

A British Academy Monograph

On the Edges of Christendom

Maurice of Burgos and the Church and
Culture of Medieval Castile

Teresa Witcombe



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A Note on Names

Names could be complicated in the multilingual societies of medieval Iberia. Medieval spellings were fluid, and the same person was often referred to quite differently across sources in Latin, Romance, Arabic, and Hebrew. For the sake of readability, I have generally used modern Castilian equivalents for most peninsular names, with some exceptions where necessary for clarity or ease of identification. Saints, popes, and other international figures are named according to English scholarly convention. The most significant anomaly is that of Maurice himself. By my own rules, he should be referred to as Mauricio. Of course, it is worth pointing out that his origins remain questionable, even at the end of this book, and I have found him in the archives as Mauritius (Latin), Mauriz (Romance), and موريس (Arabic), but not quite 'Mauricio' – though I am aware that the same points could be made of many other Castilian churchmen from this period. The real reason for my persistence with 'Maurice' is far less rational and more personal. Once you have made a habit of talking to a friend in one language, it is often very hard to change to another, and I have found this to be true of medieval bishops too. I first encountered Maurice when I was a Masters student, and over the many years since then he has remained 'Maurice' to me. Perhaps more significantly, he has also been thus named in my early publications. It would be an uncalled-for twist if someone should someday discover that he had been English or French after all (though I think it unlikely). In the meantime, I hope my readers will not be too frustrated by this exception to the rule.

Maps



Map 1. The Iberian Peninsula in 1212



Abbreviations

ACB	Archivo de la catedral de Burgos
ACT	Archivo de la catedral de Toledo
AHN	Archivo Histórico Nacional, Madrid
<i>Alfonso VIII</i>	Julio González, ed., <i>El Reino de Castilla en la época de Alfonso VIII</i> , 3 vols (Madrid: CSIC, 1960)
<i>Chronica Latina</i>	Luís C. Brea, ed., <i>Crónica latina de los reyes de Castilla</i> (Cadiz: Universidad de Cádiz, 1984)
<i>Chronicon Mundi</i>	Lucas of Tuy, <i>Lucae Tudensis Chronicon Mundi</i> , ed. Emma Falque Rey (Turnhout: Brepols, 2003)
CM	<i>Concordia Mauriciana</i> , as transcribed in Appendix V
CT	Francisco Hernández, ed., <i>Los Cartularios de Toledo</i> , 2nd ed. (Madrid: Fundación Ramón Areces, 1985)
DCB	José Garrido Garrido, <i>Documentación de la catedral de Burgos (1184–1222)</i> (Burgos: Ediciones J. M. Garrido Garrido, 1983)
<i>De Rebus Hispanie</i>	Roderici Ximenii de Rada, <i>Historia de Rebus Hispanie sive Historica Gothica</i> , ed. Juan Fernández Valverde (Turnhout: Brepols, 1987)
<i>Fernando III</i>	Julio González, <i>Reinado y diplomas de Fernando III</i> , 3 vols (Córdoba: Monte de Piedad y Caja de Ahorros de Córdoba, 1980–6)
<i>Gregorio</i>	Eliseo Sáinz Ripa, <i>La documentación pontificia de Gregorio IX (1227–1241)</i> (Rome: Instituto Español de Estudios Eclesiásticos, 2001)
<i>Honorio</i>	Demetrio Mansilla Reoyo, <i>La documentación pontificia de Honorio III (1216–1227)</i> (Rome: Instituto Español de Estudios Eclesiásticos, 1965)
<i>Inocencio</i>	Demetrio Mansilla Reoyo, <i>La documentación pontificia hasta Inocencio III (965–1216)</i> (Rome: Instituto Español de Estudios Eclesiásticos, 1955)

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I am also deeply grateful to Lucy Pick, who examined my thesis in 2019. Her work on Archbishop Rodrigo Jiménez de Rada of Toledo provided much inspiration for my own approach to his contemporary, Maurice; but perhaps even more important has been her unfailing support, shared wisdom, and encouragement in all things over the intervening years. Chris Wickham has been extremely kind in reading my entire book manuscript and making many very helpful suggestions. I am also very grateful to Hannah Skoda for her mentorship and support, and to Julia Smith for reading a part of the manuscript and for her encouragement at crucial moments in the life of this book. I also wish to thank the anonymous reviewers at the British Academy for their insightful comments.

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Karge, who has very kindly permitted me to reproduce his plan of Burgos cathedral in 1230, in [Chapter 5](#). Emily Selove, at Exeter University, and Ross Brann, at Cornell University, were extremely generous in helping me with my medieval Arabic. Ilil Baum kindly aided me with the transcription of a Hebrew name in [Appendix I](#). I would also like to thank most warmly all those who have shared their expertise, read parts of the text, made suggestions, scanned documents for me, or simply allowed me to sound out ideas in the process of bringing this book together, especially Antonella Liuzzo Scorpo, Kati Ihnat, Tom Nickson, Adeline Rucquoi, Damian Smith, Charles Burnett, Carlos de Ayala Martínez, Ann Giletti, Sarah Boss, Martín Alvira Cabrer, Kyle Lincoln, Edward Holt, David Catalunya, Tom Smith, and Laura Flannigan.

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Introduction

Just as the apex of pontifical glory shines in honour, so it is all the more greatly burdened by the weight of negligence. While *the high priest is raised up above men and ordained for them in those things that pertain to God* [Heb. 5:1], yet, beset by weakness, he does not fulfil his holy ministry in a manner worthy of God, being distracted by the care of temporal things, and weighed down even more by *earthly habitation troubling the mind that ponders many things* [Wisd. 9:15].¹

Maurice's will, November 1230

The opening lines of Maurice's will betray a troubled mind. The struggle of balancing the celestial and the mundane would have been familiar to many medieval bishops, but as he wrote these words in November 1230, Maurice was, by all accounts, exceptionally busy. Construction of the new Gothic cathedral of Burgos, the first of its kind in Castile, was underway around him. Maurice was in the midst of planning the move from the old building (which was probably starting to be pulled down at around this time) to the new. This resulted in the first written constitution for the cathedral, the *Concordia Mauriciana*, which he finished this same month. In the city, masons, craftsmen, and sculptors arriving from France rubbed shoulders with pilgrims on the route to Santiago de Compostela, whilst in the cathedral, scholars and musicians joined the chapter (one from as far away as Kent), where they would sit alongside the powerful abbots and priors of the diocese. Maurice had just seen off a papal legate, the Frenchman, John of Abbeville, who inspected Burgos twice in 1228. War with Islam was a further preoccupation; a few years earlier, Maurice had travelled the kingdom of Castile preaching crusade against al-Andalus, though the next major Castilian conquest would not be until the fall of Córdoba in 1236. There was certainly much for Maurice to ponder as he penned his will.

¹ Archivo de la Catedral de Burgos (henceforth, ACB), Capellanes del Número, caja 6, fol. 45 (formerly fol. 40); see transcription and translation in [Appendix IV](#).

This book is about Maurice of Burgos and the Church and culture of Castile in the early 13th century. Maurice was an ambitious man: a scholar, reformer, politician, crusader in al-Andalus, papal judge, and cathedral founder. He grappled with some of the major issues of his day: how to relate to Islam in an age of crusade and conquest; what role philosophy – especially texts written by Muslims – could play in Christian thought; what papal reform might mean on a local level; how to balance episcopal authority between the demands of popes and kings; and ultimately, how best to fulfil the ‘heavenly ministry’ of episcopal office. This book examines Maurice’s attempts to find solutions to these questions, and in doing so, sheds a unique and important light onto the reception in Castile of some of the most significant cultural, intellectual, and theological developments of the 13th century.

The narrative of Maurice’s life can be told succinctly. First visible in historical record in 1208, he was archdeacon at Toledo for five years (though he may of course have been there longer). He was a much called-upon figure, relied upon by both King Alfonso VIII of Castile and Pope Innocent III, and close to the renowned chronicler and polymath Archbishop Rodrigo Jiménez de Rada of Toledo. He also became an active member of the school of Toledan translators during these years, patronising translations of Islamic texts into Latin. In 1213, he was appointed to the episcopal see of Burgos, the richest and one of the most important dioceses in the kingdom. He went to the Fourth Lateran Council in 1215, arriving early to pursue his own business with Innocent III beforehand. When, in 1217, the child-king Enrique I died unexpectedly, Maurice was entrusted to bring Enrique’s nephew Fernando III from the neighbouring kingdom of León, to be installed on the Castilian throne. He was sent on another diplomatic mission in 1219, this time to fetch a queen-to-be, Beatrice of Hohenstaufen, whom he brought from the court of the Holy Roman Emperor Frederick II to marry the young Fernando III. In 1221, Maurice founded the Gothic cathedral of Burgos, the feat for which he is perhaps most well-known. He was at the king’s side in 1224, when Fernando declared his intension to invade al-Andalus, and he preached crusade in Castile to support the war effort. In 1230, he wrote his *Concordia Mauriciana*, the unusual and revealing constitutional document of Burgos cathedral. Maurice died on 12 October 1238, and his anniversary was added to the *Kalendario Antiquo*, the great obituary-calendar of Burgos.

Maurice’s career unfolded across a highly eventful period of Castilian history, and he stood at the heart of many of these events. He lived in an expanding world, as war with the Islamic Almohad Empire extended Castilian power to the south across almost all of al-Andalus, under King Alfonso VIII, who led Castile to victory at the battle of Las Navas in 1212, and later, his grandson Fernando III, who

reopened war in the 1220s and oversaw the conquests of Córdoba in 1236 and Seville in 1248 (see [Map 1](#)). Contact with Islam was to have a very important place in Maurice's career. He was actively involved in preparations for several of the major Castilian battles, and was himself made *crucesignatus* to this end by the pope. He also interacted with Islam in other, more scholarly, ways, and commissioned the translation into Latin of two important Islamic texts: the Qur'ān, and a work of mystical Islamic theology.

Indeed, Maurice was no stranger to the Arabic language. He had spent at least five years of his early career in the multicultural city of Toledo, a city in which much of the population still spoke the language of their former Andalusí rulers. He had worked alongside these Arabic-speaking Christians, or Mozarabs, in the cathedral of Toledo, and also had dealings with the city's Jewish community. Toledo was one of the principal centres of intellectual activity in Castile, renowned across the Christian world as a place where Arabic manuscripts of philosophical and scientific texts (including the Aristotelian corpus and many other classical Greek works and their later commentaries) were translated into Latin. The city was home to such well-known figures as Michael Scot and Mark of Toledo during Maurice's time there, and as we shall see, he contributed in some distinctive and significant ways to this scholarly milieu himself.

As bishop of Burgos, Maurice was a central figure in both Church and society of Castile, and a member of its upper echelons. He had connections in the highest social circles and belonged to familial networks that stretched between Toledo and Burgos and beyond, as we shall see. He married and buried members of the royal family, acted as royal counsellor on numerous occasions, and appears to have been one of a handful of prelates on whom the Castilian royal court could rely. He seems to have been close to Alfonso VIII in particular, and also to his daughter Berenguela, especially in the turbulent years following the death of Enrique I in 1217 and the accession of the young king Fernando. He was also apparently known to Alfonso's other daughter, Blanca, who had been sent to Paris to marry Louis VIII as a young girl in 1200, and who would become better known to historians as the powerful and long-lived Queen of France, Blanche of Castile. Blanche herself would go on to offer valuable support and patronage to Maurice's own nephew when he arrived as a young man to study in Paris in the 1230s.

Maurice was a patron and innovator, and stood behind one of the most important cultural and artistic developments in medieval Castile, namely, the founding of the first Gothic cathedral, that of Burgos in 1221. The early decades of the 13th century saw the magnificent Gothic cathedrals of the Île-de-France start to be emulated by ambitious patrons further afield; the foundation of Burgos was roughly contemporary with the construction of Lincoln and Salisbury cathedrals in England. What is more, Maurice set about imposing a series of changes that would reflect the most up-to-date ecclesiastical developments taking place in the

great cathedrals of the Latin world. In order to achieve this *opus francigenum*, Maurice brought masons, artists, and sculptors to Burgos from across France. His *Concordia Mauriciana*, the constitution he wrote on the inauguration of the new chevet in 1230, provides us with an unprecedented insight into his intentions for the new building and his ambition to construct in Burgos what he took to be the divine order of heaven.

The turn of the 13th century was also a time of expanding papal power and the growing influence of canon lawyers, reaching its apogee in the papacy of Innocent III (1198–1216). Burgos was an independent see, meaning that its bishop was answerable directly to the papal court, and throughout this book, we will investigate Maurice's attitude to Rome and the trickling down of papal ideals to the peripheries of the Latin world. He became bishop just two years before the Fourth Lateran Council of 1215, which he attended, and he had a complex and somewhat selective relationship with canon law and papal reform. As we shall see, Maurice constructed his own episcopal authority within an environment that was shaped not only by wars to the south, but also by the often unstable borders to the north of Castile and by conflicts with his fellow bishops and some of the great abbots of his diocese. In this environment, practicality, local allegiances, and personal initiative often trumped adherence to higher ideals.

Maurice lived in the midst of some of the defining developments of the early 13th century: as the kingdom of Castile carved out Christian rule deeper into the Andalusi south, as the power and ambition of the Roman papacy reached its zenith, as the earliest universities of the medieval west began to process the 'new learning' of the Islamic world, and as the churches and cathedrals of Christendom were in the process of being reshaped and reformed to meet new theological and pastoral ideals. In studying his life and thought, this book thus holds Maurice up as a lens through which we can glimpse a unique view of the Latin Church as it functioned at the edges of the Christian world.

Whether this study should be considered a 'biography' is debatable. It is a genre that poses particular challenges for medievalists, and Maurice exemplifies many of these: we do not know where or when he was born, nor where he was educated or brought up, and details of his family are very sketchy.² He first appears in historical record as an adult, with quite possibly half of his life already lived. Nor are we able to approach Maurice through great swathes of his writings, unlike some of his most illustrious contemporaries – Robert Grosseteste and

² On medieval biography, see David Bates, Sarah Hamilton, and Julia Crick, *Writing Medieval Biography 750–1250: Essays in Honour of Professor Frank Barlow* (Woodbridge: Boydell Press, 2006); Janet L. Nelson, 'Writing Early Medieval Biography', *History Workshop Journal*, 50, 2000, 129–36; Jacques Le Goff, 'The Whys and Ways of Writing a Biography: The Case of Saint Louis', *Exemplaria*, 1 (1989), 207–25; and George T. Beech, 'Biography and the Study of Eleventh-Century Society: Bishop Peter II of Poitiers 1087–1115', *Francia*, 7 (1979), 101–22.

William of Auvergne are the most obvious examples, both of whom have benefited from much recent scholarship.³ Rather, this book broadly eschews narrative, and is organised on a thematic basis. It identifies Maurice as a scholar, connected with the thinkers of the 12th-century Renaissance, and one with an abiding and multifaceted interest in Islam and the ‘new learning’ being translated from Arabic into Latin. It assesses his cultural and theological ambitions for his cathedral, and his role as reformer and founder of the Gothic structure, as well as his efforts to import French models into his cathedral. It also examines his attempts to carve out his own authority, in the face of both papal and local demands, and his complex relationship with the reforms engendered by the Fourth Lateran Council. In the pages that come, we will pursue Maurice through the minutiae of daily business as a canon and a bishop in 13th-century Castile, tracing his presence in charters and witness lists, chronicles and engravings. We will, at times, hear his voice directly: thunderous in his letters, fastidious in his requests, imperious in the oath he required his beleaguered diocesan clerics to swear, and reflective, even plaintive, in his will. Throughout, this book explores the various roles that medieval bishops were expected to fulfil, as patrons, scholars, landowners, courtiers, judges, defenders of the faith, and pastors, roles that Maurice interwove effectively to fit his world-view and episcopal priorities. The resultant picture is of a prelate who lived on the frontiers of Christendom, but whose life was animated by ideas and texts from Islamic al-Andalus and across the Latin West.

Despite his prominence in the history of 13th-century Castile, Maurice has been the focus of very little scholarship; until now the only point of reference for scholars has been the short narrative biography published in 1922 by abbot Luciano Serrano.⁴ Serrano’s stated aim was to rescue from obscurity this important figure of Burgales history, and it is a credit to his achievement that his continues to be the only study of Maurice available to scholars today. Entitled *Don Mauricio, Obispo*

³ For example, see the studies by Lesley Smith, *Fragments of a World: William of Auvergne and His Medieval Life* (Chicago: Chicago University Press, 2023), who points out that despite his being a prolific writer, we can but see him ‘in a smoky mirror’; and Richard Southern, *Robert Grosseteste, The Growth of an English Mind in Medieval Europe* (Oxford: Clarendon Press, 1986). See also Sally Vaughn, *Archbishop Anselm 1093–1109: Bec Missionary, Canterbury Primate, Patriarch of Another World* (Aldershot: Ashgate, 2012).

⁴ Luciano Serrano, *Don Mauricio, Obispo de Burgos y fundador de su catedral* (Madrid: Junta para Ampliación de Estudios e Investigaciones Científicas, 1922). For Serrano’s predecessors, see M. Martínez y Sanz, ‘Episcopologio de Burgos’, in *Boletín Eclesiástico del Arzobispado de Burgos*, 17 (1874), 133–207; and Henríque Flórez, Manuel Risco *et al.*, *España Sagrada: Teatro geográfico-histórico de la Iglesia de España*, 51 vols (Madrid, 1747–1879). Twenty-nine books were written by Flórez before his death in 1773, and a further thirteen added by his colleague Manuel Risco. Maurice features in vol. 26 (1771), 300–16.

de Burgos y fundador de su catedral, his work consists of a strictly chronological narrative of Maurice's episcopal career framed around the major political events of the 13th century. Serrano was abbot of Santo Domingo de Silos, one of the most important monasteries in Burgos, and studied the diocese for the bulk of his career.⁵ His knowledge of and access to documents concerning Maurice's life in Burgos was consequently good, though like many historians of his time, he was less interested in charters and other documents concerning the daily management of the cathedral, in which mundane but often important details of the cathedral's economic and social development can be witnessed.

As useful a starting point as Serrano's work is, his commitment to chronological narrative leaves little room for analysis. Moreover, the Maurice who emerges from his pages is – inevitably – very much a product of the 1920s. Serrano's interpretative framework for medieval Castile was dominated by the 19th-century concept of 'Reconquista', according to which the 13th century was a period of defining glory for a triumphant, unified, and Catholic Spain, one that led more or less directly to the Spanish state at the dawn of the 20th century.⁶ Under these conditions, as Peter Linehan has pointed out, 'ecclesiastical history tends to descend into a form of piety'.⁷ In a decade when his fellow historians were writing about the sanctity not only of Fernando III but even of Archbishop Rodrigo of Toledo, Serrano maintains a measured tone, but he was nonetheless keen to present Maurice as a model of proper Catholic behaviour, and to avoid any unfitting twists in his career – thus his time in Toledo and his intellectual activities are barely mentioned.⁸ His is an image of Maurice that fits well with what a medieval prelate ought to look like to an early 20th-century mind, but one that is in need of radical reworking if it is to stand up to 21st-century scrutiny.

Of course, historical understandings of medieval Castile have changed beyond recognition over the course of the last century, most precipitously following the death of Franco in 1975 and the opening of archives across Iberia to new investigators and new questions. It is not necessary to rehearse here old and protracted debates over 'reconquista' and 'convivencia' and the widespread

⁵ Luciano Serrano, *El Obispado de Burgos y Castilla primitiva: desde el siglo V al XIII*, 3 vols (Madrid: Instituto de Valencia de Don Juan, 1935–6). Serrano was abbot of Silos from 1917 until his death in 1944.

⁶ On 'Reconquista' and its historiographical legacy, see below around note 9.

⁷ Peter Linehan, 'La Carrera del Obispo Abril de Urgel: la iglesia española en siglo XIII', in *Spanish Church and Society 1150–1300* (London, 1983), 143–97, 144; 'Tratada así, la historia eclesiástica tiende a degenerar en una forma de piedad'.

⁸ Fernando III was canonised in 1671. A biography of Archbishop Rodrigo by Serrano's colleague and fellow historian Javier Gorosterratzu included a chapter on his sanctity and photographs of his uncorrupted body; Javier Gorosterratzu, *Don Rodrigo Jiménez de Rada, estadista, escritor y prelado* (Pamplona: Imp. y Lib. de Viuda de T. Bescansa, 1925), ch. XX 'Santidad y virtudes de D. Rodrigo', 374–88.

rejection by modern historians of such paradigms when approaching the complicated societies of medieval Iberia; this has been done amply elsewhere.⁹ In understanding Maurice's world, a particularly important voice in the institutional history of the Church has been that of Peter Linehan, whose meticulous focus on the archives of the Iberian (and particularly Castilian) cathedrals was groundbreaking in disentangling them from the hagiographical intentions of earlier historians, from his seminal *The Spanish Church and the Papacy in the Thirteenth Century*, published in 1971, up until the posthumous publication of his *España Pontificia* in the summer of 2023.¹⁰ Linehan's attention to detail, and especially to charters, diplomatic, and the minutiae of medieval ecclesiastical politics, allowed him to paint a rather different picture of the medieval Church and clergy of Castile, revealing an episcopate with a range of logistical and administrative priorities, often burdened by the onerous financial demands of the crown, and distinguished primarily for their 'contempt for distant authority – papal authority included'.¹¹ Whilst the corrective pendulum may have swung a little too far – as we shall see, Maurice was to tread quite a delicate line in his dealings with Rome – Linehan supplied a fertile methodological substrate for this book and many others.

Recent studies of individual bishoprics, although still few and far between, have likewise enriched this field enormously.¹² There has been extensive scholarship devoted to Toledo, such as the careful investigation of the Toledan

⁹ There is a vast bibliography on modern historiographical approaches to medieval Iberian history; for the key voices, see A. Kosto, 'Reconquest, Renaissance and the Histories of Iberia, c. 1000–1200', in T. Noble and J. van Engen, eds, *European Transformations: The Long Twelfth Century* (Notre Dame: University of Notre Dame Press, 2012), 93–116; Peter Linehan, *The History and Historians of Medieval Spain* (Oxford: Clarendon Press, 1993); Linehan, 'The Spanish Middle Ages and the Nineteenth Century', in Linehan, *Historical Memory and Clerical Activity* (Farnham: Ashgate, 2012), ix–xxvi; Richard A. Fletcher, 'Reconquest and Crusade in Spain c. 1050–1150', *Transactions of the Royal Historical Society*, 37 (1987), 31–47; A. García-Sanjuán, 'Rejecting al-Andalus, Exalting the Reconquista: Historical Memory in Contemporary Spain', *Journal of Medieval Iberian Studies*, 10.1 (2018), 127–45; and John Tolan, 'Using the Middle Ages to Construct Spanish Identity: 19th and 20th Century Historiography of Reconquest', in Jan Piskorski, ed., *Historiographical Approaches to Medieval Colonization of East Central Europe* (Boulder: East European Monographs, 2002), 329–47. Simon Barton has provided an excellent summary in Simon Barton, *Conquerors, Brides, and Concubines: Interfaith Relations and Social Power in Medieval Iberia* (Philadelphia: University of Pennsylvania Press, 2015), 8.

¹⁰ Peter Linehan, *The Spanish Church and the Papacy in the Thirteenth Century* (Cambridge: Cambridge University Press, 1971); also Linehan, *History and Historians of Medieval Spain*; Linehan, *Historical Memory and Clerical Activity in Medieval Spain and Portugal*; Linehan, *Past and Present in Medieval Spain* (Farnham: Ashgate, 1992); Linehan, *España Pontificia: Papal Letters to Spain 1198–1303* (Washington, DC: Catholic University of America Press, 2023); and numerous articles.

¹¹ Linehan, *Spanish Church and the Papacy*, 2.

¹² Especially the important work of Richard Fletcher on León: Richard A. Fletcher, *The Episcopate in the Kingdom of León in the Twelfth Century* (Oxford: Oxford University Press, 1978), as well as C. Carl, *A Bishopric Between Three Kingdoms: Calahorra 1045–1190* (Leiden: Brill, 2011); Paul Freedman, *The Diocese of Vic: Tradition and Regeneration in Medieval Catalonia* (New Brunswick: Rutgers University Press, 1983); and most recently Kyle Lincoln, *A Constellation of Authority: Castilian Bishops and the Secular Church During the Reign of Alfonso VIII* (University Park: Pennsylvania State University Press, 2023).

cathedral chapter by Ramón González Ruiz in his aptly named *Hombres y libros de Toledo*.¹³ The metropolitan archbishops have also come under modern scrutiny in Francisco Hernández and Peter Linehan's study of the late 13th-century 'Mozarabic Cardinal', and, even more importantly for this study, Lucy Pick's work on Archbishop Rodrigo Jiménez de Rada, one of Maurice's longest-standing colleagues, collaborators, and most likely a close friend (though one can never be sure with medieval bishops).¹⁴ The cultural and linguistic complexity of Toledo and its Mozarabic community has also come to garner wide scholarly attention in recent decades.¹⁵ The cathedral of Burgos has been less fortunate in this regard, and scholars are still largely reliant on the overviews provided by Serrano himself and by Demetrio Mansilla in his wide-ranging survey of the Castilian-Leonese Church, published in 1945, though with important recent additions by Susanna Guijarro and (on the medieval city more particularly) Teófilo Ruiz.¹⁶ By bringing the daily workings of Burgos cathedral, as well as those of Maurice himself, into the spotlight, this book hopes to pave the way for further investigation into the churches and clerics of medieval Castile.

This reassessment of Maurice also bridges the methodological gap that exists between the study of the 'translation movement', that is, the transmission of ideas from Arabic to Latin, and the study of the individuals and society in which these ideas were translated.¹⁷ Research concerning the intellectual culture of Toledo has

¹³ Ramón González Ruiz, *Hombres y libros de Toledo: 1086–1300* (Madrid: Fundación Ramón Areces, 1997); and, older but still very useful, Juan Rivera Recio, *La iglesia de Toledo en el siglo XII (1086–1208)* 2 vols (Rome: Instituto Español de Historia Eclesiástica, 1966–76); and Tom Nickson, *Toledo Cathedral: Building Histories in Medieval Castile* (Pennsylvania: Pennsylvania State University Press, 2015).

¹⁴ Peter Linehan and Francisco Javier Hernández, *The Mozarabic Cardinal: The Life and Times of Gonzalo Pérez Gudiel* (Florence: Edizioni Galluzzo, 2004); and Lucy K. Pick, *Conflict and Coexistence: Archbishop Rodrigo and the Muslims and Jews of Medieval Spain* (Ann Arbor: University of Michigan Press, 2004); as well as a number of articles and book chapters by Pick.

¹⁵ There is a vast amount of historiography on the Mozarabs. Key recent contributions include Diego Olstein, *La era mozárabe: Los mozárabes de Toledo (siglos XII y XIII) en la historiografía, las fuentes y la historia* (Salamanca: Universidad de Salamanca, 2006); Jean-Pierre Molénat, *Campagnes et monts de Tolède du XIIe au XVe siècle* (Madrid: Casa de Velázquez, 1997); Francisco Javier Hernández, 'La cathédrale, instrument d'assimilation', in Louis Cardaillac, ed., *Tolède, XIIe–XIIIe: musulmans, chrétiens et juifs: le savoir et la tolérance* (Paris: Autrement, 1991), 75–91; and Hernández, 'Language and Cultural Identity: The Mozarabs of Toledo', *Boletín Burriel*, I (1989), 29–48.

¹⁶ Demetrio Mansilla, *La Iglesia Castellano-Leonesa y Curia Romana en los tiempos del Rey San Fernando* (Madrid: Consejo Superior de Investigaciones Científicas, 1945). On the city of Burgos, see Teófilo Ruiz, *The City and the Realm: Burgos and Castile 1080–1492* (Aldershot: Variorum, 1992); and Carlos Estepa Díez and Julio Valdeón Baroque, *Burgos en la Edad Media* (Valladolid: Junta de Castilla y León, 1984); though neither discusses in any detail the workings of the cathedral. See also Susana Guijarro González and María Esperanza Simón Valencia, 'Los arcidyanatos y arciprestazgos como instrumentos de consolidación del poder episcopal y afirmación territorial de la diócesis de Burgos (siglos XI–XIV)', *En la España Medieval*, 45 (2022), 95–119.

