

Ecclesia et Violentia

Ecclesia et Violentia:
Violence against the Church and Violence
within the Church in the Middle Ages

Edited by

Radosław Kotecki and Jacek Maciejewski

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P U B L I S H I N G

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LIST OF ABBREVIATIONS

- AASS *Acta Sanctorum quotquot toto orbe coluntur*, ed. Jean Bolland et al., 71 vols. (Antwerp and Brussels among others: Société des Bollandistes, 1643–1910; 2nd ed., Paris and Rome: Victor Palme, 1863–1940)
- ACS Archivo de la Catedral de Salamanca
- ACZ Archivo de la Catedral de Zamora
- AP Wr., Rep. Archiwum Państwowe we Wrocławiu
- ÁÚO *Árpádkori új okmánytár – Codex diplomaticus Arpadianus continuatus*, ed. Gusztáv Wenzel, 12 vols. (Pest and Budapest: Magyar Tudományos Akadémia, 1863–74)
- Batthyany *Leges ecclesiasticae regi Hungariae*, ed. Ignatius Batthyany (Cluj-Napoca: Typis Episcopalis, 1627)
- BHL *Bibliotheca hagiographica latina antiquae et mediae aetatis*, ed. Bollandists, 2 vols. (Brussels, 1898–1901); and *Novum Supplementum*, ed. Henricus Fros (Brussels, 1986)
- BnF Paris, Bibliothèque nationale de France
- CAS *Catalogus abbatum Saganensium*, ed. Gustaw A.H. Stenzel, in vol. 1 of *Scriptores rerum Silesiacarum oder Sammlung schlesischer Geschichtsschreiber*, 17 vols. (Breslau: Josef Max & Komp., 1835–1902), 172–528.
- CB *Carmina Burana*, ed. Alfons Hilka, Otto Schumann and Bernhard Bischoff, 2 vols. (Heidelberg: Carl Winter, 1930–70)
- CCSL *Corpus Christianorum. Series latina*, 167 vols. (Turnhout: Brepols, 1954–)

- MES *Monumenta ecclesiae Strigoniensis*, ed. Ferdinandus Knauz and Ludovicus Crescens Dedek, 3 vols. (Strigonii: Gustavus Buzárovits, 1874–1924)
- MGH *Monumenta Germaniae Historica*
- MGH Capit. MGH *Capitularia regum Francorum*, ed. Alfred Boretius and Viktor Krause, 2 vols. (Hannover: Hahnsche Buchhandlung, 1883–97)
- MGH Conc. MGH *Concilia*, 8 vols. (Hannover and Lepzig: Hahnsche Buchhandlung, 1893–)
- MGH DD Imp. MGH *Die Urkunden der Deutschen Könige und Kaiser*, 18 vols. (Hannover, Leipzig, Wien, Köln, Graz: Hahnsche Buchhandlung, Herman Böhlau, 1879–)
- MGH Epp. MGH *Epistolae* (in Quart), 8 vols. (Berlin: Weidmansche Buchhandlung, 1887–1939)
- MGH SS MGH *Scriptores* (in Folio), 39 vols. (Hannover: Hahnsche Buchhandlung, 1839–)
- MGH SRM MGH *Scriptores rerum Merovingicarum*, ed. Bruno Krusch and Wilhelm Levison, 7 vols. (Hannover and Leipzig: Hahnsche Buchhandlung, 1885–1951)
- MHEZ *Monumenta historica episcopatus Zagradiensis*, ed. Andrija Lukinović, 7 vols. (Zagreb: Krščanska sadašnjost: Hrvatski državni arhiv, 1992–)
- MPV *Monumenta Poloniae Vaticana*, 10 vols. (Kraków: Wydawnictwo Polskiej Akademii Umiejętności, 1913–2002)
- MVAT *Monumenta Vaticana historiam regni Hungariae illustrantia. Vatikáni magyar okirattár*, series I, ed. Asztrik Várszegi, Ottó Fonyódi, Arnold Ipolyi, Vilmos Fraknoi and Vincze Bunyitay, 6 vols. (Budapest: Szent István Társulat, 1887–91)
- Péterffy *Sacra concilia ecclesiae Romano-Catholicae in Regno Hungariae celebratae ab anno Christi MXVI usque ad annum MDCCXV. Accedunt Regum Hungariae & Sedis Apostolicae legatorum constitutiones ecclesiasticae ex mss. Potissimum eruit, collegit, illustravit P. Carolus Péterffy e Societate Jesu. Pars prima in qua concilia &*

