions, 171  
   later, 211  
   legislation against, 91, 129–30, 149,  
     175–6, 179–80, 213  
   in *Liber antiheresis*, 144–8  
   in *Liber contra Manicheos*, 165  
   name of, 11  
   and *Nota Raimundi*, 193  
   spread of, 143  
   strong presence in Aragon, 4–5,  
     138, 150  
   Ventura on, 10, 137  
 Walter Map, 142  
 Wamba, 21  
 William of Newburgh, 76  
  
 Xàtiva, 57–8  
 Xúquer, river, 57, 62  
  
 Yolanda of Hungary, 55–6  
  
 Zaragoza, 13, 21, 44, 130, 184–5  
 Zayyân, ruler of Valencia, 56