¹⁷ This gap was noticed by Southern, *Robert Grosseteste*, xx, and has been highlighted by many other historians too; for example, Ian P. Wei, *Intellectual Culture in Medieval Paris: Theologians and the University, c. 1100–1330* (Cambridge: Cambridge University Press, 2012), 1.

been led by the pioneering work of Marie-Thérèse d'Alverny, who provided some of the earliest and most valuable insights into the activities of the translators.¹⁸ In 1951, d'Alverny identified Maurice himself within this milieu, as patron of two translations whilst archdeacon in Toledo cathedral, though she noted that almost nothing more was known about him.¹⁹ Elsewhere, d'Alverny, Charles Burnett, Adeline Rucquoi, and others have speculated on whether Maurice may be the as yet unidentified 'Mauricius Hispanus' whose teachings were censured in the University of Paris in 1215.²⁰ This book was written, in part, in a response to this scholarly lacuna, and in an effort to bridge the gap between the 'Master Maurice' of the translation movement and the bishop of Burgos.

Maurice's complicated relationship with Islam also provides a timely contribution to debates on interreligious relations in medieval Iberia, a field that has grown exponentially in recent years. That the hinterland between al-Andalus and the Christian north was both porous and frequently traversed in peace as well as war has been well-established by scholars such as Richard Fletcher and Simon Barton, and is now widely accepted.²¹ The extent to which the conquest of al-Andalus can be considered to have been influenced by wider 'crusading' rhetoric and ideology has become a point of lively debate, and one to which Maurice, a papally appointed *crucesignatus*, has some bearing.²² Likewise, attempts to analyse the function of polemic in medieval interreligious interactions, and the efforts of Christian scholars to translate the Qur'an have benefitted from much recent attention, though

¹⁸ Especially Marie-Thérèse d'Alverny, *Avicenne en Occident* (Paris: Vrin, 1993); also, d'Alverny, *La transmission des textes philosophiques et scientifiques au Moyen Âge* (Aldershot: Variorum, 1994); as well as a large number of important articles, including, for our purposes, d'Alverny, 'Deux traductions latines du Coran au Moyen Âge', *Archives d'histoire doctrinale et littéraire du Moyen Âge*, 16 (1947), 69–131.

¹⁹ Marie-Thérèse d'Alverny and Georges Vajda, 'Marc de Tolède, traducteur d'Ibn Tumart', *Al-Andalus*, 16 (1951), 99–140 and 260–307.

²⁰ Charles Burnett, *Arabic into Latin in the Middle Ages: The Translators and Their Intellectual and Social Context* (Aldershot: Ashgate Variorum, 2009); Patrick Henriët, 'Hagiographie léonaise et pédagogie de la foi: Les miracles de Saint Isidore et la lutte contre la hérésie, XI–XIIe siècles', in D. Baloup, ed., *L'enseignement religieux dans la Couronne de Castille: Incidences spirituelles et sociales (XIIIe–XVe siècle)* (Madrid: Casa de Velasquez, 2003), 1–28; and Adeline Rucquoi, 'La double vie de l'université de Palencia 1180–1250', *Studia Gratiana*, 19 (1998), 723–48.

²¹ For example, in Barton, *Conquerors, Brides, and Concubines*, and the seminal article by Fletcher, 'Reconquest and Crusade in Spain c. 1050–1150'.

²² See C. Ayala Martínez and J. Palacios Ontalva, eds, *Hombres de religión y guerra: Cruzada y guerra santa en la Edad Media peninsular (s. X–XV)* (Madrid: Silex, 2018); J. Santiago Palacios Ontalva, Carlos de Ayala Martínez, and Patrick Henriët, eds, *Orígenes y desarrollo de la Guerra Santa en la Península Ibérica: palabras e imágenes para una legitimación (siglos X–XIV)* (Madrid: Casa de Velázquez, 2016); Joseph F. O'Callaghan, *Reconquest and Crusade in Medieval Spain* (Philadelphia: University of Pennsylvania Press, 2011); Damian Smith, 'The Papacy, the Spanish Kingdoms and Las Navas de Tolosa', *Anuario de Historia de la Iglesia*, 20 (2011), 157–78; and Teresa Witcombe, 'Praying for Conquest in Thirteenth-Century Castile: The *Oratio in tempore belli adversus Saracenos*', in *A Plural Peninsula: Studies in Honour of Professor Simon Barton*, ed. A. Liuzzo Scorpo (Leiden: Brill: 2023), 153–82.

much focus has been on the more widely studied translation by Robert of Ketton from the 1140s, and Maurice's involvement has remained overlooked.²³

Finally, this book has also benefitted greatly from the recent resurgence in popularity of 'the medieval bishop' as a valuable object of study in recent years. Study of northern European bishops, especially the groundbreaking work of John Ott and Maureen Miller, concerning the construction and consolidation of episcopal identity and authority has provided valuable methodological inspiration for my research, a field to which Maurice brings a new, Castilian, perspective.²⁴ In a similar vein, important recent work has examined the role of the 'patron' in the founding of cathedrals and churches in medieval France and England; here Paul Binski and Lindy Grant have notably led the field.²⁵ The only medieval Castilian counterpart to date is the extremely valuable study of Toledo cathedral by Tom Nickson, published in 2015, which presents the foundation of that cathedral in relation to the cultural ambitions of its founder.²⁶ Maurice not only founded Burgos cathedral five years before the first stone of Toledo was laid, but – uniquely – he wrote about his motivations for doing so, and this book thus hope to raise important questions not only about the movement of French ideas into Iberia but more broadly about the role of bishops as vectors of social and cultural change.

An exceptionally rich and diverse array of sources, many unpublished, allow us to pursue Maurice through his various activities and endeavours. This book draws

²³ Especially important are the publications of the European Qur'an project; see M. García-Arenal and G. Wieggers, eds, *The Iberian Qur'an: From the Middle Ages to Modern Times* (Berlin: De Gruyter, 2022) and Cándida Ferrero Hernández and John Tolan, eds, *The Latin Qur'an, 1143–1500: Translation, Transition, Interpretation* (Berlin: De Gruyter, 2021), as well as Thomas Burman, *Reading the Qur'an in Latin Christendom, 1140–1560* (Philadelphia: University of Philadelphia Press, 2007); Pick, *Conflict and Coexistence*; John Tolan, *Saracens: Islam in the Medieval European Imagination* (New York: Colombia University Press, 2002); and Ulisse Cecini, *Alcoranus latinus: eine sprachliche und kulturwissenschaftliche Analyse der Koranübersetzungen von Robert von Ketton und Marcus von Toledo* (Berlin: Lit, 2012).

²⁴ John Ott, *Bishops, Authority and Community in Northwestern Europe, c. 1050–1150* (Cambridge: Cambridge University Press, 2015); Maureen Miller, *Clothing the Clergy: Virtue and Power in Medieval Europe, c. 800–1200* (Ithaca: Cornell University Press, 2014); J. Ott and A. Trumbore, eds, *The Bishop Reformed: Studies of Episcopal Power and Culture in the Central Middle Ages* (Aldershot: Ashgate, 2007); also, for a different perspective, E. Palazzo, *L'évêque et son image: l'illustration du pontifical au Moyen Âge* (Brepols: Turnhout, 1999).

²⁵ Lindy Grant, *Abbot Suger of St-Denis: Church and State in Early Twelfth-Century France* (London: Longman, 1998); Grant, *Architecture and Society in Normandy, 1120–1270* (New Haven: Yale University Press, 2005); Paul Binski, *Becket's Crown: Art and Imagination in Gothic England 1170–1300* (New Haven and London: Yale University Press, 2004); and also Jeffrey A. K. Miller, 'The Building Program of Archbishop Walter de Gray: Architectural Production and Reform in the Archdiocese of York, 1215–1255' (Unpublished PhD thesis: Colombia University, 2012).

²⁶ Nickson, *Toledo Cathedral*. The architectural history of Burgos cathedral has been thoroughly assessed by Henrik Karge, *La Catedral de Burgos y la arquitectura del siglo XIII en Francia y España* (Valladolid: Junta de Castilla y León, 1995), but this work confines itself strictly to the architecture of the cathedral, and does not mention in any detail the bishop-founder, nor the cultural context of the building.

together all of the extant evidence for his career; this includes charters, letters, chronicles, wills, and also papal bulls, liturgical documents, and philosophical texts. It also incorporates, as a matter of necessity, a wide range of material evidence, such as engravings, codices, the sculptural programmes commissioned by Maurice, and his magnificent tomb, still extant in Burgos cathedral. Each one will be introduced as appropriate throughout the chapters to come. However, it will be helpful at the outset to highlight some of the major collections and archives upon which this study draws, and, in some cases, to briefly set out my approach to them.

Three narrative texts pertain to this period of Castilian history, each written by men who would have known Maurice personally. Archbishop Rodrigo's *Historia de rebus hispanie sive historia gothica* was complete by 1243 (thus not long after Maurice's death), and consisted of a history of Spain in nine books, starting with Noah's ark and ending in the author's present day.²⁷ The archbishop focused on the political history of his time, and Maurice appears in his account on several occasions, most notably in 1217 (on the death of Enrique I) and in 1219 (in an account of the mission to Suabia).²⁸ A later recension of the chronicle was translated into Spanish and extended at the court of Alfonso X (and most likely that of his successors too), and is known as the *Estoria de España*. The second of the chronicles from this period was also composed by a bishop from Maurice's immediate circle. The *Chronica Latina regum Castellae* was completed in the 1230s, and covers the deeds of Alfonso VIII and Fernando III and their forebears, culminating in the conquest of Córdoba in 1236, which, like many other passages, the author seems to describe from eye-witness. Authorship has been attributed in recent years to Bishop Juan, chancellor of Castile and bishop of Osma from 1232 until 1240, in which year he became Maurice's successor as prelate of Burgos.²⁹ The final chronicle that pertains to Maurice's life is the *Chronicon Mundi*, a 'world chronicle' composed during the 1230s by Bishop Lucas

²⁷ Juan Fernández Valverde, ed., *Rodrigo Jiménez de Rada: De Rebus Hispanie* (Turnhout: Brepols, 1987) (hereafter *De Rebus Hispanie*), and Pick, *Conflict and Coexistence*. Also see Bernard F. Reilly, 'The *De Rebus Hispanie* and the Mature Latin Chronicle in the Iberian Middle Ages', *Viator*, 43 (2012), 131–45.

²⁸ *De Rebus Hispanie*, IX.5–6; IX.10.

²⁹ The edition used in this study is *Crónica latina de los reyes de Castilla*, ed. Luís Charlo Brea (Cadiz: Universidad de Cadiz, 1984; hereafter, *Chronica Latina*). For the identification of the author, see Peter Linehan, 'Don Juan de Soria, Unas apostillas', in *Fernando III y su tiempo (1201–1252): VIII Congreso de Estudios Medievales* (Ávila: Fundación Sánchez Albornoz, 2003), 375–94; also Bernard F. Reilly, 'The *Chronica Latina Regum Castellae*: Historical Composition at the Court of Fernando III of Castile, 1217–1252', *Viator*, 41:1 (2010), 141–54. An English translation is available; see *The Latin Chronicle of the Kings of Castile*, trans. J. F. O'Callaghan (Tempe: Arizona Center for Medieval and Renaissance Studies, 2002). On the link between Juan of Osma and Maurice, see also Matthias Tischler, 'Iberian Translation-Based Chronicles, Twelfth to Thirteenth Centuries. New Sources for the Arabo-Latin Translation Movement in the Iberian Peninsula', *Journal of Transcultural Medieval Studies*, 1:2 (2014) 175–218.

of Tuy.³⁰ Despite the fact that León and Castile had been unified under Fernando III in 1230, Lucas was writing from more of a distance than Rodrigo of Toledo or Juan of Osma, and his account contains very little reference to the place of the Castilian bishops in Fernando's reign. However, Lucas is the only chronicler to refer to the foundation of the Gothic cathedral in Burgos in 1221.³¹

At the heart of this study, however, are the archives of the two cathedrals in which Maurice spent his career; Toledo, where Maurice appears frequently in the charters made between 1208 and 1213 (with some later additions), and, of course, Burgos, where he was bishop for twenty-five years. The majority of the Latin charters from Toledo cathedral during these years were published by Francisco Hernández in 1985, in his comprehensive volume *Los Cartularios de Toledo*.³² This provides detailed summaries and, in some cases, full texts of charters, as well as, importantly, witness lists, thereby supplying something between a cartulary and a catalogue for these archives. Toledo cathedral archive is striking in that, in addition to the documents mentioned above, there also exists a large corpus of charters in Arabic, the language that continued to be used by the Mozarabic Christians in Toledo in our period. A collection of transcriptions can be found in the four-volume publication entitled *Los Mozárabes de Toledo* by Ángel González Palencia, published between 1926 and 1930.³³ These charters are in urgent need of modern scholarship, and have received extremely little critical attention since 1930.³⁴ Yet as Norman Roth noted, they contain references to a number of important figures, including Maurice himself, who can be found doing business with a Jewish family in one of these documents in 1209.³⁵

The archives of Burgos cathedral are of course central to this book. Catalogues of the archival holdings have been published by Demetrio Mansilla Reoyo and, more recently, by the former canon archivist, Don Matías Vicario Santamaría.³⁶ Additionally, and crucially, José Garrido Garrido has published transcriptions of

³⁰ *Lucae Tudensis Chronicon Mundi*, ed. Emma Falque Rey (Turnhout: Brepols, 2003; hereafter, *Chronicon Mundi*). On the dating of this work, see Bernard F. Reilly, 'Sources of the Fourth Book of Lucas of Tuy's *Chronicon Mundi*', *Classical Folia*, 30 (1976), 127–37.

³¹ *Chronicon Mundi*, IV.95.

³² Francisco Hernández, *Los Cartularios de Toledo*, 2nd ed. (Madrid: Fundación Ramón Areces, 1985; hereafter, *CT*). Another useful source from Toledo is the collection of 'Anales'; see Julio Porres Martín-Cleto, *Los Anales Toledanos I y II* (Toledo: Diputación Provincial de Toledo, 1993).

³³ A. González Palencia, *Los Mozárabes de Toledo en los siglos XII y XIII*, 4 vols (Madrid: Instituto de Valencia de Don Juan, 1926–30).

³⁴ One exception is an article by Ignacio Ferrando, 'Testamento y Compraventa en Toledo (años 1214 y 1215)', *Collectanea Christiana Orientalia*, 4 (2007), 41–54.

³⁵ Norman Roth, 'New Light on the Jews of Mozarabic Toledo', *AJS Review*, 11:2 (1986), 189–220, at 202.

³⁶ Demetrio Mansilla Reoyo, *Catálogo de los códices de la catedral de Burgos* (Madrid: CSIC, 1952) and Reoyo, *Catálogo Documental del Archivo de Burgos (804–1416)* (Madrid: CSIC, 1971). A more recent catalogue has been published by Matías Vicario Santamaría, *Catálogo del Archivo Histórico de la Catedral de Burgos*, 18 vols (Caja de Ahorros del Círculo Católico, 1998), vol. 1 (395–1431).

many of the charters and letters in these archives, providing the complete texts and witness lists, as part of a very important series of publications bringing to light the medieval materials stored in and around the diocese.³⁷ However, Garrido's publication stops in the year 1222, and further editions do not restart until 1254, a lacuna in publication history that goes some way towards accounting for the lack of recent scholarly attention directed at Maurice. The documentary records within the cathedral archive are nonetheless largely intact for the intervening years, if at times quite sparse, providing an insight into Maurice's decisions and activities as bishop, his correspondence both far and near, and the life and business of Burgos cathedral during his time in office. It is in the archive of Burgos cathedral that we see Maurice at the peak of his authority, installed in one of the richest sees of the kingdom and surrounded by a chapter of largely supportive and individually powerful canons. It is also here that we encounter Maurice most intimately, in his letters, and most of all, in the two documents he penned in November 1230 – his will, and the *Concordia Mauriciana*, both of which survive in original copies, with traces of his episcopal wax seal attached. Most exemplars of Maurice's seal have now deteriorated beyond legibility, but a well-preserved example does survive in Toledo cathedral archive, attached to a document from 1221 (Figure 0.1). It bears the legend S. MAURICII BURGENSIS EPISCOPI around the conventional iconography of a standing bishop dressed in pontifical robes and wearing a mitre, with a crosier held in his left hand and his right hand raised in blessing: a universal symbol of episcopal authority that was in widespread use by Castilian bishops from the early 12th century onwards.³⁸

Correspondence between Maurice and the popes of his day provides another important source for this study. A number of papal bulls addressed to Maurice survive in Burgos cathedral archive. However, for a more complete picture of Maurice's interactions with the papacy, it has also been necessary to consult the Vatican archives. The contents of the papal archives concerning the kingdom of Castile have been brought to light in a series of comprehensive editions by Demetrio Mansilla, who published the documentation of Innocent III and

³⁷ José Garrido Garrido, *Documentación de la catedral de Burgos (1184–1222)* (Burgos: Ediciones J. M. Garrido Garrido, 1983; hereafter, *DCB*); see also Garrido Garrido, *Documentación de la catedral de Burgos (804–1183)* (Burgos: Ediciones J. M. Garrido Garrido, 1984); and F. Javier Pereda Llerena, *Documentación de la catedral de Burgos (1254–1293)* (Burgos: Ediciones J. M. Garrido Garrido, 1984).

³⁸ There is much more scholarship that urgently needs to be done on Castilian seals; the seals of medieval Castile have received no systematic analysis or comparison, and many (including the document shown here) are missing from A. Guglieri Navarro, *Catálogo de sellos de la Sección de Sigilografía del Archivo Histórico Nacional* (Madrid: Ministerio de Educación y Ciencia, 1974). A useful introduction is F. Menéndez Pidal, *Apuntes de sigilografía española* (Guadalajara: Aache Ediciones, 1993), 61–71. A detailed study of seals in Baeza and Jaén is P. A. Mestre Navas, 'Los sellos de validación de los cabildos catedrales de Baeza y Jaén (ss. XIII–XIV)', *Espacio, Tiempo y Forma*, 35 (2022), 443–74. On medieval episcopal seals generally, P. Hoskins, 'Administration and Identity: Episcopal Seals in England from the Eleventh to the Thirteenth Century', in L. Whatley, ed., *A Companion to Seals in the Middle Ages* (Leiden: Brill, 2019), 195–220.



Figure 0.1 Seals (L–R) of Bishop Maurice of Burgos, Archbishop Rodrigo of Toledo, and Bishop Tello of Palencia, 1221 (Toledo Cathedral, ACT X.2.A.2.12r)

Honorius III, and, more recently, by Eliseo Sáinz Ripa, who has added the documents of Gregory IX.³⁹

This study also relies on the plethora of correspondence between the bishop and the neighbouring abbeys and monasteries within his diocese, as well as the more infrequent occasions on which Maurice communicated directly with his fellow bishops. Once again, although Burgos cathedral archive is the first port of call for all such diplomatic, access to the archives of religious houses across Burgos has been crucial. This has been greatly facilitated by the publication programme of the 1980s, and it is now possible to consult in critical editions the archival materials of a great range of ecclesiastical institutions within the diocese, including those of the powerful monasteries of Santo Domingo de Silos, San Salvador de Oña, and Santa María de Las Huelgas, as well as the important collection of Riojan

³⁹ Demetrio Mansilla Reoyo, *La documentación pontificia hasta Inocencio III (965–1216)* (Rome: Instituto Español de Estudios Eclesiásticos, 1955; hereafter, *Inocencio*); and Reoyo, *La documentación pontificia de Honorio III (1216–1227)* (Rome: Instituto Español de Estudios Eclesiásticos, 1965; hereafter, *Honorio*); and Eliseo Sáinz Ripa, *La Documentación Pontificia de Gregorio IX 1227–1241* (Rome: Instituto Español de Estudios Eclesiásticos, 2001; hereafter, *Gregorio*).

documents published by Ildefonso Rodríguez de Lama, the archives of the monastery of San Miguel de Foncea, and many others.⁴⁰ Similarly, the documentation of other Castilian cathedrals, especially those of Maurice's closest neighbours, the bishops of Osma, Palencia, and Calahorra, is now largely accessible.⁴¹ These publications have proved invaluable, not only providing a means of comparison for Maurice's activities, important though this is, but also in tracing Maurice himself as he journeyed through other dioceses, and by allowing an understanding of how he interacted with his episcopal peers (some, as we shall see, more warmly than others).

The diplomatic of the court of the Castilian king has also been transcribed and published in recent years, as a result of the work of Julio González, whose publications include the documents of the court of Alfonso VIII, Enrique I, and Fernando III.⁴² These provide another very important source for this study, through an important note of caution must be sounded concerning their usage. Historians of 12th-century Castile have agreed that the witness lists following the documents

⁴⁰ Miguel Vivancos Gómez, *Documentación del monasterio de Santo Domingo de Silos (954–1254)* (Burgos: Ediciones J. M. Garrido Garrido, 1988); D. Marius Férotin, *L'abbaye de Silos* (Paris, 1897); I. Oceja Gonzalo, *Documentación del monasterio de San Salvador de Oña 1032–1284* (Burgos: Ediciones J. M. Garrido Garrido, 1983); J. del Alamo, *Colección diplomática de San Salvador de Oña (822–1284)*, 2 vols (Madrid: Estades, 1950); J. Rodríguez de Diego, *Colección diplomática de Santa María de Aguilar de Campoo (852–1230)* (Salamanca: Junta de Castilla y León, 2004); José Manuel Lizoain Garrido and Araceli Castro Garrido, *Documentación del monasterio de Las Huelgas de Burgos (1231–1306)* (Burgos: Ediciones J. M. Garrido Garrido, 1987); José Manuel Lizoain Garrido, *Documentación del monasterio de Las Huelgas de Burgos (1116–1230)* (Burgos: Ediciones J. M. Garrido Garrido, 1985); José Garrido Garrido, *Documentación del monasterio de Las Huelgas de Burgos 1116–1262*, 2 vols (Burgos: Ediciones J. M. Garrido Garrido, 1985); Luciano Serrano, *Cartulario del Infantado de Covarrubias* (Silos: P. Procurador, 1907); F. J. Peña Pérez, *Documentación del monasterio de San Juan de Burgos (1091–1400)* (Burgos: Ediciones J. M. Garrido Garrido, 1983); L. García Aragón, *Documentación del monasterio de la Trinidad de Burgos (1198–1400)* (Burgos: Ediciones J. M. Garrido Garrido, 1985); Julio Pérez Celada, *Documentación del monasterio de San Zoilo de Carrión (1047–1300)* (Burgos: Ediciones J. M. Garrido Garrido, 1986); S. Ruiz de Loizaya, ed., *El Libro Becerro de Santa María de Bujedo de Candepajares (1168–1240)* (Burgos: Miranda de Ebro, 2000); and I. Rodríguez R. de Lama, *Colección diplomática medieval de la Rioja*, 4 vols (Logroño: Instituto de Estudios Riojanos, 1976–90). The archive of San Miguel de Foncea is under preparation for publication in 2019, by David Peterson. I am very grateful to him for providing me with transcriptions.

⁴¹ Teresa Abajo Martín, ed., *Documentación de la catedral de Palencia (1035–1247)* (Burgos: J. M. Garrido Garrido, 1986); Ángel Barrio García, *Documentación medieval de la catedral de Ávila* (Salamanca: Ediciones Universidad de Salamanca, 1981); Juan Loperraez Corvalan, *Colección diplomática citada en la descripción histórica del obispado de Osma*, vol. 3 (Madrid: Imprenta Real, 1788); Timoteo Rojo Orcajo, ed., *Catálogo descriptivo de los códices que se conservan en la Santa Iglesia Catedral de Burgo de Osma* (Madrid: Tipografía de Archivos, 1929); Toribio Minguella y Arnedo, *Historia de la diócesis de Sigüenza y de sus obispos*, 3 vols (Madrid: Revista de Arch., Bibl. y Museos, 1910–13), vol. 1; Luis Villar García, *Documentación medieval de la catedral de Segovia, 1115–1300* (Salamanca: Universidad de Salamanca, 1990); and José Fernández Catón, *Colección documental del archivo de la catedral de León (1188–1230)* (León: Centro de Estudios e Investigación 'San Isidoro', 1991).

⁴² For Alfonso VIII and Enrique I, see Julio González, *El Reino de Castilla en la época de Alfonso VIII*, 3 vols (Madrid: CSIC, 1960; hereafter, *Alfonso VIII*); also Carlos Estepa Díez, 'Nuevas diplomas de Alfonso VIII', in C. Estepa Díez, I. Álvarez Borge, and J. Santamarta Luengos, eds, *Poder real y sociedad: estudios sobre el reinado de Alfonso VIII, 1158–1214* (León: Universidad de León, 2011), 271–308. For Fernando: Julio González, *Reinado y diplomas de Fernando III*, 3 vols (Córdoba: Monte de Piedad y Caja de Ahorros de Córdoba, 1980–6; hereafter, *Fernando III*).

made during the reign of Alfonso VIII were largely accurate representations of those who were present, at least for the most part of his long reign.⁴³ However, the same cannot be said for the documents produced at the court of Fernando III. Serrano, and a number of other historians writing in his time, have understood the lists of those who ‘confirmed’ each of the documents of Fernando III as indicating the presence of the individual witnesses themselves. However, curial practice appears to have shifted between the documents of Alfonso and those of his grandson. The varying lists of names that were recorded at the 12th-century curia become fixed lists under Fernando III, organised, as Bernard Reilly has pointed out, not according to the reality of who was present but according to the relative importance of each diocese in the mind of the king.⁴⁴ This is indicated by the fact that these lists are highly formulaic and largely unchanged, regardless of where or when the charters in question were produced. Moreover, on a number of occasions, Maurice was listed as witness to a royal charter but was demonstrably not present, such as the inclusion of ‘M burgensis episcopus’ during the spring and summer of 1219, when he was on his way to Suabia.⁴⁵ Clearly, the names routinely and formulaically listed on these charters cannot be taken as reliable indicators of the presence of bishops themselves. Whether their names were simply recorded *in absentia*, or whether a representative clerk from the cathedrals concerned had residence at the royal curia and signed witness lists on behalf of the bishop remains a point on which further research is urgently needed, but for the purposes of this book, we will not assume that the appearance of the bishop of Burgos as a ‘witness’ to a royal charter denotes the presence of Maurice himself, unless additional evidence or content confirms it.⁴⁶

This book is organised on a broadly thematic basis, with each chapter examining a different facet of Maurice’s life and thought. As well as best allowing for scholarly analysis, this is also the most natural way to make sense of the extant evidence for Maurice’s life, which does not itself provide any even coverage over

⁴³ See Carl, *A Bishopric Between Three Kingdoms*, 10, where she points out that mid-12th-century royal witness lists vary frequently and appear to corollate with the known movements of the bishops involved. See also Bernard F. Reilly, ‘Alfonso VIII, the Castilian Episcopate, and the Accession of Rodrigo Jiménez de Rada as the Archbishop of Toledo in 1210’, *The Catholic Historical Review*, 99.3 (2013), 437–54; and Reilly, ‘On Getting to Be a Bishop in León-Castile: The ‘Emperor’ Alfonso VII and the Post-Gregorian Church’, *Studies in Medieval and Renaissance History*, 1 (1978), 37–68.

⁴⁴ Reilly, ‘Alfonso VIII’, 441.

⁴⁵ See González, *Fernando III*, Docs 58–92, which cover February to September 1219. Maurice ‘confirms’ all of these as usual, but he was abroad for this whole period (see [Chapter 5](#)).