- constitutiones ab anno Christi MXVI usque ad annum MDXLIV prodeunt*, ed. Carolus Peterffy, 2 vols. (Bratislava and Wien: Kochberger, 1741–42)
- PL *Patrologiae cursus completus. Series latina*, ed. Jacques-Paul Migne, 221 vols. (Paris, 1841–64)
- Potthast *Regesta Pontificum Romanorum inde ab anno 1198 ad annum 1304*, ed. August Potthast, 2 vols. (Leipzig: Veit, 1885–88, repr. Graz: Akademische Druck- u. Verlagsanstalt, 1957)
- PRT *A Pannonhalmi Szent-Benedek-Rend története*, ed. László Erdélyi and Pongrácz Sörös, 12 vols. (Budapest: Szent István Társulat, 1902–16)
- Puylaurens Guillaume de Puylaurens, *Chronica Magistri Guillelmi de Podio Laurentii*, ed. Jean Duvernoy (Paris: Éditions du Centre National de la Recherche Scientifique, 1976)
- PVC *Petri Vallium Sernaii monachi Hystoria Albigensis*, ed. Pascal Guébin and Ernest Lyon, 3 vols. (Paris: Honoré Champion, 1926–39)
- RPG *Repertorium Poenitentiarie Germanicum. Verzeichnis der in den Supplikenregistern der Poenitentiarie vorkommenden Personen, Kirchen und Orte des Deutschen Reiches*, ed. Ludwig Schmugge with Peter Clarke, Alessandra Mosciatti and Wolfgang P. Müller, indices by Hildegard Schneider-Schmugge and Ludwig Schmugge, 8 vols. (Tübingen, Berlin and Boston: Niemeyer, 1998–)
- Sedlák *Regesta diplomatica nec non epistolaria Slovaciae*, ed. Vincent Sedlák, 2 vols. (Bratislava: Slovenska Akademia, 1980–87)
- SUB *Schlesisches Urkundenbuch*, ed. Heinrich Appelt, Josef J. Menzel and Wilfried Irgang, 6 vols. (Köln, Weimar and Wien: Böhlau Verlag Hermann Nachf., 1963–98)
- Theiner *Vetera monumenta historica Hungariam sacram illustrantia*, ed. Augustinus Theiner, 2 vols. (Rome: Typis Vaticanæ, 1859–60)

- Thorne *Chronica Guill: Thorne Monachi S. Augustini Cant. De Redibus Gestis Abbatum Sancti Augustini Cantuariæ*, ed. Roger Twysden, *Historiæ Anglicanæ Scriptores X, ex Vetustis Manuscriptis, Nunc Primum in Lucem Editi* (London: Jacob Flesher, 1652)
- Závodszy *A Szent István, Szent László és Kálmán korabeli törvények és zsinati határozatok forrásai. Független a törvények szövege*, ed. and trans. Levente Závodszy (Budapest: Szent István Társulat, 1904)

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INTRODUCTION

Estimating the overall level of violence in medieval society is very difficult, especially due to the insufficiency of evidence. It is especially difficult to answer the question of whether its level was significantly higher than in other periods. That is why the issue considered in this volume is not how violent the period was, but how the violence of the period was unique. Such a focus allows us to capture the specific properties of the phenomenon and its functional and normative frameworks, but it also enables us to get to know the examined society better, to determine the rules of its organisation and its values, to recognise human aspirations and fears, and to portray the psychology of groups and individuals in a more informed way.¹

Utilising this methodological perspective, the current volume approaches the issue of violence in medieval society as it related to the Christian Church. Violence against the Church and in the Church are phenomena which took very specific forms in the Middle Ages, and their thorough examination can lead not only to many observations important for the study of violence itself, but also to a better understanding of the role that the Church and clergymen had in the processes which created the sociocultural image of that era.

The medieval Church was immersed in violence. Clergymen frequently fell victims to laymen's aggression, churches were robbed or purposefully vandalised and burned, and ecclesiastical properties were constantly plundered or seized by force. In a world where violence was one of the most important factors regulating social relations, there were also clergymen who engaged in violence. After all, despite the fact that there had always been those who criticised clerics for such behaviour, there were factions which strived to have certain forms of violence legalised in the Church.² A lot of churchmen, including monks, sought approval for conducting brutal attacks, and the wide array of forms of clerical violence had an important place in ideological visions regarding human relations,

¹ Warren C. Brown, *Violence in Medieval Europe* (Harlow, UK and New York: Longman, 2011).

² Lawrence G. Duggan, *Armsbearing and the Clergy in the History and Canon Law of Western Christianity* (Woodbridge: Boydell Press, 2013).

the Church's role in constructing social order and the relationship between people and God. These arguments reached a fever pitch in the Middle Ages, and were played out in canon law, theology, political ideology, and imaginative literature.³ All recent observations incite reflection and curiosity, and these are only intensified by the vast importance played by the Church, on both the individual and the social level, in the Middle Ages. Analysis of it shows the magnitude of the transformation that European society and the Church itself have undergone since those times. The modern world is no less violent than the medieval one, but violence directed against the Church and violence within the Church have changed with the changing role the Church has played in society. To more fully comprehend these issues it is necessary to create new studies that combine interdisciplinary research perspectives.

This collection of articles fulfils the prerequisites of such an approach. The material included in the book consists of nineteen essays, varied in both methodology and subject matter, which were written based on studies of different source materials, from different periods of the Middle Ages and from many parts of the European continent, from early medieval Gaul to late medieval Central Europe. The contributions included in the collection do not focus solely on acts of physical brutality against the Church and the clergy, or on violence committed by ecclesiastical functionaries or clergymen, but also on the cultural context of such events.

The collection has been divided into four thematically-related parts. Part I is entitled *Violence against the Church* and includes articles whose main subject is the violent behaviour of laymen against clerics, churches and ecclesiastical goods and properties. An article by Esperanza de los Reyes Aguilar analyses this phenomenon based on source material from the area of the Kingdom of León, and in particular from the dioceses of Salamanca and Zamora, restored at the beginning of the 12th century. In these dioceses, social unrest led to outbreaks of uncontrolled aggression, which also affected the ecclesiastics and church institutions.

Walker Reid Cosgrove studies anti-clerical assaults in the South of France on the eve of the Albigensian Crusade, and in this setting he analyses the well-known case of the murder of the papal legate Pierre de Castelnau. In his essay he argues with the notion, widely accepted in historiography, that the murder was the *casus belli* of an anti-heretic campaign.

³ Jehangir Yezdi Malegam, *The Sleep of Behemoth: Disputing Peace and Violence in Medieval Europe: 1000–1200* (Ithaca, NY and London: Cornell University Press, 2013).

Silvija Pisk discusses the issue of relations between noble Croatian families and the Paulines, which were marked by violence, based on the example of a monastery located on Moslavina Mountain (Garić monastery) in 15th century Slavonia (Croatia).

Next, Joelle Rollo-Koster examines the subject of the pillaging of goods that belonged to dead and newly-elected bishops or popes. She tries to capture the reasons for those sudden confiscations in a more comprehensive way than in her previous works, and at the same time she points to their ritual and customary character.

Part II, *Violence within the Church*, focuses on clergymen as the perpetrators of violence. Three papers from this section consider nuns, regular clergy and monastic violence. Natalia Bikeeva provides a comprehensive overview of two revolts by nuns, both of which broke out within a short period of time at the end of the 6th century in Tours and Poitiers. Their instigators were not ordinary nuns, but women of royal blood, for whom the nunnery was not only a place of spiritual retreat, but also a “place of power” where piety and political ambitions were linked together.

The article by Michał Tomaszek is an analysis of the narration by the 11th century chronicler Ekkehard IV of St Gall, who described several situations in which monks were just one step from resorting to violence against their fellow brothers or strangers who had arrived at the monastery.

Finally, Milena Svec Goetschi, using the rich source material from the protocols of the Apostolic Penitentiary, attempts to define the role of violence in the lives of apostate monks and friars. She points to the fact that an escape from a monastery could have been a result of committing a crime, or it might have been caused by persecution by other monks. An escape always came with the risk of being caught and suffering the severe consequences of such a decision.

The next three essays regard the military connections of the secular clergy, especially the bishops. In his paper, Daniel Gerrard ponders a broader array of descriptions of clergy involved in warfare, including presentations of clergy as chivalrous figures. It shows that, although some authors were keen to condemn clerical involvement in warfare as incompatible with membership of the First Estate, others could accommodate clerical warfare as not only licit, but positively heroic. Craig M. Nakashian presents the military aspects of the career of the Archbishop of York, Geoffrey II, an illegitimate son of Henry II, King of England. Geoffrey, in serving Henry II and later Richard I, actively embraced his role as a military commander, serving with distinction on behalf of the king during the uprisings against royal power. In doing so he had to

choose between two generally laudable behaviours—avoiding bloodshed as a cleric, and defending the interests of the legitimate and anointed king.

The next author, Jacek Maciejewski, takes up the interesting character of a Polish Bishop of Cracow at the beginning of the 14th century, John Muskata, who, during his pastoral ministry, while serving as a representative of the kings of the Czech dynasty of Přemyslids, got involved in a conflict with the Piast contender for the Polish crown and his supporters, included clergymen. The results of that clash were frequent acts of violence carried out by the bishop against the Church and clergymen, plundering, sacrileges, batteries and murders. The more Muskata's faction was losing, the more he himself became the victim of oppression of various kinds and origins.

In Part III, *The Church in a Violent World*, there are essays analysing the issue of the political and social relations in which local churches and ecclesiastical institutions took part, either as party to a dispute or as a victim of aggression. The authors are interested in various aspects of the analysed issues. The result of studies conducted by Michel E. Moore is an article which sheds new light on the bizarre trial of the dead Pope Formosus, whose corpse was pulled out of his grave, and after being found guilty was defiled and thrown into the Tiber. To better understand those events the author analyses their broader context, namely the fact that Frankish protection of the Holy See had ceased to function after the Charles the Bald's death, the deterioration of the Carolingian order and the increase in the level of violence in Italy in general and in Papal State.

The aim of the paper by Jakub Morawiec is to show how the lack of political stability and violent clashes of power influenced the Church in the late 12th and early 13th century in Norway, in particular in the Archdiocese of Nidaros and its prelates.

The final two articles in this part show the situation of monastic communities in the context of local power structures and social conflicts. Anna Anisimova focuses on the events that took place in 13th century Faversham, when a local parish church under monastic patronage underwent a siege, following which the church building was desecrated by a murder committed inside. These events demonstrate a curious example of violent acts towards ecclesiastical institutions by representatives of royal authorities, provoked by rivalry with local ecclesiastics over the right to appoint a priest in that church. The analysis of these events gives the opportunity to discuss the matter of both violence by secular authorities towards clergymen and aggressive competition between ecclesiastics.