⁴⁶ See González, *Fernando III*, Doc. 119, made when the king was in Burgos in 1220. Fernando states that the bishop of Burgos and a small number of nobles are ‘in conspectu meo’.

the years. Documents in which we can read his thoughts on priestly robes and galoshes are balanced out by long years when we have no trace of Maurice at all. Another rationale for this approach is that it enables the reader to piece together consistent threads and themes which reappeared throughout his life. Maurice's crusading activities of the mid-1220s, for example, must be understood in relation to his earlier interactions with Islam in 1210 and 1213. Equally, the ways in which he related to the abbots and priors of his diocese throughout his episcopal career make the most sense when assessed alongside his involvement with the same region whilst still a canon. The downside of this approach is that there are occasions when it will inevitably be necessary to repeat material or to cross-reference within this study; however, it is hoped that the benefits to a thematic analysis outweigh this inconvenience.

Maurice's standing in Castilian society and his place in networks of power, both ecclesiastical and lay, are discussed in [Chapter 1](#). Much of this chapter draws on previously unexplored evidence from his time as archdeacon in Toledo, as well as later documentation through which we catch a glimpse of his family. The question of Maurice's origins has long been contested, with Serrano and his predecessors contending that he must have been in some ways a foreigner in Castile: either French or English, or of other foreign descent. Entwined with this notion is the suggestion that he was brought to Castile by Rodrigo Jiménez de Rada and was dependent on the archbishop's patronage. This chapter will challenge both of these suppositions, setting out the existing evidence surrounding Maurice's family, his status in Castile before he became a bishop, and his connections within networks of power at the court of Alfonso VIII and within the Castilian Church.

[Chapter 2](#) investigates Maurice's interaction with, and attitude towards, Islam and Muslims. Maurice lived during a period of intensification of war with the Almohad Muslims to the south of Castile, in which he himself participated actively, and in a time during which crusading ideologies came to play an increasingly important role in the framing of Christian–Muslim conflicts. Early on in his career, however, Maurice commissioned Latin translations of two Islamic texts, the Qurʾān, and a theological treatise by the Almohad mahdī, Ibn Tūmart, revealing a more intellectual means of engaging with Islam and Islamic theology. These translations were unknown to Serrano, and whilst the Qurʾān translation has been discussed by historians of polemic, the translation of the treatise of Ibn Tūmart has been almost completely overlooked. This chapter explores Maurice's role in the patronage of these two translations, and the complex attitudes towards Islam that they reveal, according to which Maurice could preach crusade yet also sustain an intellectual, even philosophical, engagement with Islamic theology.

[Chapters 3](#) and [4](#) address the ways in which Maurice constructed and displayed episcopal authority. [Chapter 3](#) explores his construction and articulation of episcopal *auctoritas* in Burgos, in a dialogue of power that incorporated the

papacy, the monarch, local nobility, and the great abbeys and monasteries of the diocese. In 1213, Maurice had acquired a powerful and wealthy see in an expanding kingdom, and he acted decisively to establish what he felt to be the rightful hierarchy of power within it. He was a confident and highly educated negotiator, but he faced powerful adversaries, including many of his fellow bishops: the pope himself commented on the ‘hatred’ between Maurice and the neighbouring bishop of Osma in 1220. Maurice’s use of the growing system of papal judges-delegate, his strategic appeals to Rome and deployment of canon law (when it was to his advantage), and his policy of rebuilding and reconsecrating churches along the borders of Burgos – as witnessed by the series of inscriptions he left behind – all reveal Maurice to have been a strategist of considerable acumen, who fought to establish what he felt to be his episcopal rights. This chapter draws on the frequent litigation documented in charters, letters, and bulls in Burgos cathedral archive and also in papal collections and monastic archives from around and beyond the diocese, to shed light on the complexities inherent in negotiating episcopal authority in medieval Castile.

Episcopal power within the cathedral of Burgos itself is the subject of the fourth chapter, as manifest through a close investigation of Maurice’s most important written document: the constitution he wrote for his cathedral in 1230, which has come to be known as the *Concordia Mauriciana*. This is a document to which scant attention has been paid, and one that reveals Maurice’s practical vision for the cathedral of Burgos alongside his theological understanding of how his cathedral should be structured. [Chapter 4](#) discusses both of these aspects of the document, in particular seeking to identify the sources for Maurice’s ideas and ambitions and the extent to which the *Concordia* can be seen as a reaction to the papal agenda put forward in the Fourth Lateran Council of 1215.

[Chapter 5](#) turns to address Maurice’s reformulation of the cathedral of Burgos, starting with his foundation of the Gothic building in 1221, a building of unique importance in the architectural and cultural history of Spain. The first half of the 13th century has been seen as the moment at which French Gothic architecture arrived in the Peninsula; however, little attention has been paid to the precise historical context and circumstances in which this example of the *opus francigenum* was constructed in Burgos. This chapter demonstrates that for Maurice, the building of the new cathedral was an action loaded with cultural ambition. It first assesses the architectural and structural developments that took place under Maurice’s auspices, and subsequently reveals and analyses the changes in ecclesiastical culture that accompanied them, as Maurice introduced new liturgy, music, books, ideas, and personnel into his cathedral over these decades. These changes can also be seen to be reflected in the sculptural programme of the Puerta del Sarmental, the southern portal completed over the course of the 1230s under Maurice’s direction: it is to this liminal space, between the outside world and

inner life of the cathedral, that this chapter turns for the final manifestation of Maurice's ecclesiastical vision that lay behind his efforts to bring new, overwhelmingly 'French' forms of ecclesiastical practice to bear within Burgos cathedral.

The Conclusion considers Maurice's magnificent effigy tomb – typically, a deluxe piece of mid-13th-century French artistry – before drawing together the themes of learning, reform, and conquest that animated his career and that recur throughout this book. Finally, an Epilogue addresses the question of whether Maurice may be the elusive 'Mauricius Hispanus' (Maurice of Spain) whose 'teachings' were censured in the University of Paris in 1215. Although this question has been raised by a number of intellectual historians over the course of the 20th century, the lack of detailed study of Maurice himself has hindered attempts to assess the possible connections between the bishop of Burgos and the shadowy scholar behind the prohibition. It remains, as such, a question ripe to be reopened in the light of a scholarly investigation of Maurice himself. Five appendices present hitherto unpublished, and in some cases, uncatalogued documents that have an important bearing on Maurice's career, and are of wider significance in the history of Castile.

Maurice's ecclesiastical career was not particularly long, and he may have been only in his fifties or sixties when he died in 1238. Nonetheless, it was a career in which he achieved a lot. Throughout it, as we shall see in the pages to come, he thought hard about what it meant to be a 'high priest' on the edges of the Christian world, and many of his undertakings – his patronage, his reforms, his tireless conflicts, his insistence on ecclesiastical glory and grandeur – can be seen as an answer to this question. He stood at the heart of the Castilian Church, but was interested in, and influenced by, ideas and texts from far beyond it, not least the papacy, the intellectual circles of northern France, the Arabic-speaking Mozarabs of Toledo, and the Muslim philosophers of al-Andalus. In pursuing Maurice through the archives of medieval Castile (and beyond), and analysing his life and thought, his world-view and ambitions, this book sheds an important light onto the Church and society of Castile in the 13th century, and more broadly, onto the intellectual and cultural history of medieval Europe as seen from its southern frontier.

Networks of Power: Maurice's Place in 13th-Century Castile

*Reverend archdeacon Maurice ... commendable in learning, outstanding in virtue, brilliant in habits, and distinguished in integrity*¹

Mark of Toledo, 1210

These warm words, the longest and most detailed description of Maurice to be found in any contemporary source, were written several years before he rose to episcopal rank. They depict Maurice during his time as a canon at the metropolitan see of Toledo, where he served as archdeacon from some point before November 1208, until as late as the spring of 1214 (simultaneously holding the title of bishop-elect of Burgos for much of this final year). These were years during which Maurice stood not only amongst the culturally diverse and intellectually vibrant milieu of Toledo, but also on the sidelines of some of the defining political events of the century. From here he would witness, in 1209, the arrival and establishment in the city of Archbishop Rodrigo Jiménez de Rada, one of the most long-lived and influential prelates of the century, and also the victory of King Alfonso VIII against the Almohads at the battle of Las Navas de Tolosa in July 1212. They were also years during which many of the themes, interests, and networks that would shape Maurice's whole career can be seen in the making.

This chapter explores Maurice's pre-episcopal life, that is, his time as an archdeacon in Toledo, his background and status, and the networks and contacts that he would go on to benefit from throughout his life. It was a pivotal period of his career, though one that has been overlooked almost completely by Luciano Serrano, who devoted just three paragraphs to Maurice's canonical role.² Peering

¹ 'Reverendus Mauricius archidiaconus ... litteratura commendabilis, virtutibus insignis, moribus perspicuus, honestate praeclarus', from the prologue to Mark's *Liber Alchorani*; d'Alverny and Vajda, 'Marc de Tolède, traducteur d'Ibn Tumar', 267.

² Serrano, *Don Mauricio*, 22. Though he has been spotted in passing by González Ruiz, *Hombres y libros*; Pick, *Conflict and Coexistence*; Roth, 'New Light on the Jews', 202.

into the relative darkness of a 13th-century bishop's early career is often somewhat difficult to do, but Toledo cathedral has a rich documentary archive, and Maurice, with his unusual name and proactive nature, emerges throughout it with some frequency. As we shall see, he held not only the powerful archidiaconate of Toledo, but also several other roles, and had an influence and authority in the chapter that is hard to account for on the basis of canonical rank alone. He was a central figure in the cathedral, managing business for the chapter and for the archbishop, and also establishing a new prebendary for himself in 1213, in order to take charge of the *opus luminarium*, or the lighting of the cathedral.

Maurice's early career unfolded in a chapter that was highly multicultural. Toledo was also a city where Arabic was the language of the majority of the local Christian population, known by historians as 'Mozarabs,' the Christians who had continued to live in Toledo under Islamic rule and whose numbers were swelled in the 12th century by immigrants fleeing the Almohad south.³ Since the city's conquest by Alfonso VI of Castile in 1085, secular power had been largely in the hands of these Mozarabs, in contrast and sometimes in conflict with the city's cathedral, which had been staffed for much of the 12th century by French or 'Latin' Castilian prelates.⁴ However, from the final decades of the 12th century, these Arabic-speaking Christians began to take on roles as senior canons within the cathedral too, an increasingly powerful group whose resentment at the Navarrese Archbishop Rodrigo and his 'foreign' appointees boiled over into rebellion in the 1230s and the exile of the archbishop himself in 1247.⁵ As we shall see, Maurice was far more closely connected with this Mozarabic community, and may himself have been a member of it.

³ There has been much discussion concerning the term 'Mozarab' and its precise connotations; here, it will be used to refer to Arabic-speaking Christians in Toledo, both those who had remained in the city after 1085 and those who arrived from the south in the mid-12th century. See Cyrille Aillet, *Les Mozarabes: Christianisme, Islamisation et Arabisation en Péninsule Ibérique IX–XII siècles* (Madrid: Casa de Velázquez, 2010); Olstein, *La era mozárabe*, 100–41; Cyrille Aillet, Mayte Penelas, and Philippe Roisse, eds, *Existe una identidad mozárabe? Historia, lengua y cultura de los cristianos de al-Andalus (siglos IX–XII)* (Madrid: Casa de Velázquez, 2008); Richard Hitchcock, *Mozarabs in Medieval and Early Modern Spain: Identities and Influences* (Aldershot: Ashgate Publishing Limited, 2008); and others cited in this chapter.

⁴ For the principal scholarship on this issue, see: Olstein, *La era mozárabe*, esp. 23–49; Jean-Pierre Molénat, 'Les Mozarabes: un exemple d'intégration', in Louis Cardaillac, ed., *Toledo, XIIIe–XIIIe: musulmans, chrétiens et juifs: le savoir et la tolérance* (Paris: Autrement, 1991), 95–111; Hernández, 'La cathédrale, instrument d'assimilation'; Hernández, 'Language and Cultural Identity'; Linehan and Hernández, *Mozarabic Cardinal*; Reyna Pastor de Togneri, 'Problèmes d'assimilation d'une minorité: les Mozarabes de Tolède (de 1085 à la fin du XIIIe siècle)', *Annales. Économies, Sociétés, Civilisations*, 25:2 (1970), 351–90; Reyna Pastor de Togneri, *Del Islam al Cristianismo: en las fronteras de dos formaciones económico-sociales* (Barcelona: Península, 1975); Mikel de Epalza, 'Mozarabs: An Emblematic Christian Minority in Islamic Al-Andalus', in Salma Jayyusi, ed., *The Legacy of Muslim Spain*, 2 vols (Leiden: Brill, 1994); and Aaron Moreno, 'Arabicizing, Privileges, and Liturgy in Medieval Castilian Toledo: The Problems and Mutations of Mozarab Identification (1085–1436)' (Unpublished PhD thesis: University of California, 2012).

⁵ Francisco Javier Hernández, 'Los mozárabes del siglo XII en la ciudad y la iglesia de Toledo', *Toletum*, 16 (1985), 57–124, 70–1; Nickson, *Toledo Cathedral*, 60–5; Hernández, 'La cathédrale, instrument d'assimilation', 82; Linehan and Hernández, *Mozarabic Cardinal*, 3–7.

The thorny question of Maurice's origins is a subject of long-standing debate. Based on his unusual name – unusual though by no means unknown, in Castile in this period⁶ – 18th-century historical tradition held Maurice to have been a foreigner, either French or English; the earliest I have been able to trace this suggestion is to the antiquarian Francisco de Berganza in 1719, though it has been repeated by several other sources subsequently.⁷ Luciano Serrano nuanced this position by suggesting that Maurice himself must have been born in Iberia but that his family was of English or Gascon descent.⁸ Such claims are extremely difficult to substantiate, especially without any other cause to consider a foreign origin for our subject, and in the absence of a widespread prosopographical study of the archives of medieval Castile.

Indeed, the evidence we do have rather points us in the other direction. Whilst details concerning his origins are indeed patchy, as we shall see, there is good reason to believe that Maurice had familial connections in Burgos and several other dioceses, and that, far from being a foreigner, he was well-established in both the Church and society of Castile, even – perhaps especially – whilst a young man and canon at Toledo. Moreover, rather than being dependent upon Rodrigo Jiménez de Rada for his promotion through the Castilian Church, as has sometimes been assumed, there is in fact much to suggest that Maurice was an obvious candidate for the bishopric of Burgos when it became vacant in the summer of 1212, and that he had some standing in the highest echelons of Castilian society and its royal court even before he became bishop.⁹ Analysis of his will, written as a much older man in the 1230s, and of the many traces of his wider family, goes to further strengthen this impression.

This chapter will put together the disparate evidence for Maurice's early career as canon in Toledo, assessing his role and connections within the networks of power that shaped and governed the Castilian Church. It shall then situate Maurice within the Mozarabic context of Toledo, a community with which he has

⁶ A 'Mauris' can be found in Burgos cathedral archives, described as owning property with several siblings and their mother in Burgos in 1239; see ACB v. 18, f. 224; and a 'Count Maricius' appears in the *Kalendarium Antiquo* of Burgos cathedral on 27 April, in an entry dating to 1244. It is also worth pointing out that Mauritius Burdinus, who would become Anti-Pope Gregory VIII between 1118 and 1121, was a canon in Toledo in the 1090s, though he was Limousin by birth.

⁷ Flórez, Risco *et al.*, *España Sagrada*, vol. 26, 300–2. For earlier references to this tradition, see Francisco de Berganza, who refers to 'Don Mauricio, de nación inglés'; Francisco de Berganza, *Antigüedades de España: propugnadas en las noticias de sus reyes y condes de Castilla la vieja* (Madrid: Francisco del Hierro, 1719), 351; it also found its way into the *Crónica de la provincia Franciscana de Burgos*, a text put together in the 1720s that also gives inaccurate dates for Maurice; see the modern edition by A. Abad Pérez (Madrid: Cisneros, 1990), 17. This idea has continued to echo in contemporary scholarship, for example, the reference in Antonio García y García, ed., *Synodicon Hispanicum, vol. VII: Burgos y Palencia* (Madrid: Biblioteca de Autores Cristianos, 1997), 12, that Maurice was probably not Spanish, and also Manuel Alonso Alonso, *Temas filosóficos medievales: Ibn Dāwūd y Gundisalvo* (Santander: Pontificia Universidad Camillas, 1959), 149–50.

⁸ Serrano, *Don Mauricio*, 20.

⁹ As first suggested by Serrano, *Don Mauricio*, 22.

not previously been associated, but one that clearly constituted an important part of his life and to which he may have belonged. Finally, we shall consider the sparse but important evidence concerning Maurice's family and network of mentors and promoters, revealing connections that span the length of the ever-expanding kingdom of Castile.

An illustrious archdeacon

As archdeacon of Toledo, Maurice was at the heart of the cathedral chapter, and managed the bulk of cathedral business within the city. It was an office that carried considerable prestige. His jurisdiction was second only to that of the archbishop himself; indeed, promotion from one to the other was not an unusual trajectory for Toledan archdeacons.¹⁰ The archdeacon was supported by an archidiaconate, a territory of some size over which he had financial and jurisdictional control and responsibility. As the cathedral of Toledo grew over the course of the 12th century, additional archidiaconates were added to that of Toledo, and thus we see, alongside Maurice, the archdeacons of Talavera, Madrid, and Guadalajara regularly appearing in cathedral records – though that of Toledo remained the most senior.¹¹ This seniority is generally reflected in Maurice's appearance at the top of witness lists, often followed by the names of other archdeacons and chapter dignitaries, such as the dean, the cantor, and the treasurer.

Maurice's attendance, accompanied on several occasions by his archidiaconal seal – the words S[*igillum*] Mauricii Archidiaconi Tolet[*ane*], arrayed around the Greek letters of the Alpha and Omega (see [Figure 1.1](#)) – can be identified in the chapter with confidence from November 1208, when he is first visible, witnessing a transaction between a canon from the recently established see of Cuenca and the chapter of Toledo.¹² He attended more cathedral business in June 1209.¹³ In October of the same year, Maurice, referred to as 'the illustrious archdeacon Master Maurice', acted as the representative of Archbishop Rodrigo in seizing the properties of a prominent Toledan Jewish family, a transaction recorded in both Arabic and early Spanish, the significance of which is discussed below.¹⁴ Maurice was unquestionably

¹⁰ Rivera, *La Iglesia*, vol. 2, 34; Linehan and Hernández, *Mozarabic Cardinal*, 35–6. See also Francisco Pérez Rodríguez, *El dominio del cabildo catedral de Santiago de Compostela en la edad media: siglos XII–XIV* (La Coruña: Torculo, 1994), 173, who points out that 'los arcedianos vienen a ser representantes plenipotenciarios episcopales en los distritos que les corresponden'.

¹¹ Rivera suggests that there was also an archidiaconate of Calatrava in Toledo at this time, but we do not see any trace of him during Maurice's time there (Rivera, *La Iglesia*, vol. 2, 34–5). There are also more unusual references to the archdeacon of Cuellar and of Arévalo.

¹² CT, Doc. 298, witnessing a transaction between one Pedro Dominguez of Illescas, canon of Cuenca, and the chapter of Toledo.

¹³ CT, Doc. 304.

¹⁴ AHN, clero, pergs, carp. 3049, n. 11.



Figure 1.1 Maurice's archidiaconal seal, 1213 (Toledo cathedral, ACT A.11.A.1.1)

'hands-on' in his approach to other cathedral business too. In a charter from July 1211, he demonstrates some surprisingly detailed agricultural knowledge, in the instructions he gave to twelve men and women renting out cathedral lands to cultivate vines in Arcicóllar.¹⁵ In the same year, he was given usufruct of a property donated to the cathedral by the Castilian noble Diego López de Haro.¹⁶ He also appears to have held an administrative post elsewhere in Toledo, since in January 1212 he is described as the *procurator rerum* of the church of San Félix.¹⁷ It was not unusual for monasteries and churches, and even some individuals, to have a 'procurator', who generally acted as an agent or legal representative, though exactly what Maurice did in this capacity for the little-known Toledan church of San Félix is unclear; nonetheless the position would presumably have come with a stipend.¹⁸

¹⁵ *CT*, Doc. 317. The charter contains detailed orders: whilst the vines are too young to prune, they should be hoed three times a year, but when they are old enough, they should be dug, pruned, hoed, and harvested, under threat of repossession by the cathedral.

¹⁶ *CT*, Doc. 321.

¹⁷ AHN L.996 ff. 72–3 (pp. 74–5); 'magister M Toletane sedis archidiaconis et procurator rerum ad ecclesiam Sancti Felicis'. Catalogued without text in *CT*, Doc. 324.

¹⁸ The church of San Félix is mentioned in several Arabic documents, and appears to have had an adjacent convent of the same dedication; see González Palencia's *Mozárabes*, vol. 1, 108.

Whether as a result of his income, or perhaps more likely, his own familial wealth, Maurice was in a position to make some considerable donations to Toledo cathedral. In July 1213, two priests, Pedro and Ramón Arpín, purchased a vineyard in Illescas on his behalf and with his money.¹⁹ This land was gifted straight away by Maurice to his 'dearest brothers in Christ', that is, the cathedral chapter, in a charter that bears the remains of Maurice's wax seal.²⁰ A further 600 maravedís was spent in his name in February 1214, purchasing another plot in the same territory, which Maurice donated to the cathedral the following month, the last occasion on which he was to be referred to as archdeacon of Toledo cathedral.²¹

The Toledan charters reveal Maurice to have been a charismatic and proactive canon, who evidently had a close personal relationship with Archbishop Rodrigo. Maurice was the first canon to witness the archbishop's memorial arrangements, drawn up in November 1211, most likely in anticipation of the battle of Las Navas the following year.²² Even more striking, however, is Maurice's reform of the lighting in Toledo cathedral, and his successful lobbying for the creation of a new capitular stipend to this end. Lighting was a serious issue in the darkness of a pre-Gothic cathedral, and not least in the cathedral of Toledo in 1213, which was still the building of the city's former mosque.²³ On 21 June 1213, a statute issued by Archbishop Rodrigo founded a new office within the chapter *ad opus luminarium*, or for the management of the cathedral lights. This, as the document makes clear, was entirely at Maurice's 'instance' (*ad eius instanciam*). Indeed, he had 'insisted day and night' that the lighting was in need of improvement, and had apparently brought up the issue often with the archbishop: 'very frequently we discussed this, and in discussing were gravely pained.'²⁴ The document describes Maurice's 'laudable intentions', his 'honourable aim', his 'just request and honest prayers', and finally his enormous gift of one thousand golden maravedís – a huge sum – to provide 'honourably' for the lighting of the cathedral.²⁵ Conceding to Maurice's

¹⁹ CT, Doc. 333; 'Acta sunt hec apud Hyliescas ... in presencia iamdicti archidiaconi'. Illescas had belonged to the cathedral in the 12th century but no longer did by 1213: see Molénat, *Campagnes et monts de Tolède du XIIIe au XVe siècle*, 388.

²⁰ ACT O.7.B.1.7a and CT, Doc. 334.

²¹ CT, Docs 343 and 346.

²² CT, Doc. 323. Rodrigo in fact went on to live until 1247. The charter informs us that he was taking precautions in case 'divina potestas nos ab hac vita fragili evocaret'.

²³ Linehan and Hernández, *Mozarabic Cardinal*, 8; Tom Nickson, 'Copying Córdoba? Toledo and Beyond', *The Medieval History Journal*, 15:2 (2012), 319–54.

²⁴ ACT A.11.A.1.1; see also CT, Doc. 332, although Hernández does not provide the text of this document. A transcription by Fidel Fita can be found in 'Noticias', *Boletín de la Real Academia de la Historia*, 11:6 (1887), 433–58, at 437–8: 'Karissimi nostri in christo Magistri Mauricii toletane Sedis Archidiaconi intentionem laudabilem et honestum propositum meritumque ... apud nos die noctuque institit ut iamdicte ecclesie nostre curarem in luminaribus honorifice providere. Nos et ipse et omnes alii ... videremus defectum enormem et intolerabilem patientem et in luminaribus et de hoc sepiissime tractaremus et tractando gravissime doleremus'.

²⁵ Fita, 'Noticias', 438: 'Iamdictus Archidiacomus nobis larga manu servivit dans mille morabetinos et apud nos die noctuque institit ut iamdicte ecclesie nostre curarem in luminaribus honorifice providere'.

request, Archbishop Rodrigo established a permanent canonical income for the management of the cathedral lighting, assigning the income from the village of Cabañas de la Sagra to this end. And of course, the canon appointed to this new position was none other than Archdeacon Maurice himself:

It pleases us to add that the condition of the afore-written donation is that the abovenamed archdeacon Master Maurice should have full and unimpeded power in regulating these lights, and if anything is decided in a deed, signed with his seal, regarding the way in which the income from Cabañas should be spent on the lights of the church of Toledo, it should be observed in perpetuity.²⁶

This document provides a striking glimpse of Maurice ‘at work’ as archdeacon of Toledo. He evidently had the ear of the archbishop, and was a figure of some influence within the chapter, carving out a new constitutional position for himself (and amassing what appears to have been his third clerical stipend). It was an innovation that required – and was granted – general consensus amongst the chapter at large, and was signed by Archbishop Rodrigo ‘in his own hand’, by Maurice, and by a further twenty-six individual canons, as is clearly visible in the wide variety of signatures, some neat and scholarly (like Maurice’s own), and others far less accomplished (see [Figure 1.2](#)).²⁷ Likewise, the document is sealed with five wax seals: Maurice’s archidiaconal seal, the great seal of Archbishop Rodrigo, and that of the archdeacon of Madrid, the dean of the cathedral, and a final illegible seal belonging to another senior member of the chapter.²⁸

The result of Maurice’s efforts is evident in a charter issued by the archdeacon himself some six weeks later, on 31 July 1213, in which he set out his reforms to the lighting arrangements in Toledo. Recognising the authority granted to him in the prior document, he legislates for the number and placement of candles during major and minor feasts, and the saying of the mass and office at various points in the liturgical year. In particular, twelve candles, each weighing 2.5 lb, should be lit and kept ‘in a suitable place’ for vespers, matins, and terce on the biggest liturgical feasts, which Maurice identifies as Easter, Pentecost, the feast of St Peter, the Assumption of the Virgin, All Saints, Christmas, the feast of St Ildefonsus, the feast of St Eugene, and the birth of the Virgin.²⁹ ‘I want it to be thus observed for

²⁶ Fita, ‘Noticias’, 438: ‘Hanc vero conditionem prescripte donationi nostre placuit nobis inseri, quod prenominatus Magister Mauricius Archidiaconus ordinandi ipsa luminaria plenam et liberam habeat potestatem; et sicut ipse statuerit in instrumento, sigillo suo signato, quemadmodum dicti redditus de cabannas in luminariis sepedicte toletane ecclesie expendantur, ita perpetuo observentur’.

²⁷ Fita, ‘Noticias’, 438: ‘presentem cartam subscriptione manus proprie, et fratrum nostrorum subscriptionibus confirmamus; et ad indubitam fidei firmitatem, posteris transmittendam, sigilli nostri munimine roboramus’.

²⁸ Quite possibly R, archdeacon of Talavera, since an initial ‘R’ is visible, and the archdeacon’s name is prominent on the witness list.

²⁹ ACT A.11.A.1.4; and for an early cartulary copy, see AHN, L.996, f. 33 (p. 35). This document is catalogued in CT, Doc. 335, but the text is not supplied. A partial transcription can be found in Juan Rivera Recio, *San Eugenio de Toledo y su culto* (Toledo: Instituto Provincial de Investigaciones y Estudios Toledanos, 1963), 64–5.