The paper by Aleksandra Filipek is the result of a thorough analysis of a narration by Ludolf of Sagan. This 14th century Silesian chronicler

described in his work *Catalogus abbatum Saganensium* numerous conflicts between the abbey and the local Piast dukes. According to Ludolf, the course of these conflicts was characterised by various acts of ducal aggression, especially those intended to reduce the abbey's wealth or place the dukes' own candidate in the position of abbot. After confronting the chronicler's view with other sources, it does, however, seem probable that he emphasised the dukes' violence against the monastic community excessively, and the relationship between the two factions was much more peaceful in reality.

In the contributions included in Part IV, *Cultural Perceptions of Violence*, the authors attempt to explore the different ways in which medieval clergymen perceived violence and identify the cultural patterns responsible for those views. The article by Szymon Wiczorek, analysing French hagiographic sources from the high Middle Ages, provides a lot of interesting observations about images of saints personally inflicting severe corporeal punishments on unrelenting sinners. This phenomenon is one of the interesting manifestations of the idea shared by many medieval clergymen: that it was acceptable to use violence against those who did not follow the social rules set by the Church.

Radosław Kotecki, in turn, carried out a comparative analysis of sources reporting the pleas for protection which the clerical victims of violence in France and the Empire submitted to their rulers in the period of the 10th to the 12th century. The presented analysis shows that the clergymen interpreted the violence against Church institutions as a phenomenon which should be stopped by the rulers, as they were especially responsible as *defensores ecclesiae*. Their appeals took different forms depending on whether the legal or religious/ideological factors were decisive at the moment of their formulation.

The next article is devoted to the phenomenon of the protection of the Church in a slightly more general sense, and was based on a detailed analysis of Hungarian normative sources. The author, Gergely Kiss, takes a close look at the royal decrees from the 11th and 12th century which guaranteed a continuing existence for the young Hungarian Church, and then presents conclusions based on an analysis of the 13th and 14th century synodal statutes which were used by the ecclesiastical decision makers, including papal legates, to secure various Church affairs.

David Traill examines two highly sophisticated poems, almost certainly by the same poet, Peter of Blois, which formed a part of the *Carmina Burana* song cycle. They include stories about violent sexual encounters and rapes. Though there is no reason to believe that the incidents described actually took place, these poems were certainly written

by a clergyman for the entertainment of a largely clerical audience, and reflect a perhaps surprising level of tolerance for rape among the clergy.

The last essay, written by Paweł Nowakowski, presents a new view of the role of force and violence in the Hussite disputes. He addresses Hussite ideology as well as the arguments which took place at that time. Violence appeared as a topic of discussion in these arguments, and violent acts were perceived as oppressive actions by the papacy, or more generally by the whole church hierarchy, against the “faithful Czechs.” The acceptability of using violence or taking part in wars, and the clergy’s role in these regards, are also taken into consideration.

As we can see, this volume presents the problems connected with violence associated with ecclesiastical matters in new and innovative ways. However, despite the many points of view which are expressed here, the central question the authors are trying to reconcile is how the phenomenon of violence interacted with the most important medieval institution and official Church thinking regarding concepts such as power, rank, feudal loyalty and protection or ownership. Through the geographical diversity of the contributions and the variety of disciplinary perspectives, this book shows how important violence was in the life of the clergy and how it formed an integral part of legal culture and social bonds in many regions of medieval Europe.

PART I:
VIOLENCE AGAINST THE CHURCH

CHAPTER ONE

ARSONISTS, THIEVES AND CLERICS: ATTACKS AGAINST THE CHURCH WITHIN THE DIOCESES OF SALAMANCA AND ZAMORA DURING THE 12TH AND 13TH CENTURIES*

ESPERANZA DE LOS REYES AGUILAR

The aim of this paper is to discuss certain acts of violence against the Church and clergymen within the dioceses of Salamanca and Zamora during the 12th and 13th centuries. The main issues addressed here are direct attacks on churches and clergy, violent opposition to church institutions, mass riots and opposition to clerical power, but also attempts to seize ecclesiastical property and rights belonging to the Church. Indirect pressures on higher ecclesiastics were also taken into consideration here, as well as internal conflicts between prelates and chapter clergy.

The Background

After the final *Reconquista* and Christian repopulation of the southern part of the Duero basin, the dioceses of Zamora and Salamanca became intimately related in their functioning. Thanks to Count Don Raimundo and his wife Doña Urraca (daughter of Alfonso VI), Bishop Jerónimo of Périgord (1102–20) was assigned not only the diocese of Salamanca, but

* This paper has been funded with support from a F.P.I. scholarship granted by the Ministry of Science and Innovation, now the Ministry of Economy and Competitiveness, of Spain. It is part of the Research Project HAR 2010–19480 “El patronazgo artístico regio en el territorio castellanoleonés. El papel del clero (1050–1200),” Department of Art and Documentary Heritage, University of León.

also the control of Zamora.⁴ Likewise, a number of villages which had been held by the Count in the region of Salamanca during the process of *reoblación* were put under the bishop's authority.⁵ Raimundo and Urraca

⁴ There is no unanimous opinion about whether Jerónimo was bishop in both dioceses at the same time. See José M. Quadrado, "Salamanca, Ávila y Zamora", vol. 2 of his *España, sus monumentos y artes, su naturaleza e historia*, 27 vols. (Barcelona: D. Cortezo, 1884, 2nd ed., 1979), 14, n. 2, considers Father Flórez's negation that Bishop Jerónimo of Salamanca was the same Bishop Jerónimo of Zamora is absurd. On February 6th, 1105, Alfonso VI and Queen Isabel donated the church of St Martin of Zamora to Bishop Jerónimo. Gamba questioned the authenticity of this document because of its unusual structure, and related these suspicions to the need to secure the "controversial" authority of Jerónimo in Zamora, ACZ, Tumbo Negro, fol. 9r, copy of the late 13th century, viewed in Andrés Gamba, *Alfonso VI. Cancillería, curia e imperio II. Colección diplomática*, (León: Centro de Estudios e Investigación "San Isidoro", 1998), 465–6. It seems noteworthy that the donation specifies that "[...] non uideat que bona sunt in Iherusalem nec pax in Israhel, sed cum Iuda, Domini traditore, sit particeps in eterna damnatione" exactly like in the donation by Raimundo and Urraca to Jerónimo commented on. Moreover, the entire paragraph has many similarities with Raimundo and Urraca's document; this could suggest that whoever wrote the donation document also had access to the other text, which was kept in the cathedral of Salamanca at this time. It is also interesting that the Bishop of Astorga does not appear as a witness, even though Zamora also depended on him. Claude Lacombe, in *Jerónimo de Perigueux (1160?–1120) Obispo de Valencia y Salamanca: un monje caballero en la Reconquista* (Salamanca: Centro de Estudios Salmantinos, 2000), 63ff, mentions Jerónimo as Bishop of Salamanca and administrator of the dioceses of Zamora and Ávila. It should be assumed, regardless of whether he was the bishop of these two dioceses or not, that much of the power to administer the new reconquered territories coalesced in him. What really mattered at that time was the development of these territories and the consolidation of the crown as their owner. Furthermore, it is probable that the territories of Zamora, until then having belonged to the diocese of Astorga, were associated with the Salamanca bishopric. This was achieved by Archbishop Bernard of Toledo, who wanted to prevent these lands from ending up a part of the Braga bishopric, which laid claim to them. The possible association of the dioceses of Zamora and Salamanca in the beginning, as well as their close vicinity, determined future relations between them during the rest of the century, although after the death of Jerónimo, the diocese of Zamora became independent.

⁵ ACS, caja 16, legajo 1, no. 5; see also *Colección documental del Archivo de la Catedral de Salamanca*, ed. María L. Guadalupe Beraza and José L. Martín Martín et al. (León: Centro de Estudios e Investigación "San Isidoro", 2010), 42–4 (no. 3), the documents of Salamanca from the 12th and 13th centuries are also available in *Documentos de los archivos catedralicio y diocesano de Salamanca (siglos XII–XIII)*, ed. José L. Martín Martín et al. (Salamanca: Universidad de Salamanca,

donated him one third of their own revenues from the city, as well as a tithe of all products. In the same way, they delivered the bishop half of the water mills, some fisheries and plough lands and, on top of all this, the neighbourhood situated between the city gate and the Tormes River. According to the donation diploma, the Count Raimundo and his wife wished the bishop to restore the Salamanca church with all these resources. The word *restaurationem*, which appears in the document, has stirred up a heated debate concerning what the benefactors of the Salamanca Church meant by it—whether a physical or a spiritual restoration—and if material, whether this restoration corresponded with the refurbishment of some minor, earlier building, the construction of an intermediate building which would not have survived at all, or even with the present day edifice.⁶

In the donation diploma one may read a description of the evils which might befall those who dared contravene this document: the wrath of the Lord would fall upon them; among other threats, the text says they would not see Celestial Jerusalem, neither peace in Israel, like Judas the betrayer, as they would fall into eternal damnation.⁷ There is one main aim visible

1977). In the confirmation of this donation given by Alfonso VI and his wife on December 30, 1107, they refer to a Council in León. In this council, Bishop Jerónimo received the following: the town of Zamora with its episcopal property, the Field of Toro with various boundaries and certain other possessions (ACS, caja 16, legajo 1, no. 30).

⁶ Henri Pradelier, “La sculpture monumentale à la Catedral Vieja de Salamanca,” (PhD diss., Université Toulouse II-Le Mirail, 1978), 16–7. According to Pradelier this restoration would not mean the renovation of an existing building, but rather the reinstatement of Christian worship and perhaps the construction of a modest edifice built *ad hoc*. Pradelier assumes that this building was demolished after the beginning of the construction of the “Old Cathedral.” For more details, see Esperanza de los Reyes Aguilar, “El obispo Jerónimo y su imagen a través de los siglos,” in *Actas del Congreso Internacional sobre la Catedral de Salamanca. De Fortis a Magna: 500 años de historia, 25, 26 y 27 de abril de 2013* (forthcoming); essential works on this matter are Lacombe, *Jerónimo de Perigueux* and Valentin Berriochoa Sánchez-Moreno, “La catedral de Salamanca,” (PhD diss., Universidad Politécnica de Madrid, 1986), 138–9.