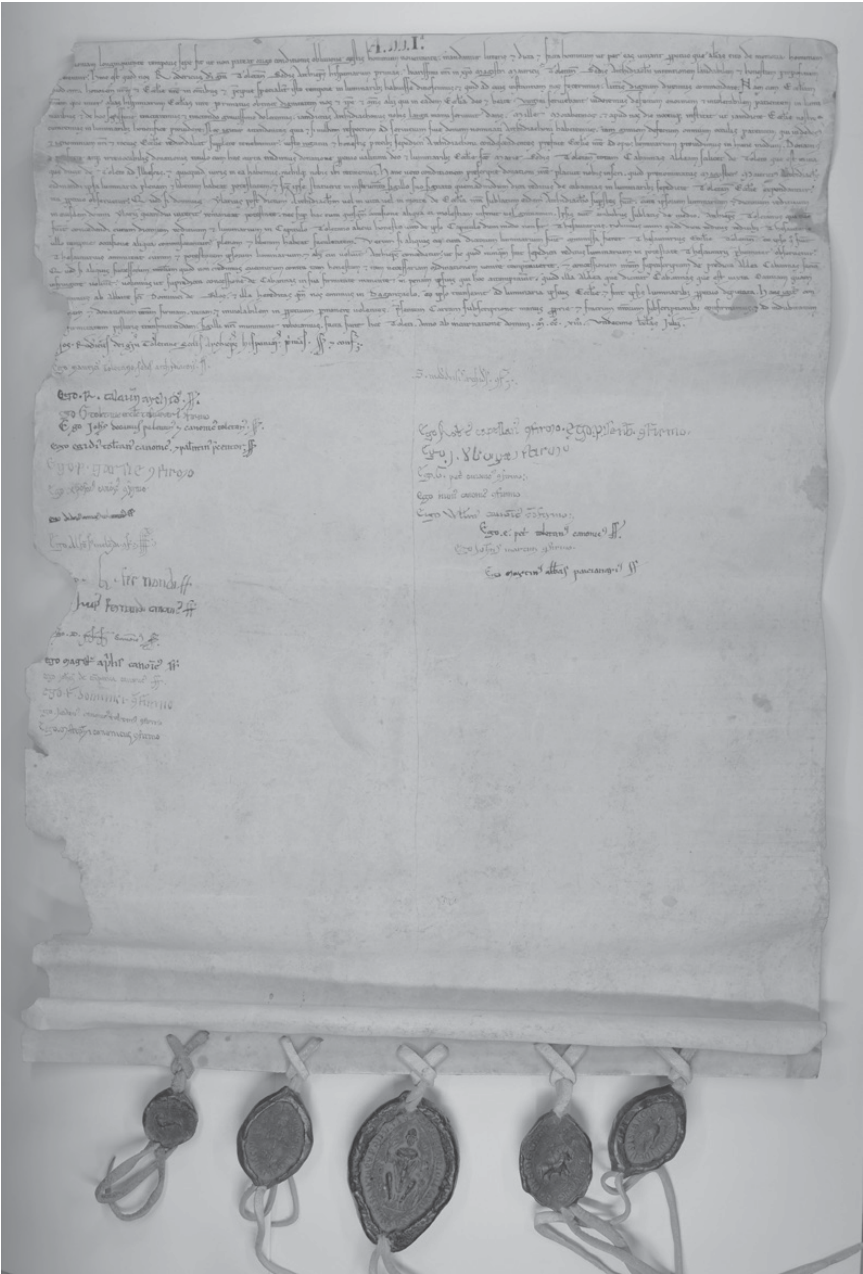


Figure 1.2 Statute *ad opus luminarium*, 1213 (Toledo cathedral, ACT A.11.A.1.1)

perpetuity', the archdeacon stridently informs his reader.³⁰ Maurice's creation of a new, constitutional office for himself is quite unprecedented; clearly he was a canon with considerable personal influence and status, and confident in negotiating with both Archbishop Rodrigo and the cathedral chapter.

These events took place not long before Maurice left to take up his new position as bishop of Burgos. Indeed, he was already appearing as *electus* of the see of Burgos by the summer of 1213. Archbishop Rodrigo had also appointed a deputy, canon Hylario, to take over this role in case Maurice should 'be taken away from our church, either in life or in death': clearly, his removal 'in life' was a more pressing concern at this juncture.³¹ However, Maurice's interest in, and connection with, the practices of Toledo cathedral persisted and would re-emerge much later in his career. In 1227, as bishop of Burgos, Maurice wrote an addendum to his reforms of 1213, increasing the number of candles used from twelve to eighteen, and expanding them to include three additional major feast days: the feasts of the Annunciation, which he says 'should be much better described as the feast of the incarnation of our lord', the Ascension, and the Purification of the Virgin.³² Clearly, the 'illustrious archdeacon' not only stood at the heart of Toledo cathedral during his early career there, but also maintained an interest in – perhaps even an affection for – the city and chapter long after he had moved up the ecclesiastical ladder.

High society

Though clearly an important canon within the chapter of Toledo, Maurice also moved in powerful political and social circles beyond the cathedral in these early years of his career. By 1210, he was known in the diocese of Burgos – of course, the see he would ultimately govern himself – and seemingly trusted and considered competent in canon law by the incumbent bishop, García de Contreras (1206–11), since in this year, Bishop García appointed Maurice to act for him as 'papal judge-delegate' no fewer than five times. This was a judicial role intended to bring papal justice into diocesan disputes. Theoretically, judges-delegate were appointed by the Pope but, at least in Castile, individual judges were generally nominated by the plaintiff.³³ On each occasion, the cases upon which Maurice was called to bring judgment concerned Bishop García's struggles against the powerful monasteries in Burgos. The details of these cases are discussed in [Chapter 3](#), but it is certainly

³⁰ ACT A.11.A.1.4, 'Volo sic in perpetuum observari'.

³¹ Fita, 'Noticias', 438–9: 'Quod si dominus Ylarius post dictum Archidiaconum vel in vita vel in morte de ecclesia nostra sublatum superstes fuerit'.

³² ACT A.11.A.1.4b; for my transcription and translation, see [Appendix III](#). I am grateful to Tom Nickson and Isidoro Castañeda Tordera for drawing my attention to this document, which does not appear in *CT*.

³³ For more details about Maurice's role as judge-delegate, see [Chapter 3](#).

significant that, even at this early point in his career, Maurice was known to the bishop of Burgos as a figure on whom he could rely to pronounce the right judgments on the latter's behalf. In pursuance of these cases, Maurice would certainly have travelled to and around Burgos, and perhaps further afield, though his movements are impossible to ascertain; he does, however, seem a likely candidate to be the Toledan canon and messenger of Archbishop Rodrigo referred to simply as 'your cleric M' at the papal court in June 1211.³⁴

Moreover, Archdeacon Maurice was personally known to one of the great noble families of Burgos, the Haro family, whose territories were largely based along the borderlands between the kingdoms of Navarre and Castile, including the Rioja and Nájera, Vizcaya, Álava, and much of Burgos as well as the north of Calahorra.³⁵ In September 1211, Diego López de Haro named the archdeacon when granting the town of Mazaravea to Toledo cathedral.³⁶ Indeed, his grant was conditional on Maurice being in charge of its management:

I declare that I give and concede this town entirely as I have done to the aforementioned chapter of the see of Toledo, on the condition that Master M. archdeacon of Toledo should have the said town and should receive and conserve all income and returns that come from it, and, with the knowledge, will and blessing of the aforesaid chapter, should purchase with the same income an inheritance which he should grant for the use and ownership of the aforesaid chapter for my anniversary every year.³⁷

Again, whilst we cannot say with precision what the connection was between Maurice and the Haro family (though kinship seems the most likely), it is clear that they not only knew Maurice but considered him a figure to be trusted in the pursuance of their family business in Toledo.

Maurice's connections stretched still higher into the upper echelons of Castilian society; namely, the royal court. As bishop of Burgos, he was something of a

³⁴ Addressing Archbishop Rodrigo, Pope Innocent III wrote 'Quoad petitiones tuas, quas obtulisti nobis per M, clericum tuum'; see *AHN Liber Privilegiorum ecclesie Toletane* (I) Codices, L.987, f. 113v, and also *Inocencio*, Doc. 455, and *CT*, Doc. 648 (although Hernández has misattributed this charter to 1212). Gorosterratzu, *Don Rodrigo Jimenez de Rada*, 416, doc. 12 simply expanded this M to 'Mauricius' in his edition of this papal bull, though, whilst Maurice does seem the most obvious candidate, there are other possible 'M's.

³⁵ Simon Barton, *The Aristocracy in Twelfth-Century León-Castile* (New York: Cambridge University Press, 1997), 108 and 263. See also J. de Leza, *Los López Díaz de Haro, señores de Vizcaya, y los señores de Cameros, en el gobierno de La Rioja durante la Edad Media (1016-1334)* (Logroño: Imp. Librado Notario, 1954); also G. Baur, 'Los ricos hombres y el rey en Castilla: El linaje Haro, 1076-1322', *Territorio, Sociedad y Poder: Revista de Estudios Medievales*, 6 (2011), 53-72.

³⁶ *CT*, Doc. 321.

³⁷ *CT*, Doc. 321: 'Dono inquam et concedo dictam villam integre, sicut habeo, nominato capitulo Toletane sedis talis condicione, ut magister M Toletanus archidiaconus, teneat ipsam villam et percipiat omnes redditus et proventus ex ea provenientes et conservet et, cum conciencia et voluntate et beneplacito sepedicti capituli, emat de ipsis redditibus hereditatem quam cedat in utilitatem et proprietatem capituli nominati pro anniversario meo singulis annis.'

political linchpin to the Castilian crown in the early years of Fernando III's reign, and had a notable part to play in the dramatic political events that surrounded the death of the young Enrique I and the accession of Fernando in 1217. Bishops Maurice of Burgos and Tello of Palencia were sent to collect the young Enrique's body and to bury him in the royal mausoleum of Las Huelgas outside Burgos, as we are informed in *De Rebus Hispanie* and the *Chronica Latina*.³⁸ Maurice was also one of the trusted clerics at Berenguela's side in Valladolid in 1217, when, addressing the amassed crowds of Castilians, she abdicated from her claim to the throne and publicly declared her son Fernando III to be king.³⁹

Even more significantly, in 1219, Maurice was commissioned to travel to the court of the Holy Roman Emperor, Frederick II, in order to arrange the marriage between Fernando III and Beatrice of Suabia, daughter of the murdered King Philip of Hohenstaufen.⁴⁰ After some four months in Germany awaiting the Emperor Frederick's response, Maurice successfully returned with the future queen of Castile, and the pair were married in Burgos. His efforts on behalf of the Castilian crown were recognised by a gift from King Fernando in June 1221, in which he bestowed on Maurice the towns of Valdemoro, Quintanilla, and San Mamés de Abar, 'wishing to repay the many labours of the aforementioned venerable father M., now bishop of Burgos, which he sustained, on my order and that of my dearest mother, in travelling to and from Germany for my beloved wife Queen lady Beatrice'.⁴¹

Maurice's status as a trusted royal ally and *confidant* to Berenguela and her son in these turbulent early years of reign can only have been enhanced by the fact that he was known to her father, Alfonso VIII, and present within royal circles whilst he was still a canon at Toledo. This can be observed in a royal charter,

³⁸ *De Rebus Hispanie*, IX.6; *Chronica Latina*, 53: 'rex et regina cum suis exierunt de Palencia uersus Burgis procedentes, et miserunt duos episcopos, Mauricium Burgensem et Telliium Palentinum, ad castrum quod dicitur Tariago, cum aliis uiris religiosis, ut extraherent inde corpus regis Henrici sepeliendum cum parentibus suis'. Also Janna Bianchini, *The Queen's Hand: Power and Authority in the Reign of Berenguela of Castile* (Philadelphia: University of Pennsylvania Press, 2012), 125–34.

³⁹ *Chronica Latina*, 53: 'Exiens igitur regina nobilis cum filiis suis Fernando et Alfonso, et cum episcopis, scilicet Burgense et Palentino et cum aliis uiris religiosis et cum uaronibus, qui ei fauebant, uenit ad predictum locum, ubi multitudo gentium expectabat aduentum ipsius'. Equally, it was the bishops of Burgos and Ávila who were sent to negotiate with Berenguela's ex-husband, King Alfonso IX of León, in an effort to prevent an assault on Castile at this moment of dynastic instability; *Chronica Latina*, 36 and *De Rebus Hispanie*, IX.6.

⁴⁰ *De Rebus Hispanie*, IX.10.

⁴¹ DCB, Doc. 531: 'hanc autem donationem et concessionem facio volens remunerare labores multiplices venerabilis patris predicti M., nunc burgensis episcopi, quos sustinuit in eundo in Alemanniam et redeundo de mandato meo et dulcissime matris mee pro karissima uxore mea, regina domna Beatrice, Phylipi quondam regis Alemania filia'. San Mamés lies c. 58 km north of Burgos city (see [Map 2](#)). Valdemoro and Quintanilla were small towns within the alfoz of Castrojeriz; Fernando describes them as 'duas villas meas in alfoz de Castro Soriz sitas, quarum una dicitur Val de Moro, et altera dicitur Quintanella. Inter ipsam Val de Moro et Fontanas, instrata Sancti Jacobi' (DCB, Doc. 531), thus suggesting that Valdemoro lay on the camino de Santiago opposite Fontanas.

made in December 1212, recording the gift by Alfonso VIII of a recently conquered town – Durango – in Navarre to the Burgalés nobleman, Diego López de Haro. Maurice appears on the witness list, not as one of the many nobles who had ‘confirmed’ or ‘subscribed’ their presence, nor alongside the notary or scribe, but listed simply as ‘Magister Mauritius, *postulante rege*’ – that is, present ‘by request of the king’.⁴²

It is not at all clear what this term fully implies. I have not encountered it in any other charter issued by Alfonso VIII, nor does it appear to have been used by his immediate successors. Unlike the formulaic repetition of names on the witness lists of 13th-century Castile, this unusual wording clearly indicates that Maurice himself was present at the making of the charter. It would seem that Maurice had some sort of function – perhaps advisory – at the royal curia, at least as regards this particular transaction. Kyle Lincoln has suggested that it was not unusual for talented clerics to hold non-official roles in a context of growing royal and governmental reliance on canon law, and this reference to Maurice may well indicate such a situation.⁴³ Indeed, his earlier preferment, both as a judge-delegate representing the bishop of Burgos, and as the chosen representative of the Haro family in Toledo, supports the idea that Maurice was highly regarded for his education, probably including canon law training. Moreover, it is surely no coincidence that in December 1212 Maurice’s presence should be required concerning a transaction between Alfonso VIII and Diego López de Haro, and a town that was, once again, on the north-eastern border of Castile with Navarre.

The time and place at which the Durango charter was made should also be noted. Solana lies in the south of Castile, approximately halfway between Toledo and the town of Las Navas de Tolosa, the site of the battle that had taken place just a few months previously, in July 1212. The chronicles of course make no mention of the presence of any individual members of the non-episcopal clergy, but there are many references to Archbishop Rodrigo, who was both present at the battle and highly influential in organising and promoting it. Several prominent Castilian bishops died at or shortly after the battle, including the bishop of Burgos, Juan Maté, who died on 18 July 1212, just two days after the battle, almost certainly from wounds sustained during the action.⁴⁴ It is highly likely that Maurice too was involved in this battle, and that he was still present around the royal court shortly after the episcopal see of Burgos had become vacant.

⁴² *Alfonso VIII*, Doc. 901; there is no original copy of this document extant, only a 19th-century transcription, which is held in the monastic archive of San Millán de la Cogolla, *Colección Minguella*, Doc. 507.

⁴³ See Kyle Lincoln, ‘A Note on the Authorship of the *Collectio Seguntina*’, *Bulletin of Medieval Canon Law*, 33 (2016), 137–44.

⁴⁴ Carlos De Ayala Martínez, ‘Los obispos de Alfonso VIII’, in A. Jorge, H. Vilar, and M. Branco, eds, *Carreiras eclesíásticas no ocidente cristão: séc. XII–XIV/Ecclesiastical Careers in Western Christianity: 12th–14th C.* (Lisbon: Universidade Católica Portuguesa, 2007), 153–188, at 159.

In the early years of the 13th century, the king could be, and often was, the most significant factor in the appointment of new bishops in Castile.⁴⁵ In particular, Bernard Reilly has revealed the hand of Alfonso VIII behind the accessions of Martín López de Finojosa, bishop of Sigüenza (1186–92), his nephew Rodrigo de Verdejo, in the same see (1192–1221), Tello Téllez de Meneses of Palencia (1208–46) and Archbishop Rodrigo Jiménez de Rada in Toledo (1208–47). Indeed, Reilly has suggested that Alfonso was following a policy of purposefully appointing clerics from Navarrese noble families – as Rodrigo Jiménez and both bishops of Sigüenza were – as bishops in Castilian dioceses, in an attempt to consolidate royal authority over the newly conquered Navarrese territories, incorporated into Castile in the 1190s.⁴⁶ Rodrigo Jiménez de Rada certainly maintained Navarrese links throughout his life, and was buried in the north-eastern borderland monastery of Santa María de Huerta, as stipulated in a will he wrote many decades previously, whilst a student in the university of Paris.⁴⁷

Although Maurice's accession to the see of Burgos has previously been dated to the summer of 1213, which is when he first appears in the royal witness lists as bishop-elect, in fact the earliest reference to his status as *electus* of Burgos is considerably earlier. The Burgalés monastery of Santa María de Bujedo records Maurice as *electus* in February 1213, barely two months after he had been with the king in Solana.⁴⁸ It is, then, highly suggestive that Alfonso VIII was instrumental in Maurice's promotion and most likely designated him as the next bishop not long after the death of Juan Maté.

Such an appointment would hardly be unprecedented in Burgos. There were two models of episcopal appointment that seem to have been followed in that see: the alternative to royal selection was the election of a member of a local family who dominated the chapter. We see both amongst Maurice's immediate predecessors. Indeed, members of one family had dominated the see in the final decades of the 12th century, comprising Pedro Pérez (1156–81), his relative Marino Maté (1181–1200), who was part of the 'chapter oligarchy' of Burgos, and Mateo (1200–2), who was also likely to have been from the same family.⁴⁹ Juan Maté, who was elected by the chapter in 1211 and died in July 1212, was also seemingly part of this

⁴⁵ Reilly, 'The Accession of Rodrigo', 444–7.

⁴⁶ Reilly, 'The Accession of Rodrigo', 444–7; indeed, Rodrigo Jiménez's mother was related to the Navarrese royal house. See also de Ayala, 'Los obispos', 160–1.

⁴⁷ This document has been published in José Antonio García Lujan, ed., *Cartulario del monasterio de Santa María de Huerta* (Almazán: Monasterio de Santa María de Huerta, 1981), Doc. 71.

⁴⁸ Ruiz de Loizaya, ed., *El Libro Becerro*, Doc. 142.

⁴⁹ de Ayala, 'Los obispos', 158–9; and Gonzalo Martínez Díez, 'Obispos medievales de la era románica (1082–1214)', in Bernabé Bartolomé Martínez, ed., *Historia de las diócesis españolas 20. Iglesias de Burgos, Osma-Soria y Santander* (Madrid: Biblioteca de autores cristianos, 2004), 43–77, at 66–9.

family. Conversely, Fernando González (1202–5), was a relative of Alfonso VIII, and his successor, García de Contreras (1206–11), was also apparently appointed to the see by the king. García was foreign to the chapter, and Carlos de Ayala has suggested that he was very likely to have been from al-Andalus.⁵⁰ It should be stressed that a royal appointment did not always ensure that the bishop remained on close terms with the king; Fernando González protested fiercely at Alfonso's appropriation of church properties, even appealing to the pope, and was apparently poisoned by unidentified (but probably royal) enemies in 1205.⁵¹

Maurice, it seems, fulfilled both criteria; he had a long-standing connection with the region of Burgos (and was known to both the former bishop and the pre-eminent noble family), and was also supported by the king – an irresistible combination in paving the way to high ecclesiastical office. Indeed, as we shall see, he may also have been related to a former Burgalés bishop, though there are no means of determining which one. Clearly, even before his appointment to high office, he must have moved in some of the highest social and political circles of Castile, and to have been deeply rooted within the networks of power through which the kingdom and its Church were governed.

Master Maurice

It is important at this juncture to address Maurice's status as *magister*. This title accompanied Maurice's name persistently during these early years of his career; he frequently referred to himself as 'ego, Magister Mauricius archidiaconus Toletane', and was likewise routinely entitled 'master' by the other canons of Toledo, as well as by Diego López de Haro and King Alfonso VIII. The Arabic charter in which Maurice appears in October 1209 also employs the term, using a transliteration of the Castilian form – 'Maışhtroh (maestro) Maūrīs' or 'میشتره موريس' – rather than a translation into Arabic. The status of *magister* also travelled with him, and one of the earliest references to Maurice in Burgos cathedral, in June 1213, describes him as 'elected [bishop] of Burgos, *Maestro Mauriz* of Toledo.'⁵² Clearly, the term itself had a significance that was widely recognised.

What this significance may have been is harder to identify. Whilst it was an indication of educational distinction, it could be, as Olga Weijers has pointed out, a somewhat nebulous term in the early 13th century, and used in a variety of ways.⁵³ Used within the universities of Paris and Oxford to distinguish those who

⁵⁰ De Ayala, 'Los obispos', 158.

⁵¹ De Ayala, 'Los obispos', 158 and 184–5.

⁵² DCB, Doc. 457.

⁵³ Olga Weijers, *Terminologie des universités au XIII siècle* (Rome: Ed. dell'Ateneo, 1987), 133–42.

had obtained the *licentia docendi* from their students, the term had specific connotations within these circles, although even within the universities, many masters did not actually teach but had taken the title on completing their studies.⁵⁴ Many university-educated clerics retained their title of *magister* once they returned home, but it must also be noted that outside of the universities, the term could have even more flexibility. Depending on the educational context and societal norms, it could denote a cleric who had studied (perhaps abroad) to a higher level than most of his fellows, or alternatively, indicate seniority in a particular trade (such as amongst masons).⁵⁵ In a cathedral chapter such as Toledo, frequented by highly educated canons from across Europe, the term can be expected to denote a degree of educational seniority, but there can be no certainty as to its precise implications.⁵⁶

As such, it is instructive to survey, as far as possible, the education attained by other *magistri* in Maurice's vicinity. Bishops often seem to have lost the title after having taken on episcopal office, as was the case with Maurice. Perhaps his best-known contemporary is Archbishop Rodrigo, who, although known only by episcopal and archiepiscopal titles in his lifetime, was referred as *magister theologiae* in his epitaph.⁵⁷ There is clear evidence of his education in Paris, where he spent at least four years, and where he was in 1201 when he wrote his will.⁵⁸ Carlos de Ayala has also suggested that he most likely spent four more years at the legal *studium* in Bologna.⁵⁹

Melendo, bishop of Osma between 1210 and 1225, was another *magister* and even appears as such in the archives of Palencia cathedral after having assumed

⁵⁴ Weijers, *Terminologie*, 136; see also M. Teeuwen, *The Vocabulary of Intellectual Life in the Middle Age* (Turnhout: Brepols, 2003), 95–7; John Baldwin, *Masters, Princes and Merchants: The Social Views of Peter the Chanter and His Circle*, 2 vols (Princeton: Princeton University Press, 1970), vol. 1, 179–85; also Baldwin, 'Masters at Paris from 1179 to 1215: A Social Perspective', in R. Benson and G. Constable, eds, *Renaissance and Renewal in the Twelfth Century* (Cambridge, MA: Harvard University Press, 1982), 138–72, at 154–7; and Richard Southern, 'The Schools of Paris and the School of Chartres', in R. Benson and G. Constable, eds, *Renaissance and Renewal in the Twelfth Century* (Cambridge, MA: Harvard University Press, 1982), 113–38. Compare Serrano's view: 'la mayoría de los que en aquella época ostentaban títulos académicos, habían los ganado en París u otras Universidades extranjeras'; Serrano, *Don Mauricio*, 21.

⁵⁵ Weijers, *Terminologie*, 139. The term *magister* was in use in France and England from the 1130s; see Julia Barrow, *The Clergy in the Medieval World: Secular Clerics, Their Families and Their Careers in North-Western Europe c. 800–c. 1200* (Cambridge: Cambridge University Press, 2015), 209–10.

⁵⁶ It should be noted that the term was often expanded for greater precision, to denote which faculty the master had attended; see Teeuwen, *Vocabulary of Intellectual Life*, 95–6. For more on the titles applied to scholars of law, see R. Feenstra, '“Legum doctor”, “Legum professor” et “magister” comme termes pour designer des juristes au Moyen Âge', in O. Weijers, ed., *Actes du colloque: Terminologie de la vie intellectuelle au Moyen Âge* (Turnhout: Brepols, 1988), 72–7.

⁵⁷ See above, note 48; and Juan Fernández Valverde, *Rodrigo Jiménez de Rada, Historia de los hechos de España* (Madrid: Alianza Editorial, 1989), 18.

⁵⁸ Valverde, *Rodrigo Jiménez de Rada*, 18–19.

⁵⁹ Ayala, 'Los obispos', 157 and 178.

episcopal office.⁶⁰ He was a canon lawyer of considerable renown, who had studied in the *studium* at Bologna.⁶¹ Maurice's nephew, Juan de Medina de Pomar, whom we shall discuss below and who would succeed Rodrigo as archbishop, was also a *magister*, and studied at the university of Paris. He seems to have been referred to by this title once he began studies in Paris, in the mid-1230s, whilst he was an archdeacon in Burgos.⁶²

In fact, non-episcopal masters are often easier to identify, since they still carried their academic title, although conversely, we have far less information about the canons than their bishops. *Magistri* can be found in most Castilian cathedral chapters during the early 13th century, although there was a considerable variety as to their frequency, and peaks and troughs in masters appear to be linked to individual bishops and their priorities.⁶³ It is worth noting that Mark of Toledo, deacon of that cathedral and a prolific translator from Arabic into Latin, who had studied medicine abroad, most likely in Montpellier, was not referred to as 'master' at any point.⁶⁴ Indeed, surprisingly, given the number of scholars and translators from across Europe resident in the city, the term was not especially common amongst the canons of Toledo cathedral during Maurice's career there: he is the only canon there to whom the term is applied between 1208 and 1214, with one exception (in a Latin document from June 1213, where we encounter a 'Master Aprilis, canon').⁶⁵ The translator *Magister Johannes Hispanus* merited the title, however, as did Gerard *dictus magister*, otherwise known as Gerard of Cremona, although we know extremely little about the background of either figure.⁶⁶

Maurice's magisterial title seems thus to suggest that he was educated, at least in part, in one of the major European *studia*, or perhaps more than one. Maurice's education background and intellectual identity will remain a point of discussion

⁶⁰ On 29 July 1211, he refers to himself in this way: 'nos, magister Melendus, Dei gratia oxomensis episcopus'; Abajo Martín, *Documentación de Palencia*, Doc. 128.

⁶¹ See Chapter 3. Also, de Ayala, 'Los obispos', 165. For more on the terminology surrounding legal training in the Peninsula, see A. García y García, 'La terminología en las facultades jurídicas ibéricas', in O. Weijers, ed., *Actes du colloque: Terminologie de la vie intellectuelle au Moyen Âge* (Turnhout: Brepols, 1988), 65–71.

⁶² See below ('Juan de Medina de Pomar').

⁶³ See Chapter 5 for an analysis of the situation at Burgos.

⁶⁴ d'Alverny and Vajda, 'Marc de Tolède', 107–9.

⁶⁵ CT, Doc. 332: 'Magister Aprilis canonicus'. In his examination of the Arabic documentation, González Palencia identifies very few others besides our subject: just one 'Maestro Guillum' in 1240, and two other maestros in the 1250s.