⁷ ACS, caja 16, legajo 1, no. 5: “Et si aliquis homo venerit contra hanc cartulam ad inrumpendum quisquis ille fuerit, in primis accipiat iram Dei Patris omnipotentis, et Filii et Spiritus Sancti, et in hoc seculo amittat propias lucernas oculorum ex fronte, et non videat que bona sunt in Iherusalem, nec pax in Israhel, se cum Iuda, Domini traditore, sit particeps in eterna dampnatione, et pariat post parte vestra vel succesoribus vestris quinquaginta libras auri purissimi, et qui hoc temptare presumpserit, quisquis ille fuerit, adimplere non posit.”

here—to protect the restored diocese and its property against all possible attacks.

Needless to say, that malediction did not yield the expected effect. Available evidence clearly shows that acts of violence involving clerics and laity were quite frequent in the territory of Salamanca and Zamora dioceses during the 12th and 13th centuries. From this evidence, we can learn the kinds of law breaches committed against the Church, and within this, whether they were committed by the clergy themselves or by the faithful—we must also understand that in effect, the Church was also made up of the faithful. We can also discover what resources the higher clergy had to identify and punish such offences.

Juan Beneyto rightly stressed that “members of the clergy and the nobility maintained their own judicial system of law, their own justice, and were liable to prosecution only before the archbishop and the royal court, respectively.”⁸ Thus, the higher clergy and the nobles were socially above the ordinary citizens, and even further above the inhabitants of villages and hamlets. Therefore, people could not find generic legal protection; but that protection was linked to their own status and social rank, and even then the guarantees they would receive were dependent on the development of judicial culture in their particular region. This fact may have contributed to the development of a certain sense of impunity associated with these high social strata. This would have driven the people to take justice in their own hands when there occurred cases they could not endure.⁹

The foundation of the social coexistence system was determined to a great extent by the protection of order (*tranquillitas*), and was a direct development upon the idea of peace, which, though we can see it in Roman tradition, was readjusted to fit with the idea of the so-called Peace of God. This idea had to do with warfare in general, but was also connected with the harshness and insecurity of daily life. Many of the

⁸ Juan Beneyto, “Los derechos fundamentales en la España medieval,” *Revista de estudios políticos (Nueva Época)* 26 (1982): 106.

⁹ See Reyna Pastor, *Resistencias y luchas campesinas en la época del crecimiento y consolidación de la formación feudal: Castilla y León, siglos X–XIII* (Madrid: Siglo Veintiuno de España, 1980); Carlos Estepa Díez: “Sobre las revueltas burguesas en el siglo XII en el Reino de León,” *Archivos Leoneses* 28 (1974): 291–307; Ermelindo Portela Silva and María del Carmen Pallarés, “Revueltas feudales en el camino de Santiago: Compostela y Sahagún,” in *Las peregrinaciones a Santiago de Compostela y San Salvador de Oviedo en la Edad Media*, ed. Juan Ingacio Ruiz de la Pena Solar (Oviedo: Principado de Asturias, 1993), 313–34.

fueros (charters) granted to cities contained peacekeeping measures, some of which were related to the Peace of God movement,¹⁰ however, as we shall see, these orders were broken repeatedly.

Direct Attacks against Clergymen and Church Property

Parish churches were places where not only spiritual but also social bonds were formed. Within a parish marriages were made public, exchanges of property rights announced, and various decisions of the local authorities published. Thus the parishes not only fed their faithful spiritually, but they exerted a continuous influence upon the regulation of community life. Therefore, attacks against them amounted to attacks on the core of the communities themselves; if they came from the parishioners themselves, they were a sign that the feeling of discontent and impotence was probably a long-standing one, which made it easier for the flame to be kindled.

An example of this was the so-called Mutiny of the Trout (*Motín de la Trucha*) in Zamora in 1158. It must be said that these facts cannot be proved documentarily, as there are no extant contemporary chronicles that contain relevant information giving evidence of what happened. The oldest source documenting this occurrence is the work attributed to Florián de Ocampo (d.1558).¹¹ There is, however, another version, dated to the 17th century, in the documents of the “Estado Noble”—a set of documents relating to the nobility of the area which was kept in the archives of the church in question.¹² According to this latter version, the church of Santa María la Nueva was set ablaze by rioting people when the nobles of the city gathered inside were discussing what punishment they should inflict

¹⁰ On the Peace of God movement in the Spanish lands, see among many others: Francisco Ruiz Gómez, “El Camino de Santiago: circulación de hombres, mercancías e ideas,” in *IV Semana de Estudios Medievales (Nájera 1993)* (Logroño: Gobierno de La Rioja, Instituto de Estudios Riojanos, 1994), 167–88, esp. 172; Jeffrey A. Bowman, “Councils, Memory and Mills: The Early Development of the Peace of God in Catalonia,” *Early Medieval Europe* 8, no. 1 (1999): 99–129; Adam J. Kosto, “Oliba, Peacemaker,” in *Actes del Congrés Internacional Gerbert d’Orlhac i el seu Temps: Catalunya i Europa a la fi del 1r mil·lenni, Vic-Ripoll, 10–13 de novembre de 1999*, ed. Imma Ollich i Castanyer (Vic: Eumo, 1999), 135–49.

¹¹ *Caso notable en Çamora año de 1168*, MS Real Academia de la Historia, Colección Salazar y Castro, G–49.

¹² *Crónica y noticia del Motín de la Trucha y quema de la Iglesia de santa María la Nueva*, MS Archivo del Estado Noble de la ciudad de Zamora en el Archivo de la Excma. Diputación Provincial de Zamora, 6f, SIGN: C–4/4.

on someone who had opposed their abuses. In this case the riot was triggered by the acquisition of a trout: the servant of a nobleman wanted to buy a trout from a fishmonger who had already promised to sell it to a certain craftsman. The dispute over the fish resulted in the arrest of the craftsman and sparked general uproar in the city.

That fire must have destroyed a great part of the church, but, as the legend has it, several Eucharistic hosts escaped the fire, flying into a hollow in a wall, where they were protected. This legend might be a way to justify, in the later collective imagery, the commoners' guilt about murdering the nobles not being added to by the horrible sacrilege of having burnt the Body of Christ as well. According to tradition, the culprits sent petitions for forgiveness to the king. They threatened to go to the county of Portugal if it was not granted to them, and also requested that Ponce de Cabrera, the leading nobleman, should be banished from the city. The legend concludes by saying that the royal pardon was granted in return for the reconstruction of the destroyed church, and the penance imposed on the perpetrators by Pope Alexander III to have a precious altarpiece made for the high altar. This altarpiece was to contain 100 marks of silver and 116 precious stones, as well as 100 ducats of gold to gild the whole work. If at the end the altarpiece did not weigh the 100 marks in silver and the 100 ducats in gold, the difference should be used to have a cross, a chalice and a paten made for the church. The Pope entrusted Don Esteban, the bishop of the city, to ensure that all this would be accomplished.¹³

This can be better understood if we place ourselves in that context. Alfonso VII the Emperor (1126–57) had died the previous year, and as a consequence, a time of tension had started, since according to his will the king had left his son Sancho (Sancho III) as ruler of Castile and his other son, Fernando (Fernando II), as King of León. Carrying out this decision

¹³ See Archivo del Estado Noble de la ciudad de Zamora en el Archivo de la Excm. Diputación Provincial de Zamora, 6f, SIGN: C-4/4, *Crónica y noticia del Motín de la Trucha y quema de la Iglesia de santa María la Nueva*; Salvador García de Pruneda, “Santa María la Nueva de Zamora (Bosquejo histórico-artístico),” *Boletín de la Sociedad Castellana de Excursiones* 3, no. 53 (1907): 101–11. In the annex to his article, García de Pruneda published the document (pp. 109–11), which says that this church “was set up in flames by the commoners of the city, in the year of Our Redeemer 1168, being King of León Fernando, son of King Alfonso VII the Emperor and of Queen Berengaria, daughter of the Count of Barcelona.” Most authors suggest the date 1158, and not 1168 as cited in the document; in 1158 Pope Alexander III, who is mentioned in the document, was still alive.

entailed a new division of the kingdom. To this we must add that there existed, as can be inferred from the story, continuous hostility between the nobles and the commoners over local power.

The Zamoran revolt is thus framed by the politically and socially tumultuous period at the beginning of Fernando II's reign, when his power was not yet fully established. The king had to struggle hard to consolidate his frontiers, since Portugal and Castile were showing ambition for territorial expansion. Besides, the nobility in his own kingdom aspired only to be granted the satisfaction of their personal interests. This latter factor, and the need to secure his position in front of possible adversaries among his own nobles as well as increase the number of people on his side, made the royal solution to this conflict obvious—it had to be favourable to the burghers.

It is true, though, that to confirm these events one has to resort to much later sources; owing to the lack of contemporary written accounts, the only tangible evidence is the church of Santa María la Nueva itself. After a survey of the edifice, we can conclude that there was a reconstruction, as there are two distinguishable overlapping structures: one can be dated to the beginning of the 12th century, although recent excavations in the Romanesque church have not uncovered any remains of the possible fire during the revolt.¹⁴ That does not rule out, though, the possibility that the legend had some real basis, the fire notwithstanding. For Nuño González,

¹⁴ To Sergio Pérez Martín, Marco A. Martín Bailón and Lyciana Macedo Coelho, “Recomponiendo un puzle. Disquisiciones acerca de la restauración e interpretación de unas pinturas murales de estilo gótico lineal en la iglesia de Santa María la Nueva de Zamora,” *Ge-conservación* 2 (2011): 129–45, the preserved pictorial cycle dedicated to the Virgin and the life of Jesus was spread over the northern half of one of the chapels, including its barrel vault. Because of their location, the authors consider these paintings excellent witnesses to the different times and stages of construction which the church of St Mary “the New” went through. They believe that the apse appears to be a puzzle, recomposed in the 13th or 14th centuries so that it would look like an overall image. Sergio Pérez Martín and Marco A. Martín Bailón, “Releyendo el románico de Zamora. Experiencias y encuentros del Proyecto Cultural Zamora Románica,” *Románico* 11 (2010): 42–51, also deal with the issue of the Mutiny of the Trout in relation to the building, the different restorations it has undergone and how they affected our current vision of the church (pp. 49–50). I have had the opportunity to contact Miguel Angel Martín Carbajal, a member of the Grupo Estrato Gabinete de Estudios sobre Patrimonio Histórico y Arqueológico S.L. This company was responsible for the archaeological excavation at the church. He has confirmed the absence of charred remains and any physical evidence of the riot and the fire. I would like to thank him for this information.