⁶⁶ Charles Burnett, 'Magister Johannes Hispanus: Towards the Identity of a Toledan Translator', in *Comprendre et maîtriser la nature au Moyen Âge: Mélanges d'histoire des sciences offerts à Guy Beaujouan* (Geneva: Droz, 1994), 425–36, at 432–3. Also Ramón González Ruiz, 'El traductor maestro Juan de Toledo, una propuesta de identificación', in Homenaje a Rivera Recio, *Toletum*, 11 (1981), 177–89; Charles Burnett, 'The Coherence of the Arabic-Latin Translation Programme in Toledo in the Twelfth Century', *Science in Context*, 14 (2001), 249–88, at 252–3; and Burnett, 'The Translating Activity in Medieval Spain', in S. K. Jayyusi, ed., *The Legacy of Muslim Spain*, 2 vols (Leiden: Brill, 1992), vol. 2, 1036–58, at 1045.

throughout this book, but on more practical terms, it is as a consequence of this distinctive epithet that we can perhaps identify Maurice's presence in the Toledo chapter at an earlier date. On 5 April 1208, a charter made to resolve the debt of canon Arnaldo to the then Archbishop Martín was witnessed by one 'M. *magister scolarum*'.⁶⁷ This is seven months before Maurice's first appearance as archdeacon. The recording of clerical titles is inconsistent across the Toledan archives, and the previous reference to a *magister scolarum* is in November 1199, when a 'J' *magister scolarum* signs as witness.⁶⁸ From the early 12th century, this title had been applied to the cleric in charge of canonical education – to a more or less exalted degree.⁶⁹ And although those known as *magistri* did not necessarily always teach in cathedral chapters, it is nonetheless the case that the canon appointed to direct the education of his fellows would be expected to be one of the more highly trained of the chapter.⁷⁰ As such, of the several possible 'M's within Toledo cathedral in these years, Maurice, the only one to be described as *magister*, would seem to be the most likely candidate for this post of *magister scolarum*.⁷¹

There is no way of telling whether this 'M' from April 1208 served as *magister scolarum* from as early as 1199 or whether he had just been appointed before he appears on the witness list. Regardless, we can be sure that he did not remain in the position long after April 1208, as another canon, who signs with the initial 'G', is recorded as *magister scolarum* in November of the same year, on the same witness list as our first sighting of Maurice as archdeacon – thus supporting the hypothesis that Maurice was one and the same as this 'M' from April 1208.⁷²

The position was a senior one within the chapter, and Maurice's possibly brief appointment as such would be quite in keeping with his continued ascendance

⁶⁷ CT, Doc. 295.

⁶⁸ CT, Doc. 268. See Burnett, 'Magister Iohannes Hispanus', 433.

⁶⁹ Weijers, *Terminologie*, 139.

⁷⁰ See Barrow, *Clergy in the Medieval World*, 209–10. The term *magister* was in use in France and England from the 1130s, Barrow claims. Also Southern, 'The Schools of Paris and the School of Chartres', 113–38.

⁷¹ There are a number of possible candidates for this 'M': not least Mark of Toledo, the medic and translator who was in the cathedral chapter from 1191 until 1216, or indeed the translator Michael Scot, who does not appear unambiguously in any Toledan charters (there are many Michaels/Miguels, but none with the same toponym) but is recorded at the Fourth Lateran Council in 1215 as being one of Archbishop Rodrigo's entourage (Antonio García y García, 'El concilio IV Lateranense (1215) y la Península Ibérica', *Revista Española de Teología*, 44 (1984), 355–76). Michael Scot has been suggested as the 'M' of April 1208 by Charles Burnett; see Burnett, 'Michael Scot and the Transmission of Scientific Culture from Toledo to Bologna via the Court of Frederick II Hohenstaufen', *Micrologus*, 2 (1994), 101–26, at 104–5; and Lucy K. Pick, 'Michael Scot in Toledo: *Natura naturans* and the Hierarchy of Being', *Traditio*, 53 (1998), 93–116, at 96. There is also an 'M. archdeacon of Guadalajara' in November 1208, and a canon named Miguel Petrez who appears on numerous occasions, including June 1209 (CT, Doc. 298). None of these is described as master at any time.

⁷² CT, Doc. 298.

to the role of archdeacon and, subsequently, bishop. It would also be consistent with what appears to have been Maurice's wider reputation, perhaps for canon law training or for a higher education more generally. Evidently, he was a man of high status, a cleric whose talents were known to the royal court, and who was situated in the crux of local and royal power in Burgos, the see to which he would be appointed sometime in early 1213.

A Mozarabic canon?

Let us now turn to a document that sheds another, perhaps unexpected, light on his relationship with a different sector of society: the Mozarabs of Toledo. At the turn of the 13th century, the chapter of Toledo cathedral was at once multicultural and, increasingly, culturally divided, between the Arabophone community of Toledo, that is, the Mozarabs, and the 'foreign' clergy from outside of Toledo, be that from Castile, Navarre, or elsewhere in the Peninsula, or indeed from France (the latter being a group that had been important at the conquest of the city in 1085). Archbishop Rodrigo fell into the second category – a Navarrese prelate, whose lack of integration with his Mozarabic city would lead to several crises in the cathedral and the ejection of the archbishop and his 'foreign' canons from the see in 1246.⁷³ Accusations against Rodrigo would include the favouring of Toledan Jews over Christians, the appointment of 'outsiders' to prebendaries in Toledo, and the promotion of the French cult of St Eugene, at the expense of the local patron, St Ildefonsus.

Maurice, on the other hand, seems to have had a rather different relationship with this community, and demonstrated on a number of occasions a knowledge of and proximity to the Mozarabs that the archbishop was to rely on. In fact, one of Maurice's earliest appearances as archdeacon of Toledo is in an Arabic document recording a transaction conducted under Mozarabic law. In October 1209, Maurice acted as the agent of Rodrigo – or, in the more literal Arabic phraseology, 'in the place of the archbishop' – to claim the properties of Abū Harūn Mūsā bin al-Shaḥāth al-Isrā'īlī ('the Jew'), his wife Sitbūna, and their sons, Yūsuf and Abrahām.⁷⁴ Abū Harūn was a Jewish man of some standing who had fallen into the cathedral's debt following a loan granted by Archbishop Martín some years previously. The original loan was for 300 maravedís, but seems to have accrued considerable interest, since the lands received by Maurice were valued at 381 maravedís.

⁷³ Hernández, 'Los mozárabes del siglo XII en la ciudad y la iglesia de Toledo', 70–1; Nickson, *Toledo Cathedral*, 60–5; Hernández, 'La cathédrale, instrument d'assimilation', 82; Pick, 'Rodrigo Jiménez de Rada and the Jews'; and Linehan and Hernández, *Mozarabic Cardinal*, 3–7.

⁷⁴ See [Appendix I](#) for an English translation of this charter. Also my early thoughts on this document, in Teresa Witcombe, 'Maurice and the Mozarabic Charter: A Cross-Cultural Transaction in Thirteenth-Century Toledo', *Journal of Medieval Iberian Studies*, 10:2 (2018), 234–56.

The charter also records the display of several deeds by Abū Harūn, proving his ownership and right to sell, and includes a clause stating that the transaction was explained to the participants ‘in a language understood by all’, before being signed by eight witnesses in Latin, Arabic, and Hebrew.⁷⁵ There also exists a short summary of the charter in Romance (that is, early Spanish), produced in the early 13th century, not long after the transaction was made.⁷⁶

Abū Harūn and his family were part of a substantial Jewish community in Toledo.⁷⁷ There were as many as eleven synagogues dispersed throughout the city at this point, and Jews were not infrequent partners in cathedral transactions: identifiably Jewish names account for 19 per cent of all named individuals in cathedral records between 1201 and 1250.⁷⁸ Abū Harūn was clearly a man of some standing, as he is referred to in the charter as a *wazīr*, that is, a court official or judge within the Toledan Jewish community.⁷⁹

The area in question, Olías la Mayor, a village some 10 kilometres north of the city, has been identified by Richard Hitchcock as a recent expansion from Toledo, since the name only appears in cathedral charters from the 1140s onwards.⁸⁰ He thus suggests that it was an area outside the city cultivated by new arrivals from the south, who, having fled the Almohad invasion of al-Andalus, swelled Toledo’s population of Arabic-speaking citizens. His theory is supported here by one of the deeds presented by Abū Harūn in 1209, which named the previous owner of one of the plots as Zakariyā, grandson of ‘the Córdoba’, thus seemingly a descendant of an immigrant from the Andalusī city of Córdoba (although whether he was a Jew or a Christian unclear).⁸¹ That land should change hands between a second-generation émigré from Córdoba, a high-ranking Toledan Jewish family, and then the archbishop of the cathedral serves as an indication of the fluidity of this social interaction, and the interconfessional and intercultural nature of land transactions in Toledo in this period.

⁷⁵ AHN, clero, pergs, carp. 3049, n. 11: بعد ان فسر ذلك عليهم بلسان فهموه.

⁷⁶ CT, Doc. 305.

⁷⁷ Roth, ‘New Light on the Jews’, 190. See also Pick, ‘Rodrigo Jiménez de Rada and the Jews’, 198.

⁷⁸ Roth, ‘New Light on the Jews’, 203; also Nina Melechen, ‘The Jews of Medieval Toledo: Their Economic and Social Contacts with Christians from 1150–1391’ (Unpublished PhD thesis: Fordham University, 1999), 55.

⁷⁹ For a definition of *wazīr* and the legal status of the Jews of Toledo, see Roth, ‘New Light on the Jews’, 202 and 209–12.

⁸⁰ Hitchcock, *Mozarabs in Medieval and Early Modern Spain*, 91–3. Hitchcock suggests that the term ‘Mozarab’ was used in this period to refer to these new arrivals specifically. It must be noted that Pilar León Tello has identified the neighbouring village of Olías del Rey as being a principally Jewish area of cultivation; see Pilar León Tello, ed., *Judíos de Toledo. Estudio histórico y colección documental*, 2 vols (Madrid: CSIC, 1979), vol. 1, 369.

⁸¹ AHN, clero, pergs, carp. 3049, n. 11: زكريا حفيد القرطبي. For a discussion of ‘hafid’, see Ferrando, ‘Testamento y compraventa’, 51.

This transaction was made according to ‘the *sunna* (law) of the Christians’, that is, Mozarabic law – the legal code and customs followed by Toledo’s Christian community during the period of the city’s Islamic rule.⁸² This ‘private civil law’, as it has been described by Francisco Hernández, combined the old Visigothic law with elements of Andalusí legal practice, and continued to be used to differentiate the Mozarabic community in Toledo following the city’s conquest by Alfonso VI in 1085.⁸³ Additionally, any Jew or Muslim who had a case with a Christian would, according to this code, also be subject to the Mozarabic court and the judgment of the Mozarabic *alcalde* (judge).⁸⁴ The existence of distinct legal customs, and the Arabophone courts in which they were applied, were crucial markers of Mozarabic identity after the city’s conquest by Castilian forces, and continued to be in use in 13th-century Toledo.⁸⁵ By maintaining the continuity of their legal status in the city, Mozarabs ensured the territorial integrity of their community and guaranteed that their lands remained in their possession under Castilian rule.⁸⁶ Central to this was the well-established network of local notaries, Mozarabs who produced these Arabic legal documents, and to whom there are occasional references in the charters themselves.

Maurice’s presence in this Mozarabic charter raises some important questions about his status in Toledo and his cultural and linguistic background. Evidently, he was capable of acting as the archbishop’s agent and representative on site in Olías for this deal in October 1209. It was a role not unlike that of ‘procurator’, which, as we saw, he held elsewhere in Toledo. Whether he would have needed to have spoken Arabic to have fulfilled this role is difficult to ascertain with any certainty. Like many of the Mozarabic charters, the transaction of October 1209 ends with the clause that the deal was ‘explained in a language understood by all’ before being signed and dated.⁸⁷ The formula, or close variants of it, occurs frequently

⁸² AHN, clero, pergs, carp. 3049, n. 11: على سنة النصارى. See the important thesis on Mozarabic notarial culture by Howard Delgin Miller, *According to Christian Sunna: Mozarabic Notarial Culture in Toledo, 1085–1300* (Unpublished PhD thesis: Yale University, 2003), as well as Pedro Chalmeta Gendrán, ‘Componentes diferenciadores de la cultura andalusí’, in Pedro Chalmeta, Francisco Checa Cremades, and Manuel González Portilla, eds, *Cultura y culturas en la historia* (Salamanca: Ediciones Universidad de Salamanca, 1995), 9–19; Jean-Pierre Molénat, ‘Tolède fin XIe–début XIIe siècle’, in Carlos Laliena Corbera and Juan Utrilla Utrilla, eds, *De Toledo a Huesca: sociedades medievales en transición a finales del siglo XI, 1080–1100* (Zaragoza: Institución Fernando el Católico (CSIC), 1998), 101–13; Olstein, *La era mozárabe*, 100–15; María Luz Alonso, ‘La perduración del Fuero Juzgo y el derecho de los castellanos de Toledo’, *Anuario de Historia del Derecho Español*, 48 (1978), 335–77; and Alfonso García Gallo, ‘Los fueros de Toledo’, *Anuario de Historia del Derecho Español*, XLV (1975), 459–61.

⁸³ Hernández, ‘Language and Cultural Identity’, 30.

⁸⁴ Roth, ‘New Light on the Jews’, 200; also Melechen, ‘Jews of Medieval Toledo’, 79–98.

⁸⁵ Indeed, even in the 14th century, when Mozarabic documents were increasingly written in Romance, participants’ signatures continued to be in Arabic to mark out these documents as belonging to the Mozarabic community; see Hernández, *Language and Cultural Identity*, 35.

⁸⁶ Hernández, *Language and Cultural Identity*, 32–9; and Molénat, ‘Les Mozarabes’, 95–101.

⁸⁷ AHN, clero, pergs, carp. 3049, n. 11: بعد ان فسر ذلك عليهم بلسان فهموه.

in these documents, and may suggest that proceedings were negotiated in a language other than the Arabic in which they were recorded.⁸⁸ Francisco Hernández suggests that this *lingua franca* must have been Romance, a language that was common to all communities in Toledo, including Mozarabs, Latin Christians, and Jews.⁸⁹ Alternatively, the 'language understood by all' could simply refer to the distinction between the written and spoken word in a largely illiterate society, and indicate that the notary read out the contents of the document (in either Arabic or Romance) for the benefit of those present who could not read it, thereby preventing any future protestations of misunderstanding.

More certain, however, is that this role of 'representative' was one for which an understanding of local custom and Mozarabic legal precedent would have been indispensable. As the cathedral progressively expanded its land holdings into territories under Mozarabic jurisdiction, such representatives became a necessity – this charter is one of a number from the late 12th and early 13th century in which the archbishop of Toledo is 'represented' in such a transaction. In many cases, the chosen representatives appear to have been drawn from a Mozarabic background. The most prolific was Juan de Setfila, a cathedral canon who was active acquiring land for the archbishops of Toledo from the 1190s. His name, which appears variously as 'Sefila' 'Setihifila' and 'Sephila', indicates an Andalusí origin; Hernández has suggested the town of Setefilla (between Seville and Córdoba) as most likely, though Seville itself is a possibility, but in any case, he was clearly a Mozarab émigré.⁹⁰ He first appears in 1192, purchasing a plot of land in Olías according to Mozarabic law, on behalf of Archbishop Martín.⁹¹ Juan purchased more land in Olías for Archbishop Martín in 1206.⁹² He then made a flurry of purchases of Mozarabic lands in 1211 – seven in total – for Archbishop Rodrigo, each time as the 'representative' of the archbishop, just like Maurice.⁹³ Other Toledan canons

⁸⁸ Hernández has explained this phrase by attributing it to the fact that these Arabic charters are 'highly standardised legal documents' ('Language and Cultural Identity', 32), but this does not explain why it appears so erratically. The other documents from these years in which the phrase appears are: González Palencia, *Mozárabes*, Docs 362, 364, 395, 410, 751, and 1167.

⁸⁹ Hernández, 'Language and Cultural Identity', 32–8. See also Burnett, 'The Translating Activity in Medieval Spain', 1036–8. There are some occasions on which another language is specified; for example, there is mention of an Arabic charter being 'read in the Castilian language' in October 1208 (González Palencia, Doc. 362), and similarly another transaction was 'read to all in Romance' in May 1214 (Doc. 1167) – though whether these examples point to a wider practice of oral performance in Romance or, conversely, indicate exceptions when the document has *not* been read out in Arabic is difficult to judge.

⁹⁰ Hernández, 'Language and Cultural Identity', 40; also Pick, *Conflict and Coexistence*, 33. The Arabic name for Seville was Ishbiliya, but the Romance translation would have been much closer to the modern Spanish 'Sevilla'.

⁹¹ *CT*, Doc. 247, a Latin translation of a now lost Arabic charter.

⁹² González Palencia, *Mozárabes*, Doc. 349.

⁹³ González Palencia, *Mozárabes*, Docs 386, 387, 389 A–D, and 390. Three of these purchases were from the powerful Mozarabic Alpolichení family, and another three from Maria, daughter of Husain bin Farún and wife of Amín Abdelaziz bin Sufián, on whose identification see Hernández, 'Language and Cultural Identity', 43.

performed the same role: in 1202, the archdeacon of Guadalajara, Pedro bin Amir, purchased land under Mozarabic law for Archbishop Martín,⁹⁴ and in 1212, ‘fray Esteban’, the procurator of the Mozarabic convent of San Clemente, was employed by Archbishop Rodrigo to represent him in another Arabic purchase in the city.⁹⁵ Later on, Rodrigo was to turn to Toledan Jews to represent him in such transactions, such as the Abraham of Talamanca who purchased land for him in 1221, causing much resentment from the cathedral chapter.⁹⁶ But in his early years, he appears to have continued the practice of using capable canons from the cathedral for the job – and it is significant that Maurice should be included amongst their number. Evidently he was close enough to the Mozarabic community, if not a member of it, to be able to fulfil such a role.

Investigation of the other participants in this charter reveals yet further linguistic diversity within Maurice’s immediate *milieu*. The first Arabic signature on this document is that of the notary, Feliz bin Yahyā bin ‘Abd Allāh. Feliz appears very frequently in documents from this period, often in connection with the cathedral, and has been identified by Howard Miller as being a prominent Mozarabic notary.⁹⁷ The subsequent Arabic signatures, Ya’qūb bin Yahyā, Yahūda bin Ishāq bin Yahyūn, ‘Abd Allāh bin ‘Abid Allāh, and Abrahām Mūsā al-Shahāth, may have been a combination of professional witnesses and interested parties.⁹⁸ Yahūda was evidently another member of the Jewish community, and Abrahām was Abū Harūn’s son. The Hebrew signature is that of ‘Ibn Hārūn al- Sha[h]āt’, thus indicating either another family member, or perhaps Abū Harūn himself using a slightly different name in Hebrew. Toledan Jews would have certainly spoken Romance and Arabic, and used both in their dealings with the rest of Toledan society. Nonetheless, signing in Hebrew was a way of identifying the document as pertaining to the Jewish community, much like the Mozarabic choice to record it in Arabic.⁹⁹

The Latin signature on this charter belonged to one of Maurice’s colleagues from Toledo cathedral, Domingo Abbas. Here too, his decision to sign in Latin is likely to have been symbolic, since there is extensive evidence to suggest that Domingo was not only a Mozarab, but also literate in Arabic. He belonged to a large Toledan family with close connections to the cathedral. Domingo witnessed a number of Arabic documents that involve the cathedral chapter, and is described

⁹⁴ González Palencia, *Mozárabes*, Doc. 318.

⁹⁵ González Palencia, *Mozárabes*, Doc. 393.

⁹⁶ Pick, ‘Rodrigo Jiménez de Rada and the Jews’, 218.

⁹⁷ Miller, *According to Christian Sunna*, 82. Feliz appears in as many as eighty-four documents between 1189 and 1244.

⁹⁸ On professional witnesses in Toledo, see Miller, *According to Christian Sunna*, 50.

⁹⁹ Roth, *New Light on the Jews*, 203–5. Nina Melechen has suggested that in some cases, important charters were copied out again in Hebrew for the Jewish *alcalde* – that is, the judge who regulated affairs that pertained only to Toledan Jews, although there is no evidence to suggest that this happened to the charter from October 1209. Melechen, ‘Jews of Medieval Toledo’, 79–81.

in one of these as a notary himself.¹⁰⁰ Indeed, he also acted as the representative of Archbishop Rodrigo for another Mozarabic transaction, in 1224.¹⁰¹ A brother, Pedro Abbas, appears as canon from April 1208, and a Martín Abbas was a more junior member in 1213.¹⁰² An Arabic document from January 1214 identifies their father as Andrés bin Abdelkarim, and indeed both Domingo and Pedro were also affiliated to the churches of Santa Eulalia and San Ginés, churches identified by Miquel Gros as being amongst the seven congregations in Toledo founded in the 12th century by Christians fleeing al-Andalus and thus permitted to use the Visigothic liturgy (as opposed to the Roman liturgy used in the cathedral and uniformly throughout Spain).¹⁰³ His Latin signature on the charter of 1209 was thus a formality, as representative of the church in Toledo, rather than an indication that he was unable to sign in Arabic.¹⁰⁴

This charter thus allows us to glimpse in some detail into the cathedral of Toledo, and into the multicultural and linguistically diverse milieu in which Maurice spent the first five years of his clerical career. There remained, of course, many in the cathedral who were not local to the city, nor connected with the Mozarabic community, and indeed a number who may have come from far beyond Castile; most notably, Archbishop Rodrigo did not speak any Arabic when he arrived in Toledo in 1209.¹⁰⁵ Likewise, the cathedral records continued to be produced in Latin, as demonstrated by the consistent translation of relevant Arabic documents into Latin (or, in some cases, Romance).

Nonetheless, it is clear that Maurice's time in Toledo was distinguished by substantial contact with Arabic-speakers, including many from within the chapter itself. As we saw above, the make-up of the cathedral chapter itself was starting to shift by the start of the 13th century, and growing numbers of Mozarabs were taking up office in the chapter, and indeed rising to senior positions. Perhaps closest to Maurice was the translator Mark of Toledo, canon from 1191 until his death in or shortly after 1216. Mark appears in a large number of documents, in both Arabic

¹⁰⁰ He is described in Latin as 'notarius' in an Arabic charter from October 1208; González Palencia, *Mozarabes*, Doc. 362.

¹⁰¹ *CT*, Doc. 415.

¹⁰² *CT*, Doc. 318 (Petrus Abbas, canonicus) and Doc. 332 (Martinus Abbas, porcionarius).

¹⁰³ *De Rebus Hispanie* mentions the arrival of Andalusí bishops in Toledo in 1147; see M. Gros i Pujol, 'Les Sis Parròquies Mossàrabs de Toledo', *Revista Catalana de Teologia*, 36:2 (2011), 523–34, at 525. The *Cronica Adefonsi Imperatoris* also refers to the arrival of bishops from southern Spain in Toledo in the 12th century; see Simon Barton and Richard Fletcher, eds, *The World of El Cid: Chronicles of the Spanish Reconquest* (Manchester: Manchester University Press, 2000), 249. San Ginés is identified by González, *Hombres y libros*, 60. See also Rose Walker, *Views of Transition: Liturgy and Illumination in Medieval Spain* (London: British Library, 1998).

¹⁰⁴ Interestingly, although usually described as *canonicus toletani*, he is listed on this charter as belonging to the church of Santa Eulalia: *Ego Dominico Abbas e[c]clesie S[an]cte E[ulalie] testis*. Whilst it was certainly not uncommon for canons to serve local churches too, it seems to be a curious coincidence that Domingo forsook his canonical identity when witnessing a charter that was misappropriating money from his own cathedral chapter (for comparison, see Barrow, *Clergy in the Medieval World*, 43).

¹⁰⁵ There are suggestions that he learnt it later though, as he uses Arabic sources in his *Historia Arabum*.

and Latin, and witnessed charters alongside Maurice on at least four occasions.¹⁰⁶ He also translated two works of Islamic theology into Latin at Maurice's request, as we will discuss in the next chapter, and it is his characterisation of Maurice, 'out-standing', 'illustrious', and 'honest', that we read at the start of this chapter.

Perhaps more eminent within the chapter was García Estebani, the cathedral treasurer during Maurice's time there. In addition to his role as treasurer, he appears in numerous charters, both in Arabic and Latin, as an active landowner. García was a descendant of one of the major Mozarabic families of the city, being the son of the Mozarabic sheriff and judge (*alguacil* and *alcalde*), Esteban Julianis (or Illán), a figure significant enough for his death to be recorded in the *Anales Toledanos* in 1208, and to be buried in his own chapel in the church of San Román, adjacent to the cathedral.¹⁰⁷ The Illán family were of ancient Mozarabic lineage, having lived in Toledo before the conquest of 1085, and Julio Porres has identified them in the position of *alcalde* for successive generations throughout the 12th century.¹⁰⁸ García appears in six charters alongside Maurice.¹⁰⁹ He also had a relative in the chapter, Miguel Estebani, visible from June 1213, and there is also mention of another Illán family member with the initial 'D' in the cathedral in July 1211.¹¹⁰ Another example is the canon Alfonso Melendi, the son of Melendo bin Lampader, another family of long-standing Mozarabic lineage.¹¹¹ He appears widely in the Latin documentation of the chapter, including as a witness in three of Maurice's dealings.¹¹² As a Mozarab, he would undoubtedly have spoken Arabic as well as Romance and Latin, as would the subdeacon Juan Alpolichení (from the dynasty of that name) and the canon Lope Fernandi, who appears in Latin and Arabic charters and was from yet another well-established Mozarabic family.¹¹³ There may well be many more Mozarabs whose names or activities do not allow for their easy identification.

¹⁰⁶ For the charters in which Maurice and Mark appear together, see CT, Doc. 304 (June 1209), Doc. 318 (July 1211), Doc. 341 (December 1213), and Doc. 343 (February 1214). For more on Mark, see d'Alverny and Vajda, 'Marc de Tolède', 267; and Charles Burnett and Pedro Mantas España, eds, *Mark of Toledo: Intellectual Context and Debates Between Christians and Muslims in Early Thirteenth-Century Iberia* (Córdoba: Warburg Institute and University of Córdoba Press, 2022).

¹⁰⁷ See González Palencia, *Mozárabes*, Doc. 365; also J. Dodds, M. R. Menocal, and A. Balbale, *The Arts of Intimacy: Christians, Jews and Muslims in the Making of Castilian Culture* (Yale: Yale University Press, 2008), 166–70.

¹⁰⁸ Porres Martín-Cleto, *Los Anales Toledanos I y II*, 169; also Julio Porres Martín-Cleto, 'El linaje de D. Esteban Illán', in José Dávila García-Miranda, ed., *Genealogías mozárabes* (Toledo: Instituto de Estudios Visigótico-Mozárabe, 1981), 65–79; and Molénat, 'Les Mozarabes', 100–1. It is also worth pointing out that we hear of lay siblings too: one 'Juan Estebanez' and two sisters, Loba and Orabuena. García also appears alongside Maurice in five more charters.

¹⁰⁹ CT, Doc. 304 (June 1209), Doc. 317 (July 1211), Doc. 318 (July 1211), Doc. 323 (November 1211), Doc. 332 (June 1213), and Doc. 341 (December 1213).

¹¹⁰ CT, Doc. 332, Doc. 341, and Doc. 318.

¹¹¹ CT, Doc. 341.

¹¹² CT, Doc. 304, Doc. 324, Doc. 332, and Doc. 341.

¹¹³ Lope was the son of Ferrando Hasán: see González Palencia, *Los Mozárabes*, Doc. 396. See also Nickson, *Toledo Cathedral*, 30–1.

These men were Maurice's colleagues and companions, acting as signatories and witnesses alongside him on frequent occasions.¹¹⁴ We cannot be sure whether Maurice was one of their number, but he was unquestionably steeped in Mozarabic culture during these years. Indeed, he was also aware of a key point of Mozarabic sensitivity during these years; the liturgical recognition of Mozarabic feasts. Let us return to the reforms to the *opus luminarium* instigated by Maurice in 1213 (and discussed above). As we saw, in July 1213 Maurice issued a charter determining what the major feasts of the cathedral should be, and how the liturgy should be celebrated on these days. Two of the feasts he named, those of St Ildefonsus and St Eugene, made something of a political statement. Unlike the other festivals singled out to receive the greatest honours, these two were specific to Toledo. Moreover, they were both very significant within the immediate cultural context of Toledo's mixed society.¹¹⁵ St Ildefonsus, the great Visigothic archbishop of Toledo from the 7th century, was the principal patriarch for the Mozarabs of Toledo, equated with the primacy of Toledo and the glory of Visigothic Spain.¹¹⁶ As the power of the Mozarabic community started to grow in the cathedral chapter, the old patron saint returned to the liturgical agenda, and Peter Linehan points out that it is no coincidence that we find the first recorded mention of an altar dedicated to St Ildefonsus in the cathedral in the year 1215; this was, he claims, the earliest moment at which the Mozarabic presence was significant enough to demand that the saint's feast be celebrated.¹¹⁷ Maurice's instructions from 1213 that Ildefonsus was to be honoured as a major feast indicate an even earlier date for the saint's renewed veneration in Toledo cathedral. Certainly, the choice of Ildefonsus was one that would have pleased the Mozarabs in the chapter – at least six of whom are identifiable as signatories to the document that promoted Maurice in June 1213.