as he states in the *Enciclopedia del Románico en Castilla y León*,¹⁵ there is clear evidence to show that the building underwent several construction phases. The two earlier ones mentioned by this author are interesting. According to him, the central apse corresponds to the earliest church, and it could have been part of a three-nave church, as has been traditionally held to be the case. In his opinion, this might be the church previous to the mutiny, although he is not sure of the veracity of the revolt, as the sculpture in the major chapel should be dated to the first decades of the 12th century owing to its coarseness. According to González, it shows decorative resources and motifs which seem to be almost identifiable with the pre-Romanesque stage. But he also remarks that the coarseness that characterises it does not have to mean antiquity, though it makes us wonder whether at least some of the pieces might have been reused, in which case they would have been brought from somewhere else. He also suggests that the artists who worked on the architecture must have had more artistry; they applied to the outer wall of the apse some blind arches which he identifies as an element strange in the Zamoran Romanesque. The particular feature of having the semicircular apse and the other lateral straight apses has been thought of as a compromise between typical semicircular apses and Zamoran straight apses, though really, we do not know what the earliest apses were like, if they existed at all.

According to the document kept in the Archivo de los Nobles, the original church had three naves, was not very high, and had three doors, but the fire was so destructive that the entire roof fell in together with some arches. The altarpiece, the images, and the relics did not survive the fire either. Out of the three vaulted chapels that we are told the building had, two collapsed: the one where the high altar was contained, which was called the chapel of God the Father, and the one on the right hand side, which was named the chapel of St Mary. Only the chapel on the northern side remained standing.¹⁶ If this was what really happened, the central apse would not have been part of the remains previous to the mutiny; but we have already mentioned how problematic the source for this story is.

¹⁵ Jaime Nuño González, "Iglesia de Santa María la Nueva," in *Enciclopedia del Románico en Castilla y León. Zamora*, ed. Miguel A. García Guinea and José M. Pérez González (Aguilar de Campoo: Fundación Santa María La Real, Centro de Estudios del Románico, 2002), 411–25, here 422.

¹⁶ Archivo del Estado Noble de la ciudad de Zamora, Archivo de la Excma. Diputación Provincial de Zamora, 6f, SIGN: C-4/4, *Crónica y noticia del Motín de la Trucha y quema de la Iglesia de Santa María la Nueva*; García de Pruneda, "Santa María la Nueva," 101–11.

The second phase mentioned by Nuño González is the one corresponding to the structure rebuilt after the 1158 mutiny. However, if we take an architectural analysis into consideration, in this author's view, the second phase of the work was done at the very end of the 12th century, or even in the first years of the 13th,¹⁷ which would render it much too late to fit the date of the supposed revolt.

Nevertheless, it is likely that at least part of the traditional tale has a real basis, as it is inscribed in a list of commoners' rebellions and insurrections which took place at the time in various places in Castile and León.¹⁸ In the diocese of Salamanca there was another similar case, which happened in Medina del Campo. We know through a bull from Alexander III to the Bishop of Salamanca, Don Pedro, that the Pope asked the authorities to punish some people involved in a tumult that occurred in that town, during which the church of St Nicholas was burned down and 300 people who had taken refuge in it died.¹⁹

This would not be the last time people took justice into their own hands in this diocese. There is a bull from Lucius III by which the Archbishop of Santiago is told to absolve the judges and people of Salamanca after imposing a penance and a fine on them. These people had killed a deacon who had been caught stealing several times, and perhaps because of the general right of the clergy to *privilegium fori*, he had been released as many times. Finally, he sheltered some thieves who had taken numerous belongings from a widow in his home. The judges and the people searched for them all over the city and eventually found them in the

¹⁷ Nuño González, "Iglesia de Santa María la Nueva," esp. 422.

¹⁸ Fernando Luis Corral, "Leyenda y realidad histórica: el contexto político del Motín de la Trucha de Zamora del siglo XII," *Studia Zamorensia, Segunda etapa* 6 (2002): 29–47. Luis Corral believes there may be some real basis for this story, even though it is intermingled with a possible oral legendary tradition. Moreover, the author argues that there might have been a process of tension and struggle between the King of León and the noblemen, as well as an attempt to gain prominence on the part of the burghers, who wanted more participation and political power in the cities. He connects this riot with other social revolts that occurred both in León and Castile in the 12th century, such as those happening in Santiago de Compostela and Sahagún.

¹⁹ ACS, caja 23, legajo 1, no. 39; *Colección documental del Archivo de la Catedral de Salamanca*, 106–7 (no. 50); Luis Corral, "Leyenda y realidad histórica," 38–9. Corral compares the two riots, and also refers to the riot described by Julio González in his *Regesta de Fernando II*, a case which had a similar origin, in this case the purchase of a salmon. However, González admits there is no evidence of this. See Julio González, *Regesta de Fernando II* (Madrid: Instituto Jerónimo Zurita, 1943), 27–8, n. 29.