Following St Ildefonsus, however, was the celebration of the feast of St Eugene – another 7th-century archbishop of Toledo, although one with very different associations. Eugene was the patron saint of Toledo favoured by the French archbishops of the 12th century; his body was held at Saint-Denis in Paris, and it was here that the Archbishop Raymond came across it in 1148 and petitioned Abbot Suger for a relic.¹¹⁸ An arm purportedly belonging to the saint was finally translated to Toledo in 1157, and from then on, was processed around the city on 12 February, whilst his passion was celebrated on 15 November.¹¹⁹ However,

¹¹⁴ On the pitfalls of identifying 'Mozarabs' and dual name systems, see Moreno, 'Arabicizing, Privileges, and Liturgy'.

¹¹⁵ Nickson, *Toledo Cathedral*, 112.

¹¹⁶ See Linehan and Hernández, *Mozarabic Cardinal*, 13. For St Ildefonsus, see Juan Rivera Recio, *San Ildefonso de Toledo: biografía, época y posteridad* (Madrid: Biblioteca de Autores Cristianos, 1985).

¹¹⁷ Rivera, *San Ildefonso de Toledo*, 13 and also *CT*, Doc. 362.

¹¹⁸ Rivera, *San Eugenio de Toledo*, 53–63.

¹¹⁹ Rivera, *San Eugenio de Toledo*, 64.

this was to become a flash point for intercultural tensions in the city, and in 1236, protesting Mozarabic clerics and laypeople refused to process with the relic, complaining that Rodrigo had introduced too many ‘foreigners’ (whether French or men from his own homeland of Navarre).¹²⁰ In July 1238, on dedicating the fourteen chapels of the new cathedral, Rodrigo pointedly left out St Eugene.¹²¹ Back in 1213, Maurice would undoubtedly have been aware of these tensions and the symbolism of these two patrons of Toledo. His legislation notably mentions the *passione Sancti Eugenii* as opposed to the translation of the arm relic, perhaps deliberately so. In honouring both saints, he was clearly showing an awareness of the cultural dynamic of Toledo cathedral chapter, as well as the wider city.

Whether Maurice spoke Arabic or was a Mozarab himself is difficult to establish from the scanty evidence available, but what is evident is that he had close contact with the Mozarabs of Toledo and, unlike Archbishop Rodrigo, was capable of navigating these encounters smoothly. He clearly also had a sufficient understanding of local law and customs to represent the archbishop in the Mozarabic district of Olías. However, to go further in understanding Maurice’s origins and the cultural and ecclesiastical networks in which he himself was at home, we must now turn to assess his family and immediate circle.

Family networks

All of the extant information about Maurice’s immediate family is contained in the *Kalendario Antiguo* of Burgos, the liturgical calendar and obituary that was drawn up in Burgos during Maurice’s episcopate. Maurice’s parents, whose anniversaries were commemorated on 10 December, were called Rodrigo and Orosabia, both names that could hardly be anything but local to the Iberian Peninsula.¹²² No toponyms are mentioned, nor any indications of noble title or family, and they are to be commemorated using the income from the town of Valdemoro – a town granted to Maurice by Fernando III in 1221, as we saw above.¹²³

The name ‘Rodrigo’ was ubiquitous across northern Spain in this period, indeed so common that in 1218, the Toledan canon Diego García wrote that the

¹²⁰ Linehan and Hernández, *Mozarabic Cardinal*, 44–7. There was also discontent against the chapter in 1244 and 1246; see Nickson, *Toledo Cathedral*, 60; and Peter Linehan, ‘Don Rodrigo and the Government of the Kingdom’, *Cahiers de linguistique et de civilisation hispaniques médiévales*, 26 (2003), 87–99.

¹²¹ Rivera, *San Eugenio de Toledo*, 71. Rodrigo would ultimately be expelled from Toledo with his foreign canons in 1244–7 (Linehan and Hernández, *Mozarabic Cardinal*, 46–7, and Nickson, *Toledo Cathedral*, 60–5).

¹²² See ACB *Kalendario Antiguo*, Codices 27/28 (11 December), and discussion of this source in Sonia Serna Serna, *Los Obituarios de la Catedral de Burgos* (León: Centro de Estudios e Investigación ‘San Isidoro’, 2008), 635–6.

¹²³ Serna Serna, *Obituarios de Burgos*, 65.

name was 'frequent and commonly used by many and widespread'.¹²⁴ It tells us little more than that Maurice's father was from the Peninsula.

Orosabia, on the other hand, is much more unusual. The element 'Oro' can be found in a range of female names from medieval Castile, though it does not appear to be common anywhere outside of Toledo.¹²⁵ It is most often matched with an adjective, with 'Orobuena' being by far the most common, alongside, more rarely, 'Mioro', 'Oropesa', and simply 'Oro' – however, 'Orosabia' appears in this one example alone.¹²⁶ These names recur particularly frequently in the Toledan charters, most of all in the city's Arabic documents, where there are references to women named 'Orobuena' in at least sixty-two charters made in the city between 1190 and 1250.¹²⁷ These references include a number of prominent Mozarabs, such as the daughter of the *alcalde* and *alguacil* Estaban Illán, several nuns and the abbess at the convent of San Clemente (frequented by the daughters of the Mozarab aristocracy), and several women from the ben Lampader family. Far fewer – a total of nine – instances of the name appear in the Latin documents of Toledo between these years, and several of these can likewise be linked to the Mozarabic community.¹²⁸ During his time as archdeacon, Maurice himself dealt with two Orobuenas.¹²⁹ As a comparison, it should be noted that there are no 'Oro'

¹²⁴ 'Nomen Rodericus licet frequens et usitatum sit pluribus et commune'; from *Planeta: obra ascética del siglo XIII*, ed. Manuel Alonso Alonso (Madrid: Instituto 'Francisco Suárez', 1943), 180. Diego García chose the name as an exemplar of many parts making one whole.

¹²⁵ I am grateful to David Peterson and Graham Barrett for their advice on this matter.

¹²⁶ Serrano, *Don Mauricio*, 21. A woman called 'Mioro' and her brother 'Mauris' own land in Burgos together in 1239; see ACB v. 18, f. 224. I have found three Oros, three Oropesas, one Orovida, and four Mioros in the Burgos *Kalendario Antiguo*, and interestingly three are described as 'conversas'; see Serna Serna, *Obituarios de Burgos*. By comparison, an Oromadre, an Oro, and a Mioro appear in the archives of León cathedral between 1197 and 1225 (see Fernández Catón, *Colección documental del archivo de la catedral de León*, Docs 1755, 1862, and 1870).

¹²⁷ See González Palencia, *Los Mozárabes*, Docs 233 (1193); 269 (1197) daughter of Salvator bin Fadl; 276 (1197) daughter of Pedro Cebrián; 315 (1202); 329 (1203); 332 (1204); 344 (1203); 360 (1207); 392 (1211) daughter of Domingo bin Servandez; 413 (1214); 429 (1216) Abbess of San Clemente; 430 (1216); 437 (1217); 464 (1221); 483 (1226); 487 (1227); 488 (1227) wife of the *alguacil*; 496 (1229); 514 (1234); 521 (1237); 530 (1238); 533 (1239); 534 (1239); 537 (1240) 'criada' of the *alcalde* don Esteban Petrez; 542 (1211); 545 (1241); 570 (1246) wife of the Mozarabic *alcalde* Esteban Petrez ben Lampader; 572 (1246); 574 (1248); 576 (1248); 577 (1250); 750 (1213) daughter of the Mozarab *alguacil* and *alcalde* Esteban Illán; 752 (1213) two nuns at San Clemente have the name, one is the subprior and one is Orobuena Andrés; 757 (1221) the abbess of San Clemente; 760 (1225); 763 (1226); 770 (1233) daughter of Esteban Illán and sister of the dean of Toledo cathedral Miguel Estebanez and the current *alguacil* Juan Estebanez; 772 (1234); 776 (1245) wife of Juan Fidalgo the miller; 787 (1235); 801 (1192); 807 (1206); 808 (1210) prioress of San Clemente, with another nun called Orobuena Petrez; 812 (1214); 813 (1225) Abbess Orobuena; 814 (1231); 815 (1236); 841 (1239); 843 (1240); 911 (1232); 913 (1246); 934 (1240); 953 (1214) daughter of Juan al-Ashiq; 984 (1217); 985 (1219) again Abbess Orobuena and a lay Orobuena, daughter of Esteban Andrez; 990 (1241); 1024 (1211) sister or Domingo Petrez the deacon among others; 1026 (1215); 1028 (1233) wife of Gonzalvo Gil; 1056 (1201); 1127 (1201). At least eleven of the documents contained 'Orobuenas' have been also classified by Pilar Leon Tello as pertaining to the Jewish community of the city; see León Tello, *Judíos de Toledo. Estudio histórico y colección documental*.

¹²⁸ González Palencia, *Los Mozárabes*, Docs 408 (Orobuena, abbess of San Clemente, 1223); 422 (Orobuena, widow of the *alguacil*, 1227); 443 (Orobuena, niece of the *alcalde* of Toledo, 1234); 246 (1192); 322 (1211); 333 (1213); 343 (1214); 457 (1241). There are also two examples of Oromadre, Docs 27 (1127) and 329 (1213), and Oro, Docs 250 (1193) and 347 (1214).

¹²⁹ CT, Doc. 317 (July 1211) and Doc. 343 (February 1214).

names in the archives of the highly aristocratic convent of Las Huelgas, in Burgos. As such, it would appear that the 'Oro+adjective' name form was comparatively common in Toledo, and especially so among its Arabic-speaking inhabitants, during the late 12th and early 13th century. Of course anthroponymic surveys are inconclusive at best and must be handled with caution, but it is nonetheless highly suggestive that Orosabia was not only Castilian, but likely from Toledo, where she may well have been a member or descendant of the city's Mozarabic community.¹³⁰

Maurice also had a brother named Pedro Rodríguez and sister-in-law named Agnes, according to the *Kalendarario* entry for 6 February.¹³¹ We know equally little about these two, other than that their anniversary masses were to be paid for by the income from the San Gil area of Burgos, although as we shall see, Agnes was to spend her later life in a house in Medina de Pomar. These two, however, were the parents of Maurice's nephew, Juan.

Juan de Medina de Pomar

Better known to historians is Maurice's nephew, Juan de Medina de Pomar, archdeacon of Briviesca (one of the more senior canonical positions in Burgos cathedral) under Maurice and later appointed by Pope Innocent IV as archbishop of Toledo, a post he held for just five months before his death in 1248.¹³² Juan's will, written immediately before his death in 1248, specifies that Maurice was his *patruus*, or paternal uncle.¹³³ This is also how Pope Innocent IV presented Juan to Fernando III in February 1248, in a letter confirming the status of the new archbishop, in which he reminded the king of Juan's distinguished ecclesiastical pedigree in Castile: he was 'the nephew of the bishop of Burgos of good memory, whom, splendid in both word and deed, you are known to have held most beloved amongst others.'¹³⁴

¹³⁰ For more on the benefits and pitfalls of prosopography, see K. S. B. Keats-Rohan, 'What's in a Name? Some Reflections on Naming and Identity in Prosopography', in A. Jorge, H. Vilar, and M. Branco, eds, *Carreiras eclesiásticas no ocidente cristão: séc. XII–XIV / Ecclesiastical Careers in Western Christianity: 12th–14th C.* (Lisbon: Universidade Católica Portuguesa, 2007), 333–47.

¹³¹ 6 February: 'obiit Petrus Roderici, frater episcopi Mauricii et pater magistri Iohannis Dominici archidiaconus Verbecensis, et dompne Agnetis, matris eius, aniversario in carniceria de Sant Gil'; see Serna Serna, *Obituarios de Burgos*, 319.

¹³² Ramón González Ruiz has provided the most information about Juan de Medina de Pomar, in *Hombres y libros*, 205–19.

¹³³ Linehan and Hernández, *Mozarabic Cardinal*, 433–8.

¹³⁴ See Augusto Quintana Prieto, *La documentación pontificia de Inocencio IV* (Rome: Instituto Español de Historia Eclesiástica, 1987), Doc. 482; Innocent IV informs Fernando that 'tuo debet cordi pervenire letitia hunc virum virtutis et gratie ad honorem dignitatis hujus pervenisse, cum de specialibus regni tui fidelibus ducati originem et nepos fuerit bone memorie burgen[sis] episcopi, quem tanquam verbo et actu magnificum inter alios habuisse dinosceris predilectum'. Innocent also wrote to Fernando III's son and heir, Alfonso, as well as to Queen Joana, the city of Toledo, and twice to the chapter of Toledo cathedral; Prieto, *La documentación pontificia de Inocencio IV*, Docs 483–8. It should be noted that 'ducati' appears to be an error; the same phrase in Doc. 483 contains the much more comprehensible 'ducat originem', and this is clearly the correct reading in Doc. 482 too.

The considerable importance of uncle–nephew relationships within the medieval Church is well-known.¹³⁵ Julia Barrow has discussed this relationship in her work on the Church in northern Europe, pointing out that, by the 12th century, the patronage, education, and support of a young cleric by his uncle (principally a bishop or canonical dignitary in the cathedral chapter) played a crucial role in a largely celibate church hierarchy, embedding familial connections with a particular church and, more practically, providing ‘a logical compromise between canon law and secular inheritance customs.’¹³⁶ Clerical uncles, sometimes referred to as *nutritores*, were invested with a considerable degree of responsibility for their younger relatives, entailing the education and later promotion of relatives who would ultimately become their spiritual and worldly heirs, and in some cases, raising their protégés in the episcopal household.¹³⁷ It was not uncommon for episcopacies or even for individual clerical titles to remain in a family for generations through the patronage and connections provided by successive uncles and nephews, and there are a multitude of Castilian examples from these years.¹³⁸

The relationship between Juan and Maurice was very much of this nature.¹³⁹ Juan appears to have been young when he died in 1248, leaving a will in which he bequeathed many of his possessions to his mother.¹⁴⁰ However, the name most frequently mentioned in the document is that of his uncle, despite Maurice having been dead for a decade by this point. Maurice had given his nephew gifts, such as a sapphire ring described as ‘having belonged to our uncle Maurice of outstanding memory’, and a book of the letters of St Jerome.¹⁴¹ Juan also refers to a familial inheritance (*patrimonialium*) consisting of lands in and around Medina de Pomar, including a house in which his mother was still living, and which had

¹³⁵ Peter Linehan has referred to ‘the supreme importance of family and its ramifications in the history of the entire peninsular Church’, in Linehan, ‘An Archbishop in *augustiis* (May 1280)’, in A. Jorge, H. Vilar, and M. Branco, *Carreiras eclesiásticas no ocidente cristão: séc. XII–XIV / Ecclesiastical Careers in Western Christianity: 12th–14th C.* (Lisbon: Universidade Católica Portuguesa, 2007), 245–58, at 252.

¹³⁶ Barrow, *Clergy in the Medieval World*, 135.

¹³⁷ Barrow, *Clergy in the Medieval World*, 134. Carlos de Ayala has also pointed out that there were many cases of episcopal dynasties in Castile in this period, such as the church of Calahorra, where several generations of uncles and nephews succeeded each other during the late 12th century; Ayala, ‘Los obispos’, 164–5.

¹³⁸ See Reilly, ‘The Accession of Rodrigo Jiménez’, 439, and Ayala, ‘Los obispos’, 164–5.

¹³⁹ González Ruiz says: ‘seguramente era [Mauricio] la persona que más habría influido en su vida, quien le habría orientado por la carrera eclesiástica y le habría preparado para el *cursum honorum*’; *Hombres y libros*, 209.

¹⁴⁰ González Ruiz, *Hombres y libros*, 209; he speculates that Juan was born in c. 1215. Certainly, he can only have spent a maximum of 12 years in Spain since the end of his studies in Paris, and may easily have been in his thirties when he died.

¹⁴¹ ‘Legamus karissime matri nostre ... anulum saphiri qui fuit recolende memorie domini Mauricii patruis nostri’; Linehan and Hernández, *Mozarabic Cardinal*, 434.

been bequeathed to him by Maurice – furthering the suggestion that our subject had roots in the north-east of the diocese (see [Map 2](#)).¹⁴²

Even more valuable, however, was Maurice's gift of a canonical dignity in Burgos cathedral. He appointed his nephew to the post of archdeacon of Briviesca at some point before 1236, in which year Juan first appears with the title.¹⁴³ He may well have held it from a much earlier date, however, as this appears to have been a benefice designed to fund his education and thus to be held *in absentia* – we read in his will that another canon collected the revenues connected to Briviesca for him when he was away at the *studium*.¹⁴⁴ A second appearance in Burgos in 1243 suggests that he did return on occasion, and his will refers to his houses and possessions in Burgos, as well as a number of books that he borrowed from Burgos cathedral, but for much of the 1230s and early 1240s, he was absent.¹⁴⁵

There is much to suggest that the *studium* to which Juan travelled was the University of Paris. A figure who appears in this will nearly as often as Maurice is that of Blanche of Castile, Queen of France and mother of Louis IX – and of course, the aunt of Fernando III. Juan appears to have known her well, and been the beneficiary of her patronage in Paris. As well as the gift of a silver plate, she also gave the young Castilian cleric several houses in Paris; Juan stipulates in his will that these are to be sold to the benefit of 'poor scholars', doubtless at the University.¹⁴⁶ Likewise, it is most likely to Blanche's influence that we can attribute her son Louis IX's lavish gift of relics from the Sainte Chapelle for Juan to take

¹⁴² 'Usum vero omnium bonorum nostrorum patrimonialium apud Medinam et terminum suum existentium, tam mobiliū quam immobiliū, ad nos spectantem matri nostre legamus ut utatur eis toto tempore vite sue. Post decessum vero eius, domum habitationis eius quam nobis contulit domnus Mauricius patruus noster legamus Roderico Semenī nepoti nostro'; Linehan and Hernández, *Mozarabic Cardinal*, 436. Juan also had family in Medina de Pomar, such as a knight called Aparicio Rodríguez, who was a 'consanguineo'.

¹⁴³ See González Ruiz, *Hombres y libros*, 206. See also ACB v. 25, fols. 313–14. The previous archdeacon of Briviesca was Archdeacon Pedro (first seen in December 1221 (see *DCB*, Doc. 533), who can be last identified in December 1222 (*DCB*, Doc. 545). By way of comparison, Rodrigo de Finojosa was prior in Sigüenza from 1189, having been promoted to the office by his uncle Martín.

¹⁴⁴ He is calculating the debt owed to him by the archpriest of Briviesca from this period: 'archipresbiter Verveccensis qui redditus et proventus nostros tenuit ab eo tempore quo ad studium ivimus usque ad illud tempus quo dati fuimus ad regimen ecclesie Toletane'; Linehan and Hernández, *Mozarabic Cardinal*, 436.

¹⁴⁵ ACB v. 41, p. 1, f. 522. Juan borrowed a work of Pliny, two books of Augustine and a breviary. He also refers to some cups or chalices: 'de cuppis vero quas habemus in apoteca nostra que est in civitate Burgensi'; Linehan and Hernández, *Mozarabic Cardinal*, 434.

¹⁴⁶ 'Mandamus domos nostras quas habemus Parisius per manus regine Francie vendi et dari in usu scolarium egenorum', Linehan and Hernández, *Mozarabic Cardinal*, 437; and 'Legamus karissime matri nostre cuppam nostram argenteam quam illustris regina Francie dedit nobis', Linehan and Hernández, *Mozarabic Cardinal*, 434. Blanche was known for the magnificence of her gifts; see Grant, *Blanche of Castile*, 24 and 320–1.

back with him to Castile in 1248.¹⁴⁷ Juan's time as a scholar in Paris is likely to have begun in the late 1220s or perhaps early 1230s: he was known in Burgos cathedral as *Magister* from 1236, suggesting that he had at least begun higher education by that point, whilst Innocent IV noted, in passing, his 'eminent learning' among his other merits in his letter of 1248.¹⁴⁸ Juan also left over twenty books in his will, the majority of which were books of theology, in particular biblical commentaries, as well as some grammars and books of philosophy and canon law.¹⁴⁹ It is highly likely that Maurice arranged the education of his protégé, and that he was the initial point of connection between the young Buralés archdeacon and the Queen of France – a lady of Maurice's generation, whom he would certainly have met on his journey through Paris in 1219, if not before. We cannot say for certain whether Maurice himself was an alumnus of the Parisian *studium*, but his proximity to the Castilian royal family (especially Blanche's father, Alfonso VIII) would doubtless have allowed him to prepare the way for his young nephew to become part of her *milieu* when Juan when up to Paris for higher study.

Through Juan's will, we can also glimpse further back into Maurice's history, to see that Maurice himself was a beneficiary of a 'clerical dynasty' in Burgos.¹⁵⁰ The codex lent to Juan by Maurice had in fact originally been lent to Maurice himself by a relative (*consanguineus*) of his, another former bishop of Burgos.¹⁵¹ There is no clue as to which of the bishops of Burgos, discussed above, this might be. As we shall see further on, there are two possible older relatives that stand out in Maurice's life, but neither ever served in Burgos.

Finally, it is worth noting that we see the same pattern of avuncular support and patronage in the next generation too. Juan left his worldly goods to a variety of people, including his servants, but those who receive special mention are his three nephews, two of whom were seemingly canons (most likely in Toledo), and the third a Franciscan friar. To the two canons, Rodrigo Jiménez and Fernando Rodríguez, he bequeathed his books of grammar, philosophy, and law, Gratian's *Decretum*, and another unidentified book of decretals, stipulating that the two should live together to share their books.¹⁵² He also specified that the house Maurice had left

¹⁴⁷ He leaves 'cuppas' for them: 'Ad conservandas et reponendas honorifice reliquias quas per nostrum ministerium rex Francie misit ecclesie Toletane legamus tres cuppas nostras ...' For more information on the identification of the Sainte Chapelle, see González Ruiz, *Hombres y libros*, 207–8; and also Hernández, 'La corte de Fernando III', 148.

¹⁴⁸ Juan was referred to as 'Magister' by Pope Innocent IV too, and granted the honorific title of *capellanus noster* (though it must always be borne in mind that such flatteries in a letter of introduction may well be a trope). See Quintana Prieto, *La documentación pontificia de Inocencio IV*, Doc. 486.

¹⁴⁹ 'Libros nostros omnes de grammatica et de philosophia et omnes legales ... librorum nostrorum theologie ... reliquos vero libros theologie nosotros ...', Linehan and Hernández, *Mozarabic Cardinal*, 434–5. For an analysis of the books of Juan de Medina de Pomar, see González Ruiz, *Hombres y libros*, 218.

¹⁵⁰ Barrow, *Clergy in the Medieval World*, 145.

¹⁵¹ 'Librum epistolarum beati Jeronimi, quem venerande memorie dominus Mauricius olim episcopus burgensis habuit a quodam consanguineo quondam episcopo burgensis'; Linehan and Hernández, *Mozarabic Cardinal*, 434.

¹⁵² González Ruiz suggests Gregory IX's *Decretals*; *Hombres y libros*, 213–14.

him should ultimately be inherited by Rodrigo Jiménez, perhaps his favourite of the two nephews.¹⁵³ Interestingly, he also left a number of theological books, as well as valuables and an uncollected debt worth 1,600 maravedís to his uncle, Master Aparicio, who had taken his place in Burgos as archdeacon of Briviesca.¹⁵⁴

The transmission of belongings, knowledge, and prestige from uncle to nephew was one of the primary means of clerical succession in the Middle Ages, and the importance of this relationship allows us another glimpse into Maurice's family and networks through the life of his nephew. Juan ultimately became the primate of Toledo, not Burgos, but it is clear from his will that he owed much to his connection with Maurice, whose own career, after all, had been established in the same two sees.¹⁵⁵

Networks across Castile

We are afforded a more unusual glimpse of Maurice's networks through Maurice's will, written in 1230.¹⁵⁶ In the text, Maurice discusses the inevitability of sin and the need to make serious spiritual preparations for his death. Most significant for our purposes here, however, are the identities of the other memorials that Maurice also establishes alongside his own. Maurice arranges for expensive prayers to be said for six named individuals, and his choice is extremely illuminating:

I, Maurice, by the esteem of God Bishop of Burgos, with the consensus of our chapter, decree that it is to be observed in perpetuity, that two priests every day should celebrate masses for the dead at the altar consecrated in honour of blessed Peter in our church, that is to say, for our predecessors, and for Lord Martín my lord archbishop of Toledo, and for Lord Bricio, once bishop of Plasencia, and for my father and mother, and my other dear ones and benefactors, and for the lord king Alfonso of celebrated memory, and for other kings and benefactors of this church ... also saying one prayer especially for me.¹⁵⁷

¹⁵³ Although Juan's mother was allowed to live there first: 'domum habitationis eius quam nobis contulit domnus Mauricius patruus noster legamus Roderico Semeni nepoti nostro'; Linehan and Hernández, *Mozarabic Cardinal*, 436. The Franciscan nephew received a bible and a book of concordances.

¹⁵⁴ Mainly commentaries and glosses on the Bible, from the list in the will. See González Ruiz, *Hombre y Libros*, 214–15.

¹⁵⁵ Reilly has noted that Rodrigo Jiménez de Rada may have been a canon in Burgos briefly in 1207, thus deepening further the ties between the two cathedrals (see Reilly, 'The Accession of Rodrigo', 440).

¹⁵⁶ See [Appendix IV](#). This important document was not known to Luciano Serrano in 1922. In 1950, López Mata commented in a footnote that it was 'on a shelf' in the cathedral (López Mata, T., *La catedral de Burgos* (Burgos: Hijos de Santiago Rodríguez, 1950), 36), and in 1995, Henrik Karge could not locate it in the archive (*La Catedral de Burgos y la arquitectura del siglo XIII en Francia y España*, 43).

¹⁵⁷ ACB Capellanes del Número, caja 6, fol. 45 (formerly fol. 40); 'Ego Mauricius Dei dignatione burgensis episcopus una cum consensu capituli nostri statuo in perpetuum observandum, et duo sacerdotes singulis diebus celebrant missas pro defunctis in altari consecrato in honorem beati Petri in ecclesia nostra pro predecesoribus S. nostris, et pro domino Martino domino meo archiepiscopo toletano, et pro domino Bricio quondam episcopo Placentino, et pro patre et matre meis, et aliis caris et benefactoribus meis, et pro Domino Rege Alfonso inclite recordationis, et pro aliis regibus et benefactoribus huius ecclesiae ... dicta tamen una oratione specialiter pro me'.

Least surprising are his father and mother, Rodrigo and Orosabia. Prayers are also to be said for King Alfonso VIII, again, not a particularly surprising request, although one that reminds us that, although Maurice was only in office for the last two years of Alfonso's life, he numbered amongst a generation of bishops from the era of Alfonso.

The two 'predecessors' singled out by Maurice for particular prayers – that is, Archbishop Martín of Toledo and Bishop Bricio of Plasencia – are in some ways the most revealing, and perhaps surprising, names here. Named before Maurice's own father and mother, these two men must clearly have been important figures in Maurice's life to have been singled out in this way and commemorated as part of Maurice's own anniversary, and at his expense. Their names are also inscribed together in the *Kalendarium Antiquum* entry for 28 August (though it seems unlikely that they both died on that day), and a memorial – the distribution of food to twelve paupers and *alumni* of the cathedral – set up in their honour.¹⁵⁸

The first deepens our understanding of Maurice's link with the cathedral of Toledo. 'Lord Martín, my lord, the archbishop of Toledo' is a reference to Martín López de Pisuerga, archbishop of Toledo between 1192 and 1208. We have already shown that Maurice was present in Toledo chapter before the appointment of Archbishop Rodrigo, since he was in office as archdeacon in November 1208 and may have been there even before this date. This reference to Martín in the document of 1230 considerably strengthens the argument that Maurice was *in situ* in Toledo before the advent of Rodrigo, and rather than being from the household of Rodrigo, as is generally considered to have been the case, was in fact promoted by Martín. In order to have been awarded one of the highest capitular positions in Toledo, Maurice must either have been in the cathedral for some time by 1208, or have had a privileged relationship with the archbishop Martín, and this establishment of a memorial for him, as well as the absence of any references to Maurice in the chapter before 1208, suggests the latter (although of course, the two are hardly mutually exclusive).

Whether Maurice was related to Archbishop Martín or simply patronised by him, the connection must have been significant for Maurice to have commemorated him in this way in 1230. Martín was a central figure in the Church and society of late 12th-century Castile.¹⁵⁹ He had a close relationship with King Alfonso

¹⁵⁸ 28 August: 'Obiit bone memorie dompnus Martinus, archiepiscopus Toletanus. Obiit bone memorie Bricius, episcopus Placentinus. Debent dari XII pauperibus ad comestionem alumpnis ecclesie habent similiter caritatem'; see Serna Serna, *Obituarios de Burgos*, 520. Neither Archbishop Rodrigo Jiménez de Rada, nor any other of Maurice's contemporaries, such as Bishop Tello of Palencia, are mentioned in the *Kalendarium Antiquum*.

¹⁵⁹ See the recent publication by Lincoln, *A Constellation of Authority*; Carlos de Ayala, 'Breve semblanza de un obispo de Toledo en tiempo de cruzada: Martín López de Pisuerga', in *Mundos medievales: espacios, sociedades y poder: homenaje al profesor José Ángel García de Cortázar y Ruiz de Aguirre*, 2 vols (Santander, 2012), vol. 1, 355–62; and Q. Aldea Vaquero, T. Marín Martínez, and J. Vives Gatell, eds, *Diccionario de Historia eclesiástica de España*, vol. 4 (Madrid: CSIC, 1975), 2570.

VIII, who described him as his ‘dearest and most faithful friend’ and who granted him the chancellorship in 1206.¹⁶⁰ This might indeed account for the appearance of Maurice in the royal curia in 1212, as mentioned above.

Archbishop Martín had been canon at Palencia before his appointment to Toledo, and has been associated with the town of Herrera de Pisuerga, a town that lay on the border between Palencia and Burgos. Throughout his career at Toledo, he was closely involved in the war against the Almohads and also seems to have had close links to the Castilian Mozarabic community as well as promoting translators from Arabic to Latin, themes that find some reflections in Maurice’s life. In 1192, Pope Celestine III commissioned Martín to send a priest who could speak in Arabic as well as Latin to be posted to al-Andalus and the Maghreb for the benefit of the Christians there.¹⁶¹ Martín personally led a military raid to the Guadalquivir region in 1194, and obtained much booty from the area.¹⁶² The archbishop was also closely linked to the newly founded see of Cuenca (f. 1183), whose bishops were generally drawn from amongst the Mozarab community in Toledo, and seems to have played a role in supporting and establishing the new see and to have been behind the accession of the Mozarab, Bishop Julián ben Tauro, to Cuenca in 1198.¹⁶³ It was also during Martín’s lifetime that Mozarabs from Toledo started to appear with frequency in the cathedral records as members of the chapter.

Archbishop Martín was also a promotor of some of the most important translating activity that took place in Toledo in the final decades of the 12th century and the first decade of the 13th. Carlos de Ayala has described him as favouring translators, in particular Master Johannes Hispanus, who was responsible for the translation of Ibn Gabirol’s *Fons Vitae* and had collaborated with the prolific translator and philosopher Dominicus Gundissalinus.¹⁶⁴ Both of these translators were canons in Toledo cathedral under Martín’s direction, and Johannes Hispanus was

¹⁶⁰ González Ruiz, *Hombres y libros*, 195; Ayala, ‘Los obispos’, 157; Rivera, *La Iglesia*, 202–3; Rivera, *Los arzobispos de Toledo*, 39–44.

¹⁶¹ González Ruiz, *Hombres y libros*, 51–2. See Mansilla, *La Iglesia Castellano-Leonesa*, 74–5, who provides the text of this epistle: ‘Cum igitur petitio nobis ex parte christianorum, qui in quibusdam civitatibus sarracenorum habitant ... sit porrecta fraternitati tue presentium auctoritate mandamus, quatenus aliquem presbiterum latina et arabica lingua instructum bone opinionis et literature virum invenias, cui dummodo secure ire valeat et redire, auctoritate nostra et tue in mandatis diligenter injungas, ut Marrochios, Hispalim, et alias sarracenorum civitates in quibus Christiani degunt, in nomine Christi fiducialiter adeat et ubi eos in fide nostra et sacramentis ecclesie fortes ac firmos invenit, fraterna benignitate confortare et confirmare laboret.’

¹⁶² He took with him ‘multitudinem militum et peditum’; see Lincoln, *A Constellation of Authority*, 86–9; and Ayala, ‘Los obispos’, 169. See also F. García Fitz, ‘La batalla en su contexto estratégico: a propósito de Alarcos’, 278–9, who suggests that this raid and other aggressions by Alfonso VIII were catalysts for the battle of Alarcos in 1195; in R. Izquierdo Benito and F. Ruiz Gómez, eds, *Alarcos 1195* ٨٩٢ ١١٩٥, *Actos del congreso internacional conmemorativo del VIII centenario de la batalla de Alarcos* (Cuenca, 1996); and Ayala, ‘Breve semblanza de un obispo de Toledo en tiempo de cruzada’.

¹⁶³ Ayala, ‘Los obispos’, 164; and Lincoln, *A Constellation of Authority*, 93–4.

¹⁶⁴ See Ayala, ‘Los obispos’, and also de Ayala, ‘Breve semblanza de un obispo de Toledo en tiempo de cruzada’.

promoted to both dean of Toledo cathedral and archdeacon of Cuéllar simultaneously at Martín's instigation.¹⁶⁵

This was the prelate whom, it seems certain, established Maurice as archdeacon of Toledo, most likely at some point in or not long before 1208. It also seems likely that he was in charge of Maurice's upbringing and education, a relationship implied by Maurice's reference to him as 'dominus', and thus they are likely to have been members of the same family, in a relationship parallel to that between Maurice himself and Juan de Medina de Pomar. This relationship provides some contextualisation to Maurice's earlier life in Toledo, and goes some way towards explaining Maurice's apparent connections with the Mozarabic community during his career as canon. That Juan de Medina de Pomar was also to follow a career between Burgos and Toledo underlines the suggestion that Maurice had long-standing, and high-ranking, familial connections in Toledo as well as in Burgos.

However, there is evidence to suggest that Maurice's network was in fact wider still. The second prelate to be commemorated in 1230 was 'Lord Bricio, sometime bishop of Plasencia.' This is in fact a reference to the first ever bishop of Plasencia, a frontier diocese founded in 1190 by Alfonso VIII in the wake of territorial expansion to the south-west of Castile.¹⁶⁶ Bricio was apparently appointed by Pope Clement III, on the insistence of the king, in that same year, and stayed in office until his death in 1212, although the precise timing of both events has been subject to debate.¹⁶⁷

There is very little extant evidence that relates to Bishop Bricio, largely because the cathedral archives of Plasencia have been lost for earlier than 1218.¹⁶⁸ Plasencia fulfilled an important military and strategic function on the frontier with the Almohads, and the diocese continued to expand to the south to incorporate new conquests after 1190.¹⁶⁹ It was conquered by the Castilians in 1180, lost again, and then reconquered in 1196. To have been appointed as its first bishop, Bricio must have had a good working relationship with the city's founder, King Alfonso VIII. The diocese was created within the jurisdiction of the province of

¹⁶⁵ As confirmed by Innocent III in 1199; *Inocencio*, Docs 190–1. See also Ayala, 'Los obispos', 178–9.

¹⁶⁶ See Bonifacio Palacios Martín, 'Alfonso VIII y su política de frontera en Extremadura. La creación de la diócesis de Plasencia', *En la España medieval*, 15 (1992), 77–96; and M. Martín Martín, *El cabildo catedralicio de Plasencia en la edad media* (Cáceres: Editora Regional de Extremadura, 2014), 47–9.

¹⁶⁷ For the debate surrounding the foundation of the diocese, the appointment of Bricio and his death, see F. González Cuesta, 'Sobre el episcopologio de Plasencia', *Hispania Sacra*, 47 (1995), 347–76, at 356–9. It should be noted that the papal bull confirming the foundation of the diocese has been lost, but another was reissued by Honorius III in 1221.

¹⁶⁸ Ayala, 'Los obispos', 164: 'no deja de resultar extraño en un personaje que debió ser decisivo a la hora de materializar los designios políticos del monarca en lo relativo a la nueva diócesis.' Kyle Lincoln has made the same point in 'The Episcopate in the Kingdom of Castile During the Reign of Alfonso VIII (r. 1158–1214)' (Unpublished PhD thesis: University of St Louis, 2016), 157.

¹⁶⁹ Martín Martín, *El cabildo catedralicio de Plasencia*, 48, who points out that Pope Clement III had insisted on this role at the see's foundation; for more on late 12th-century Plasencia, see R. Barragán Ramos, 'Recuperación de la memoria arqueológica de Plasencia. Noticias del Alcázar medieval desaparecido', *Revista de Estudios Extremeños*, LXIII:1 (2007), 37–71.

Santiago de Compostela, and not that of Toledo, a fact that caused some commotion under Archbishop Rodrigo, whose vigorous efforts to claim Plasencia would ultimately involve Maurice, who, along with two others, was appointed judge of Rodrigo's claims over the diocese in December 1214.¹⁷⁰ There is no record of the verdict reached, but Rodrigo clearly lost, for he continued agitating unsuccessfully in 1217 and 1218, and the question was still being debated in 1239.¹⁷¹ There is no record of Archbishop Martín of Toledo trying to claim jurisdiction over Plasencia, but given the lack of documentation for the diocese, it is impossible to discern the relationship between the metropole and the new diocese.

However, there is nothing here that explains why Maurice chose to commemorate Bishop Bricio in 1230, and what the connection between the two bishops might have been.¹⁷² The appearance of Bricio amongst the memorial requests suggests some close relationship (either familial or as a mentor) or a debt of gratitude, but the evidence is too scarce to identify the bishop any further. There is, however, a final piece of the puzzle that goes some way towards explaining Maurice's dedication to Bricio in 1230. Maurice does seem to have had family in Plasencia, since, in August 1217, Pope Honorius III wrote to Bishop Tello of Palencia to resolve a disturbance caused by a group of four canons in Burgos, over the fact that Maurice had appointed a relative of his, referred to as *G. consanguineo suo*, an archdeacon of Plasencia, to a prebendary in Burgos cathedral.¹⁷³ The letter spells out the charges the canons had brought against 'G': he was not from Burgos (*non est de ipsorum partibus oriundus*), he had taken a crusading oath (*cum cruce signatus existat*), he already held a clerical title (*promotus fuit ad alterius ecclesie titulum*), and he was in fact an archdeacon in the cathedral of Plasencia (*archidiaconatum obtinet in ecclesia Placentina*).¹⁷⁴ The pope dismissed the first three objections, and stipulated that 'G' could keep his position in Burgos on the condition that he gave up the archidiaconate in Plasencia.¹⁷⁵

¹⁷⁰ Palacios Martín, 'Alfonso VIII y su política', 96.

¹⁷¹ Palacios Martín, 'Alfonso VIII y su política', 96. In January 1218, Master Aparicio, canon of Burgos, was on another commission to determine the status of Plasencia (see *Honorio*, Doc. 133).

¹⁷² Bricio is last seen in Las Huelgas in May 1212, see Cuesta, 'Sobre el episcopologio', 359. There has, however, been confusion over the date of his death. There is one document in the González collection that records a 'Bricio' as bishop elect of Burgos in 1214; however, this has widely been acknowledged to be a mistake, confusing Mcius with Bcius in a Gothic hand. There are many similar errors in the collection. Most historians have agreed that 1212 is the date best supported by the available evidence, see Cuesta, 'Sobre el episcopologio', 356–9.

¹⁷³ *Honorio*, Doc. 80.

¹⁷⁴ Martín Martín, *El cabildo catedralicio de Plasencia*, 72, points out that, although it was prohibited by canon law, it was not uncommon for medieval clerics to hold multiple benefices. However, she adds that, in this case, the canons of Plasencia would normally hold alternate benefices in nearby dioceses – it was unusual to see two benefices held in distant dioceses.

¹⁷⁵ On which grounds, Tello of Palencia was instructed to ensure the canon's peaceful acceptance by the chapter of Burgos: *Honorio*, Doc. 80: 'Cum igitur tres premissae cause predicto G. obesse non debeant et ipse quartam paratus sit penitus remove, archidiaconatum videlicet reignando, sicut ipsius episcopi littere continebant, discretionem vestre per apostolica scripta mandamus, quatinus, eo archidiaconatum resignante predictum, ipsum, contradictione predictorum quatuor non obstante, faciatis pacifica ipsius prebende possessionem gaudere.'

The term *consanguineus* does not give us much detail about the precise relationship, but it does clearly indicate a familial connection between Maurice and this 'G', archdeacon of Plasencia, a connection underlined, of course, by Maurice's bestowal of a prebendary in Burgos. Indeed, the income from this post would most likely have been far more lucrative than an income from the see of Plasencia, in which, as late as 1254, there were only ten canons in total, and for which much of its potential income was to be procured from as yet unconquered lands.¹⁷⁶

The charges of the canons of Burgos are revealing. 'G' was clearly perceived as an outsider to Burgos; not only did he hold office in Plasencia, but moreover he 'was not from these parts'. This phrase is ambiguous, and it is not clear whether the canons were objecting simply to the promotion of someone who had not gone through the ranks of Burgos cathedral chapter (regardless of his place of birth), or whether he was foreign (by birth or upbringing) to the city or the region, or perhaps even to Castile.

Inspection of the Burgos cathedral archive reveals a likely contender for his identity. There are several canons whose names begin with this initial and who were active in Burgos in the years around 1217; one, however, stands out.¹⁷⁷ From June 1216, a new 'G' appears in the charters of Burgos cathedral: a 'mayordomo' of the chapter, García de Pomar.¹⁷⁸ The office of mayordomo was a senior administrative post within the chapter, often held by two or three canons simultaneously, who were listed as the chapter's representatives for financial deals and, particularly, sales and purchases. García's appearance in this role in June 1216 is also the first time he is mentioned in the cathedral at all; unlike the other mayordomos in these years, there is no previous history of his appearances on witness lists. His profile would thus fit with a newcomer to Burgos who had been immediately promoted into a high office, probably bypassing others who had committed long service to the chapter, as reflected in the complaints of the canons. The timing of this appointment also fits with the receipt by Tello of Palencia of the letter from Honorius III in August 1217: tensions had been resolved between Maurice and most of the canons, leaving only four who objected to the newcomer. These had subsequently appealed, until Maurice wrote a letter to the pope for support. It was the pope's answer to this letter, in the form of a commission to Bishop Tello of Palencia to force the canons to accept 'G', that arrived in August 1217.

It thus seems very likely that Maurice's relative, 'G', who had been archdeacon of Plasencia and was subsequently awarded a prebendary in Burgos, was from Medina de Pomar – the same town as Maurice's nephew, Juan, as discussed above.

¹⁷⁶ Martín Martín, *El cabildo catedralicio de Plasencia*, 71, and for the economic state of Plasencia in the early years of its existence, see 190–1.

¹⁷⁷ The other recorded 'G's in the chapter in these years comprise Gundisalínus Marini, Guillelmus Petri, Gundisalínus Petri abbot of Salas, and Gundisalínus Moro.

¹⁷⁸ DCB, Doc. 498.

If this is the correct identification, the charge that *non est de ipsorum partibus oriundus* must be taken to imply that he was not a local to the city of Burgos and had not held office in the cathedral, since, although Medina de Pomar lay some 90 kilometres north of the city of Burgos and until recently on the border with Navarre, it did fall within the diocese. García remains traceable in Burgos cathedral until December 1222, when he was once again mayordomo (although he had not retained the post consistently since 1216).¹⁷⁹ Whether he was also connected in some way to Bricio must remain unknown; the bishop had been dead for some five years by the time ‘G’ had been transferred to Burgos, and there is no way of knowing for how long the latter had served as archdeacon in Plasencia. However, the reoccurrence of a link between Maurice and the diocese of Plasencia is significant, and contextualises, to some extent, the reference to Bishop Bricio in the document of 1230. Clearly, Maurice’s familial network extended as far south as a frontier diocese in the heart of Extremadura. His promotion of García de Pomar was in line with the sorts of family obligations and expectations discussed above – to the anger of the pre-existing community of cathedral canons in Burgos. It seems very likely that Bricio too belonged to an older generation of the same familial network.

Medina de Pomar has occurred twice amongst Maurice’s relatives, and it is tempting to speculate that Maurice had some familial connection there. The town seems to have grown to prominence towards the middle of the 12th century, from when references to both ‘Medina’ and ‘Pomar’ start to emerge, seemingly indicating the same place: the nearby monastery of San Salvador de Oña mentions the town of ‘Medina’ in 1170, whilst ‘Pomar’ is referred to in Burgos cathedral in 1186, and the full name of Medina de Pomar is specified for the first time in 1202.¹⁸⁰ Topographical terminology remained somewhat flexible, however, and secure identifications are not always possible. A third possible reference could be suspected in Maurice’s will, where he names the town of ‘Medinella’ as providing income ‘to my own cost, and from the inheritance that I acquired and maintained in the same town’ – though whether this refers to Medina de Pomar or to a similarly named locale, such as the small town of Medinilla de la Dehesa to the west of Burgos, is unclear.¹⁸¹

¹⁷⁹ He is recognisable for the final time in December 1222; *DCB*, Doc. 545.

¹⁸⁰ See Oceja Gonzalo, *Documentación del monasterio de San Salvador*, Docs 63 (1170) and 343 (1202), as well as *DCB*, Doc. 262. My thanks to David Peterson for his opinions and advice on this; see also D. Peterson, ‘The Men of Wavering Faith: On the Origins of Arabic Personal and Place Names in the Duero Basin’, *Journal of Medieval Iberian Studies*, 3:2 (2011), 219–46. See also Iñaki Martín Viso, ‘Territorios, poder feudal y comunidades en la Castilla septentrional (siglos XI–XIV)’, *Edad Media. Revista de Historia*, 5 (2002), 217–63, who has identified a ‘count of Medina’ as a possible reference to the same territory as early as 1110.

¹⁸¹ ACB Capellanes del Número, caja 6, fol. 45 (formerly fol. 40): ‘assigno eis in molendinis que sunt in pertinentia de Medinella, quam ego feci propriis sumptibus, et in hereditate quam acquisivi et comparami in eadem villa.’

There is one final, and rather tentative, suggestion that Maurice did indeed have a connection with the town of Medina de Pomar. In 1917, Julian García Sáinz de Baranda commented in his study of the town that the sacristy of the church of Santa María del Salcinar y del Rosario contained a highly dilapidated statue that he claimed to be Bishop Maurice.¹⁸² Serrano knew of this tradition, but by the time he was writing in 1922, the statue had gone.¹⁸³ Sáinz de Baranda's work is the only study dedicated to Medina de Pomar, and extremely little is known of the town's early history.¹⁸⁴

Conclusions

Maurice was well-known and apparently trusted across an impressive network of contacts throughout Castile before he had even been two years in the job of archdeacon. That he had a deep-rooted connection with the diocese of Burgos is clear, and there is much to suggest a familial base in the town of Medina de Pomar. He also had links with the aristocratic Haro family, and was related to a former bishop of Burgos, a pattern of familial patronage that he continued himself. That he had command of considerable wealth is also evident in his purchase of two expensive plots of land for the cathedral and his lavish donation of 1,000 maravedís in 1213. Far from being an *inconnu* when he emerged into historical record in 1208, Maurice seems to have been from a family of some standing in Castile. Of course, Maurice had the most powerful supporter of all in Alfonso VIII, whose favour would have been essential to his appointment as bishop of Burgos in 1213.

Likewise, Maurice was an influential figure in Toledo cathedral, and appears to have been held in high regard by his peers. He was 'insistent', as Archbishop Rodrigo observed twice in 1213, a trait that, as we shall see in [Chapter 2](#), was noted by others too. Perhaps it was this inclination towards persistence that saw Maurice return to the same theme in 1227 and issue an updated injunction to his old chapter. The archdeacon also seems to have had connections and standing in Toledo that preceded his apparent friendship with Archbishop Rodrigo, and that may have tied into long-established links between the sees of Burgos and Toledo,

¹⁸² This is in passing, as he discusses the dating of the church building: 'pudo ser coetánea con la existencia del Obispo D. Mauricio, cuya efigie bastante deteriorada se conserva en la sacristía'; J. G. Sáinz de Baranda, *Apuntes Históricos sobre la Ciudad de Medina de Pomar* (Burgos: Tipografía de El Monte Carmelo, 1917), 141.

¹⁸³ Serrano, *Don Mauricio*, 20, n. 1: 'En la iglesia del Rosario de Medina de Pomar, de construcción contemporánea a D. Mauricio, se veía hasta hace pocos años una estatua de este prelado'.

¹⁸⁴ Ma. Rosa Ayerbe Iribar edited the complete collection of documents in the most important monastery of Medina de Pomar, but this was founded in 1313, and the volume does not refer back to the history of the town. See M. Ayerbe Iribar, *Catálogo documental del archivo del Monasterio de Santa Clara: Medina de Pomar (Burgos), 1313–1968* (Burgos: Monasterio de Santa Clara, 2000).

links that were personified through Martín López de Pisuerga, Maurice himself, and his high-achieving nephew, Juan de Medina de Pomar.

It is more of a challenge to comment with any certainty on Maurice's precise relationship with the Mozarabs of Toledo. He acted in ways that suggest that he was familiar with the complex cultural make-up of the city, was capable of navigating the laws and customs of the Mozarabs, and that he is very likely to have spoken at least some Arabic. That his mother may have been from Toledo, and indeed from among the city's Arabophone quarters – where 'Oro' names are most consistently found – also seems likely, and thus that Maurice may have been of partial Mozarabic descent, though we can do little more than conjecture in the absence of prosopographical studies of medieval Castile. Of course, it is important too to bear in mind that cultural identity is often far more complex than such binary discussions allow. As Peter Linehan and Francisco Hernández have demonstrated, in a dynamic city such as medieval Toledo, culturally distinguishing traits could quickly change, and non-Mozarabs could be 'Mozarabised' through marriage or long-term residence, becoming linguistically and culturally indistinguishable, at least in the charter evidence, in the space of a generation.¹⁸⁵ Cultural adaptation is always possible and languages may be learnt quickly in the right circumstances, and as this chapter has shown, Arabic was evidently spoken by many in Toledo cathedral chapter in the early decades of the 13th century. Thus Maurice's proximity to the Mozarabic community could also be explained by dint of his five (or perhaps more) years living and working alongside his many Arabophone colleagues.

In the Castilian Church of the 13th century, personal connections mattered, and it is clear that Maurice was as well-established as some of his more well-known peers. Whilst much about his early life and background remains enigmatic, it is nonetheless clear that he was a figure of high status across Castile, with a wide and powerful network of his own, and with a reputation as a man of learning among the aristocratic Haro family, the bishops of Burgos and the king himself. His mentors, especially Martín López de Pisuerga, may have imparted to Maurice interests and predilections that lasted throughout his lifetime. They also gave him a solid foot upon the ladder of ecclesiastical advancement in the Castilian Church.

¹⁸⁵ Linehan and Hernández have highlighted the example of one Peter of Toulouse, who arrived in Toledo in 1138 and married into the Banu Harith Mozarabic dynasty, and whose descendants held the office of Mozarabic *alguacil*; see Linehan and Hernández, *Mozarabic Cardinal*, 8–19.

Maurice and Islam: Crusade, Translation, and the Unity of God

Islam, made tangible in the Muslim armies of the Almohad Empire, constituted a major preoccupation for Maurice throughout his career. Military conflict with the Almohads along the southern borders of Castile expanded dramatically over his lifetime, as a string of conquests, referred to for much of the 20th century as the ‘Reconquista’, brought almost all of al-Andalus under Christian rule. Maurice’s episcopal career began in the aftermath of the battle of Las Navas de Tolosa in 1212, the first major Castilian victory against the Almohads, and it would end just two years after the highly symbolic conquest of Córdoba in 1236. It is perhaps inevitable that confrontation with Islam, in a variety of ways, should have been an important feature of Maurice’s life.

Maurice was involved in the military endeavours that unfolded around him. As we have seen in [Chapter 1](#), it is highly likely that he was present at the battle of Las Navas in July 1212. By the mid-1220s, he had taken on a more important role as instigator of the declaration of war with the Almohads in 1224, for which, as we shall see, he provided a theological impetus alongside Archbishop Rodrigo of Toledo. However, in addition to military endeavours, Maurice also encountered Islam on a textual and intellectual level. Whilst he was based in Toledo, Maurice commissioned two translations of Islamic doctrinal texts: the Qur’ān, translated by the summer of 1210 under the title of the *Liber Alchorani* (‘The Book of the Qur’ān’), and the teachings of the mahdī of the Almohads, Ibn Tūmart, a text translated during the year 1213 and entitled *Libellus Habentumeti de Unione Dei* (‘The Little Book of Ibn Tūmart on the Unity of God’). The Qur’ān translation was commissioned by Maurice and Archbishop Rodrigo together, whilst the *Libellus* of Ibn Tūmart was under the patronage of Maurice alone. These two texts provide us with a wholly different angle from which to understand Maurice’s vision of Islam and his own role in counteracting the threat – both physical and theological – posed by the Almohads. These two texts were each translated to fulfil quite different functions in Toledan society, and were intended to bring to Christian theologians not only new

means to polemicise against Islam, but also new tools with which to articulate their own, Christian identities in relation to the theological challenge it posed.

This chapter pieces together Maurice's various interactions with Islam, military and intellectual, in order to understand his role in and contribution to the ideological and political developments of the first half of the 13th century. We shall first place Maurice in his military and political context, bringing to light his role as crusader-bishop. We will then turn to his involvement in the translation of the *Liber Alchorani*, assessing why he was named as joint patron with Archbishop Rodrigo of Toledo, and exploring both his interest in the Qur'an and his role in the commission. Finally, we shall address the translation of the *Libellus* in 1213. This text has generally been seen as a sequel to the Qur'an translation, produced in an attempt to supply additional material for anti-Islamic polemic. In what follows, this interpretation shall be challenged through a close reading of the work's prologue and contents. Instead, as we shall see, the *Libellus* had an intellectual value to Maurice and his contemporaries, and its translation can be best understood within the wider philosophical traditions of the Toledan translation movement.

The crusader-bishop

Maurice's ecclesiastical career coincided with a period of dramatic change in the political configuration of the Iberian Peninsula. Alfonso VIII's victory at the battle of Las Navas in 1212 marked the reopening of hostilities with the Islamic south, but it was under Fernando III that these wars allowed the expansion of Castilian control and settlement into almost all of al-Andalus.¹ Maurice played an active role in these developments, and as we shall see, acted in conjunction with Archbishop Rodrigo in providing an impetus to these conflicts.

The battle of Las Navas was followed by a long truce with the Almohads, a result of the exhaustion of Castilian resources in 1212, Alfonso VIII's death in 1214, and the ensuing years of turbulence during the brief reign of the infant king, Enrique. By 1224, political, financial, and circumstantial developments favoured the reopening of hostilities to the south: Fernando III had survived a turbulent few years of noble unrest, and needed to unite his nobility in a lucrative mission outside of Castile, and the crisis of Almohad political control following the death of the caliph provided an ideal distraction. Fernando took Quesada in 1224, and in the same year received the fealty of the Muslim rulers of Baeza and Valencia. Protracted negotiations with the ruler of Baeza, al-Bayyāsī, resulted in the surrender of that city in 1225 to the Castilian king, who also carried out raids around

¹ See Edward Holt and Teresa Witcombe, eds, *The Sword and the Cross: Castile-León in the Era of Fernando III* (Leiden: Brill, 2020) for an overview of recent scholarship on these wars.

Jaén and Granada, as well as conquering Capilla in 1226. Fernando's resources were multiplied in 1230, following the death of Alfonso IX of León and Fernando's successful claim to unite the kingdoms of León and Castile: he captured Ubeda in 1233 whilst his vassals took land across Extremadura, including Trujillo. The climax of these years was the conquest of Córdoba in 1236, and later, that of Seville in 1248.

The Castilian Church and clergy had a significant role in these wars. Clergy are described in the *De Rebus Hispanie* as being present at the fighting in 1212, and several were killed, including, as we have seen, Maurice's predecessor at Burgos, Bishop Juan Maté.² Archbishop Rodrigo of Toledo was personally behind much of the preparation in the years leading up to 1212, even travelling to France to drum up additional support and encourage French aid.³ As we have seen, Maurice, then archdeacon of Toledo, was also very likely present at Las Navas and was still on the frontline in the company of the king's court in December 1212. Members of the clergy were also present at the capture of Córdoba in 1236, and the *Chronica Latina* describes a number of bishops on hand to consecrate the city's mosque – though Maurice is not among them.⁴ The Church also supported these wars financially, and a letter from Pope Gregory IX to the Castilian bishops in 1228 begs them to inform their king that he was no longer allowed to redirect the *tercia* to fund his military campaigns, as he had done since 1224.⁵

However, perhaps even more significant was the role of the Church in providing an ideological impetus to these conflicts, principally by casting them as 'crusades', of a status akin to the contemporaneous efforts to capture Jerusalem. The language of crusade had been used sporadically in an Iberian context before this point, but in the run-up to Las Navas, such rhetoric became explicit.⁶ As part of his call to arms, Archbishop Rodrigo summoned all Christians on the authority of 'Almighty God and the Lord Pope' to fight against the Andalusi Muslims, who 'unanimously conspire to destroy the Christian people.'⁷ All who joined the conflict would receive full absolution of their sins, 'as one who goes to Jerusalem', and

² *De Rebus Hispanie*, VIII.3: Archbishop Rodrigo and the bishops of Palencia, Osma, Sigüenza, and Avila are listed as present, and VIII.10 adds the bishop of Plasencia 'and many other clergy'. Also see Kyle Lincoln, 'Beating Swords into Croziers: Warrior Bishops in the Kingdom of Castile, c. 1158–1214', *Journal of Medieval History*, 44:1 (2018), 83–103.

³ See *De Rebus Hispanie*, VII.36; and Pick, *Conflict and Coexistence*, 36–43; also Linehan, 'Don Rodrigo and the Government of the Kingdom', 87–99.

⁴ *Chronica Latina*, 95–102; compare *De Rebus Hispanie*, IX.17.

⁵ Gregorio, Doc. 77.

⁶ Pick, *Conflict and Coexistence*, 34–52. See also Smith, 'The Papacy, the Spanish Kingdoms and Las Navas de Tolosa', 157–78; as well as William J. Purkis, *Crusading Spirituality in the Holy Land and Iberia c. 1095–1187* (Woodbridge: Boydell Press, 2008); Fletcher, 'Reconquest and Crusade in Spain 1050–1150', 31–47; and Simon Barton, 'A Forgotten Crusade: Alfonso VII of León-Castile and the Campaign for Jaén (1148)', *Historical Research*, 73 (2000), 312–20.

⁷ Pick, *Conflict and Coexistence*, 209–10: 'Vobis omnibus notum esse credimus resur<rexisse> multitudinem sarracenorum huc cura mare in ispaniam iam nuper transmeasse et ad conterendam christianam gentem unanimitate conspirasse.'

Castilians were prohibited from crusading in the Near East until the Almohads had been defeated.⁸

The theological impetus provided by crusade likewise influenced the reopening of hostilities against al-Andalus in 1224, and it is in the course of these conflicts that Maurice's role becomes more visible. 'Enflamed by the Holy Spirit', as the *Chronica Latina* described it, Fernando III declared his decision to break the truce with the Almohads at a council of war in July 1224, in the city of Carrión de los Condes.⁹ Just two months prior to this, however, the royal court had been at Burgos, where Fernando's sister, Berenguela, had married none other than the king of Jerusalem, John of Brienne. Although this marriage was a result of opportunism on behalf of both John (who was in Europe to raise support for a new crusade after the failure of the Fifth Crusade), and of the Castilian crown (especially the queen mother, another Berenguela, who organised the union), it was nonetheless an event of great political symbolism, linking the Castilian royal family to the king of the crusader states and a visible figure on the international stage.¹⁰

The symbolism of this nuptial alliance did not go unnoticed; a little-known charter drawn up in Burgos cathedral in May 1224 blesses the union between Castile and the 'earthly Jerusalem', the longed-for destination of the crusaders.¹¹ Although it took place in his cathedral, Maurice was not the principal celebrant – he had, the charter informs us, 'invited and requested' the archbishop of Toledo to attend.¹² Two months later, in July 1224, both prelates were at the council of war at Carrión, some 85 kilometres to the west along the pilgrimage route to Santiago. Here, as the *Chronica Latina* informs us, Fernando III 'with his noble mother, with the archbishop of Toledo and the bishop of Burgos and all the magnates of his kingdom, united in council ... decided to declare war against the Saracens'.¹³ It seems very likely that Maurice and Rodrigo travelled on with the royal court after the wedding at Burgos, in order to provide their episcopal *consilium* on reopening war with the Almohads.

⁸ Pick, *Conflict and Coexistence*, 209–10: 'ex auctoritate dei omnipotentis et domini pape et nostra et venerabilium fratrum nostrorum coepiscoporum, videlicet, Oxom[en]sis, Calagurrutani, Palentini, Burgensis, Secobiensis, Abulensis, Seguntini, omnium peccatorum suorum [tantam] absolutionem sibi factam [esse] non dubitet, quanta is qui Iherosolimam vadit habet'. Rodrigo also prohibited anyone from crusading in Jerusalem 'quousque ispania ab hac infestatione liberetur'.

⁹ According to the *Chronica Latina*, 62–3.

¹⁰ Bianchini, *The Queen's Hand*, 249. John had in fact been in Spain with the intention of marrying a daughter of the king of León.

¹¹ ACB v. 35, f. 34; see [Appendix III](#) for a transcription and translation. On crusader references to the earthly and heavenly Jerusalem, see M. Cecilia Gaposchkin, *Invisible Weapons: Liturgy and the Making of Crusade Ideology* (Ithaca: Cornell University Press, 2017).

¹² See [Appendix III](#).

¹³ *Chronica Latina*, 63: 'In principio igitur mensis iulii rex intravit Carrionem, ubi cum nobili genetrice sua et cum archiepiscopo Tolletano et episcopo Burgense et cunctis magnatibus regni, [ubi] tratatu habito, firmatum est consilium movendi guerram contra Sarracenos'. It is strange that Bishop Tello of Palencia, the closest see to Carrión, is not mentioned as being there.

The pope also saw these two clerics as the most suitable choices for his command to preach crusade in Spain. In September 1225, Pope Honorius III singled them out in a letter that recognised the Castilian wars as worthy of the same spiritual and material indulgences as the quest to liberate Jerusalem.¹⁴ The letter was addressed to Rodrigo and Maurice, and in it, Honorius appointed these two as *crucesignatus*.¹⁵ Specifically, they were charged with the task of preaching crusade throughout Castile, for which purpose, the pope decreed, they must have complete freedom and protection.¹⁶ A letter from Honorius to Fernando III, dated to the same day, reiterates this point, congratulating the king on having waged war against Islam (which, he pointed out, threatened all Christendom) and informing him that the prelates of Toledo and Burgos had been appointed protectors of the crusade and were under orders to announce the papal exhortation publicly throughout the land.¹⁷

That Maurice received and acted upon the papal commission is confirmed by a letter found in the cathedral archive of Ávila, issued not long afterwards.¹⁸ Written jointly in the names of Maurice and Rodrigo, and addressed to ‘all the bishops and vicars of the kingdom of Castile’, this letter contains a copy of the apostolic mandate, and instructs all clerics to call for war against the Almohads, so that ‘inspired by such privilege from the apostolic see, they should be brought manfully to such holy business’ (*sanctum negocium*).¹⁹ Precisely where Maurice may have travelled to fulfil this brief is a matter of speculation. He is wholly absent from Burgos cathedral archive between October 1225 and September 1227.²⁰ By February 1227, he was on the eastern side of Castile, in Brihuega.²¹

¹⁴ *Honorio*, Doc. 575, 26 September 1225: ‘unde universis per Hispanias constitutes, qui crucis assumpto signaculo cause huiusmodi duxerint, insistendum, eandem concedimus indulgentiam, que cruce signatis terre sancte subsidio insistentibus in generali concilio est concessa, quorum etiam personas cum omnibus bonis suis post crucem assumptam, sub protectione recipimus apostolice sedis et nostra.’

¹⁵ *Honorio*, Doc. 575: ‘crucesignatus regni Castille vos proprios deputavimus protectores.’

¹⁶ *Honorio*, Doc. 575: ‘Per apostolica vobis scripta mandamus, quatinus eandem indulgentiam per regnum Castellæ publice nuntietis, et cum ad hoc deputati sitis protectores, eisdem ne regum vel quorumlibet aliorum inquestentur molestiis vel vexationibus fatigentur, cum eos oporteat, ut liberius Christi servitio insistant, specialiter confoveri.’

¹⁷ *Honorio*, Doc. 576: ‘Venerabiles fratres nostros Toletanum archiepiscopum et Burgensem episcopum deputavimus protectores, quibus etiam per litteras nostras iniunximus, ut indulgentiam huiusmodi, qua fideles ad promotionem eiusdem negotii animentur, publice debeant nuntiare.’

¹⁸ The editor of the Ávila archive, Ángel Barrios García, comments that we cannot tell where this document was written; it is likely to have been produced whilst the pair were travelling, or indeed in Ávila.

¹⁹ Barrios García, *Documentación medieval de la catedral de Ávila*, Doc. 61: ‘Nos igitur tam salubre mandatum tam utile populo christiano ex qui cupientes universitatem vestram rogamus attentius et auctoritate apostolica, qua fungimur, in hoc negocio vobis firmiter mandamus, quatinus indulgentiam supradictam, sicut in litteris apostolicis continetur, populis vobis subiectis solempniter nuntietis, ut tanto beneficio sedis apostolice animati ad tam sanctum negocium viriliter attingantur.’

²⁰ Indeed, no charters were produced in Burgos at all over this two-year period. It is instructive to compare the silence of Burgos scriptorium at other points when we know Maurice to have been absent; a case in point is the year of 1219, when Maurice travelled to Germany, and during which period no charters were issued until his return in November of that year (see [Chapter 5](#)).

²¹ Archivo de la catedral de Toledo, A.11.A.1.4b; see [Appendix IV](#).

A few months later, Maurice and a scribe from Burgos cathedral were together in Quintanadueñas in August 1227, to the north, and likely on his way back home.²² Honorius III wrote to Bishop Tello of Palencia in October 1225, urging him to donate to the cause and advising him that Maurice would be visiting his diocese to preach crusade, though whether he arrived in Palencia is unknown.²³ It has been demonstrated recently that the specific form of crusading prayer known as the ‘clamour’ was copied out in a breviary now at Burgos cathedral, most likely at some point in the 1220s or 1230s, and although it is of course tempting to see this as one of the fruits of the preaching campaign of 1225, such a specific identification is impossible.²⁴ It is notable that Maurice is not recorded as attending any of the major conquests of the 1220s in person; unlike several of his contemporaries, he was not at the capture of Capilla in 1226 nor is he listed among those present at the taking of Córdoba in 1236.²⁵ Maurice’s role was evidently not on the battlefield but behind it, as preacher and advisor, providing the spiritual impetus for the resumption of hostilities between the kingdom of Castile and the Islamic south. And as we shall see in the next part of this chapter, this role extended to more a more textual encounter with Islam.

Maurice and the *Liber Alchorani*

In addition to his role as *crucesignatus* and advisor to the king, Maurice undertook a more intellectual endeavour against the Almohads; namely, the co-patronage of a translation of the Qur’ān into Latin. This translation, entitled the *Liber Alchorani*, was produced whilst Maurice was still a canon at Toledo by one of his fellow members of cathedral chapter, Mark of Toledo, a Mozarab and a medical student, who

²² In a sale drawn up by ‘Giraldus notarius domini episcopi’; *DCB*, Doc. 209.

²³ Abajo Martín, *Documentación de Palencia*, Doc. 169; see also Doc. 170.

²⁴ See Witcombe, ‘Praying for Conquest in Thirteenth-Century Castile’, 153–82.

²⁵ For Capilla: *Chronica Latina*, 72: ‘archiepiscopus vero Toletanus et episcopus Parentinus et alii viri religiosi, qui cum episcopis erant, mezquitam maurorum, omni spurcicia mahometice susperditionis per virtutem Domini nostri Iesu Christi et victoriosissime Crucis eius purgatam, dedicaverunt ecclesiam Domino Iesu Christo’. For Córdoba: Listed as present were the bishops of Osma, Cuenca, and Baeza, and other ‘viri religiosi’, as in the *Chronica Latina*, 100–1.

²⁶ There is a great deal of scholarship on the *Liber Alchorani*. For the principal works, see d’Alverny, ‘Deux traductions latines du Coran au Moyen Âge’, 69–131; Burman, *Reading the Qur’an*; Tolan, ‘Las traducciones y la ideología de la reconquista’, 79–85; Ulisse Cecini, ‘Faithful to the Infidels’ Word: Mark of Toledo’s Latin translation of the Qur’an’, in Reinhold Gleis, ed., *Frühe Koranübersetzungen. Europäische und außereuropäische Fallstudien* (Trier: Wissenschaftlicher Verlag Trier, 2012), 83–98; Cecini, ‘Main Features of Mark of Toledo’s Latin Qur’an Translation’, *Al-Masāq*, 25:3 (2013), 331–44; as well as Petrus i Pons, *Liber Alchorani quem transtulit Marcus Toletanus*. On Mark of Toledo and his background, see Teresa Witcombe, ‘Mark of Toledo’s *Liber Alchorani* (“The Book of the Qur’an”) and Its Reception in Medieval Toledo’, in Charles Burnett and Pedro Mantas España, eds, *Mark of Toledo: Intellectual Context and Debates Between Christians and Muslims in Early Thirteenth-Century Iberia* (Córdoba: Córdoba University Press, 2022), 21–39.

dated his work according to the Islamic calendar, to the year 606 of the Hegira, that is, some point between July 1209 and June 1210.²⁶

The *Liber Alchorani* was not the first Latin translation of the Qurʾān: in 1142, Robert of Ketton had translated the text on the orders of Peter the Venerable, abbot of Cluny, a work entitled *Lex Mahumet pseudoprophete*, that provided something of a paraphrase of the Qurʾānic text and was to become widely known across Europe, although it does not seem to have been used by Mark in 1210.²⁷ The *Liber Alchorani*, however, was a very different sort of text. As Thomas Burman has illustrated in his important analysis of the earliest Latin Qurʾān translations, Mark's text was scrupulously verbatim to the Arabic original, resulting in a highly 'philological' translation that recreates the Arabic syntax and even word order, as well as preserving the Qurʾānic structural divisions, and relying on Islamic exegesis to make sense of passages that were particularly problematic.²⁸ These conclusions have been expanded on by Ulisse Cecini, whose close linguistic study of the translation reveals evidence of Mark introducing 'Arabicisms' into his Latin text.²⁹ And unlike the *Lex Mahumet pseudoprophete*, Mark's text circulated under a transliteration of the original title of al-Qurʾān, or *alchorani*.³⁰

The main body of the *Liber Alchorani* was preceded by a long, highly polemical prologue, a 'frame' that informed the reader how to approach the core of text itself.³¹ This prologue provides us with information about the work's patrons, as well as a lengthy polemical biography of Muhammad and an account of early Islamic expansion, reusing a number of pre-existing polemical tropes.³² Mark informs the reader that the text contains Muhammad's 'sacrilegious principles' (*sacrilega instituta*) and his 'monstrous precepts' (*enormia precepta*).³³ He also provides some background to the commission. Archbishop Rodrigo, the first of the two patrons to be named, wished to act against the 'enemies of the cross' who had 'infested'

²⁷ See Tolan, 'Las traducciones y la ideología de la reconquista', 82; Burman, *Reading the Qurʾān*; J. Martínez Gázquez and A. Gray, 'Translations of the Qurʾān and Other Islamic Texts Before Dante (Twelfth and Thirteenth Centuries)', *Dante Studies*, 125 (2007), 79–92, at 86; and J. Martínez Gázquez, 'Trois traductions médiévales latines du Coran: Pierre le Vénérable-Robert de Ketton, Marc de Tolède et Jean de Segobia', *Revue des Études Latines*, 80 (2002), 223–36. Although compare the view of d'Alverny that Mark disapproved of Robert of Ketton's translation, and so did not mention it; d'Alverny and Vajda, 'Marc de Tolède', 116.

²⁸ Burman, *Reading the Qurʾān*, esp. 21–3; see also Thomas Burman, 'Tafsīr and Translation: Traditional Arabic Qurʾān Exegesis and the Latin Qurʾāns of Robert of Ketton and Mark of Toledo', *Speculum*, 73 (1998), 703–32.

²⁹ Cecini, *Alcoranus latinus*, and Cecini, 'Faithful to the Infidels' Word', 83–98.

³⁰ On the significance of this, see Teresa Witcombe, 'The Qurʾān and the "Laws of Muhammad" in Medieval Christian Eyes', in M. García-Arenal and G. Wieggers, eds, *The Iberian Qurʾān: From the Middle Ages to Modern Times* (Berlin: De Gruyter, 2022), 49–67.

³¹ Burman, *Reading the Qurʾān*, 17. The prologue was published by Marie-Thérèse d'Alverny in her seminal article of 1951.

³² Tolan, 'Las traducciones y la ideología', 79–85.

³³ d'Alverny and Vajda, 'Marc de Tolède', 267: 'ut liber in quo sacrilega continebantur instituta et enormia precepta translatus'. Also see Burman, *Translating the Qurʾān*, 17.

Spain – Mark’s term here echoing Rodrigo’s description of the Muslim ‘infestation’ of the Peninsula, in his letter of 1211. For, as Mark informs the reader, ‘in places where suffragan bishops were at one time offering holy sacrifices to Jesus Christ, now the false prophet is extolled in name.’³⁴ It was from this sense of outrage and desire to recover once-Christian land, Mark informs us, that Rodrigo ordered for the Qur’ān to be translated ‘so that those whom he is not permitted to fight with physical arms, he might at least confuse by resisting their monstrous precepts.’³⁵ Although, as we have seen, there are a number of references to Castilian clerics personally fighting in battles from this period, it is clear that this translation was to become the basis for a different form of combat with Islam.

Immediately after his praise of Rodrigo, Mark provides a lengthy description of Maurice. As with Rodrigo, Mark praises Maurice’s virtues, including his ‘learning’, and describes motivations that are very similar to those of the archbishop:

Also, in this concern, set on fire by zeal for the Christian faith, the reverend Maurice, archdeacon of the same [the see of Toledo], is no less distinguished; commendable in learning, outstanding in virtue, brilliant in habits, and distinguished in integrity, but has laboured with equal desire and equal passion so that this book should be translated into Latin words, so that, confounded by Christians, some Muslims may be drawn from the detested customs of Muhammed into the Catholic faith.³⁶

Why should Mark have taken the time to name a second patron in this translation, especially when that patron was a fellow canon and not even of episcopal rank?

The rhetoric used in the prologue suggests that Maurice’s role was significant. The translation was made ‘by the salubrious petition (*petitio*) of the venerable archbishop of Toledo Rodrigo, and at the persuasion (*persuasio*) of Master Maurice archdeacon of the see of Toledo.’³⁷ Indeed, Mark specifies that Maurice ‘laboured with equal desire and equal passion so that this book should be translated into Latin words.’³⁸ This ‘labour’ must have been a reference to practical, perhaps financial support, since Mark also indicates that he completed the translation

³⁴ d’Alverny and Vajda, ‘Marc de Tolède’, 267: ‘quoniam quidem in locis ubi suffraganei pontiffices sacrificia sancta Ihesu Christo quondam offerebant, nunc pseudo-prophete nomine extollitur’.

³⁵ d’Alverny and Vajda, ‘Marc de Tolède’, 267: ‘ut quos ei non licebat armis impugnare corporalibus, saltem enormibus institutis obviando confunderet’. This is rather strange, given that we have good evidence to suggest that Rodrigo and many of his colleagues also took up physical arms frequently.

³⁶ d’Alverny and Vajda, ‘Marc de Tolède’, 267: ‘In hac quoque sollicitudine zelo succensus fidei christiane non [minus] extitit reuerendus Mauricius archidiaconus eiusdem, litteratura commendabilis, uirtutibus insignis, moribus perspicuus, honestate preclarus, sed pari uoto parique affectu laborauit, ut liber iste in latinum transferretur sermonem, quatinus ex institutis detestandis Mafometi a Christianis confusi, sarraceni ad fidem nonnulli traherentur catholicam’.

³⁷ d’Alverny and Vajda, ‘Marc de Tolède’, 268: ‘Transtulit autem Marchus Tholetane Ecclesie canonicus librum Alchorani ad petitionem Roderici venerabilis archiepiscopi Tholetani salubrem, et persuasionem magistri Mauricii Tholetane sedis archidiaconi, meritis et sanctitate commendabilium virorum’.

³⁸ d’Alverny and Vajda, ‘Marc de Tolède’, 267: ‘Pari voto perique affectu laboravit ut liber iste in latinum transferretur sermonem’.

without any collaborator.³⁹ Mark describes Maurice as ‘archlevite’, a rather unusual term for an archdeacon, and refers to the specific circumstances in which he was convinced to translate the Qur’ān: ‘both my lord archbishop ... and the archlevite, prelate of the same church, by beneficial reminders pushed me using all kinds of persuasions, in order that I should not at once refuse the work of this translation’.⁴⁰ Perhaps even more interesting is Mark’s retrospective reference to this same event three years later, when he describes taking on the work ‘at the order (*preceptum*) of Rodrigo ... and the insistence (*instantia*) of Master Maurice’. In all of these descriptions, Maurice’s role as instigator and his personal commitment to the project is clear.

Indeed, Maurice’s role was the more unexpected of the two in the patronage of this translation. The preceding scientific and philosophical translations that had taken place in Toledo had been produced with the support of the city’s archbishops; no one of any lesser rank is recorded as having commissioned a translation of any sort. Nor am I familiar with any Toledan translation being commissioned by two patrons. Maurice’s ‘insistence’ and ‘persuasion’ stand out here, against the more formal language of command used to describe Rodrigo’s role. Similarly, Mark’s reference to Maurice’s ‘zeal’ and his enthusiasm for the project are striking. There would be no reason for Mark to have included these references to Maurice unless they reflected the circumstances in which he began his work. A translation such as the Qur’ān must surely have required nothing less than the highest ecclesiastical agreement and support, and from that perspective, we would expect to see the archbishop as patron of this text, but the addition of the archdeacon is unprecedented, and thus all the more significant. We should also bear in mind that three years later, Maurice commissioned another translation of an Islamic theological text, this time as sole patron. This was the doctrine of Ibn Tūmart, to be discussed below, the translation of which was completed in June 1213. Maurice became bishop of Burgos in the spring of that same year, and is described as ‘bishop-elect’ in the work’s prologue, and so this must have been one of the first acts of his episcopal career. It appears that only once Maurice had episcopal status was he able to act as sole patron for a translation.

What were the motivations that led Rodrigo and Maurice to commission this translation of the Qur’ān? As we have seen, their intentions as stated in the prologue are very similar: to ‘confuse’ Muslims and fight against the Almohads using words alone, and, in Maurice’s case, to convert ‘some Muslims.’ The immediate context of the preparations for war in 1212 provided an essential backdrop to

³⁹ As is clear in his description of personally translating from Arabic to Latin. This is a valuable insight into the translation process and appears to be rather different from the ‘team effort’ involved in many other translations in this period.

⁴⁰ d’Alverny and Vajda, ‘Marc de Tolède’, 268: ‘Uterque igitur, tam dominus meus Toletane sedis archiepiscopus Yspaniarum primas, quam prelatus eiusdem archilevita, salubri me pulsarunt a[d]monitione, omnimodo persuadentes, ut huius translationis subite laborem non recusarem.’

the work. In this context, the *Liber Alchorani* was a means of creating the social conditions necessary to sustain war against the Almohads.⁴¹ The prologue explicitly denies the political legitimacy of the Islamic rulers to the south, portraying Muhammad as a magician and a trickster, and calling for the conquest of these lands and their 'return' to Christian worship. Such rhetoric was designed not to convert Muslims but to move the Christian reader, and thus to sanction the war effort (and not least, the expense) involved in conquering this territory and its former churches.⁴²

Not only did the *Liber Alchorani* inform Christians that their faith was superior to Islam, it also played a part in delineating the position of Muslims within a Christian society. In her analysis of Archbishop Rodrigo's policy towards non-Christians, Lucy Pick argues that works of polemic against both Muslims and Jews constituted one branch of the archbishop's attempts to bring non-Christians under his own theological aegis; it was through his 'theology of unity', that is, the allocation of non-Christians to a defined, though inferior, place under Christian rule, that a certain equilibrium could best be preserved between religious groups.⁴³ Mark's prologue sent a clear message to its Christian readers of Islam's inferiority. Indeed, the conversion of Muslims (or Jews) *en masse* in Toledo would not have been an economically sound policy to pursue. What mattered more was the clear distinction between the religious groups so that Christians did not become confused about their own identities. The *Liber Alchorani* informed Christians how to consider, theologically, the Muslims with whom they had interacted, fought, and traded. Later in his life, Rodrigo was to write a history of the Arabs in Spain, the *Historia Arabum*, a detailed account of the conquest and settlement of al-Andalus. That was a work putting the Almohads into their historical and political place; the *Liber Alchorani* provided commentary on their spiritual status within a Christian society.⁴⁴

And yet, the involvement of Maurice in the *Liber Alchorani* presents us with another, previously unsuspected, motivation for the translation. It is instructive at this stage to remind ourselves of the conclusions reached by Thomas Burman and Ulisse Cecini: namely, that Mark of Toledo's translation was, both linguistically and structurally, most suited to a close philological reading of the text itself, and facilitated a comparison between the Latin and Arabic (and one which would require a reading knowledge of both languages).⁴⁵ The *Liber Alchorani* was certainly used as a 'reading aid' alongside an Arabic Qur'ān by the late 14th century, from

⁴¹ Petrus i Pons, 'Marcos de Toledo', 87; she has described the *Liber Alchorani* as being 'completely Spanish'; and Tolan, 'Las traducciones y la ideología de la reconquista', 79–85. For a development of the same idea, see Tolan, *Saracens: Islam in the Medieval European Imagination*, 171–84.

⁴² Tolan, *Saracens*, 184.

⁴³ Pick, *Conflict and Coexistence*, 127.

⁴⁴ Pick, *Conflict and Coexistence*, especially 128–38.

⁴⁵ See, principally, Burman, *Reading the Qur'an*, Cecini, 'Faithful to the Infidels' Word', 88; Cecini, *Alcoranus Latinus*, 109; Petrus I Pons, 'Marcos de Toledo', 87–8.

which there survive copies of the text annotated in Arabic.⁴⁶ However, it has been widely considered by Burman and others that, since Archbishop Rodrigo was, in 1210, a Navarrese outsider in Toledo and unable to read Arabic, such a use cannot have been intended at the work's inception. These interpretations fail to take into account the linguistic and cultural profile of the work's second patron, Maurice, however. As we saw in [Chapter 1](#), unlike the archbishop, Maurice was deeply rooted in Toledo, and *in situ* as a canonical colleague of Mark of Toledo before Rodrigo's arrival in the city. He was also, as we have seen, close to the Mozarabic community and supportive of the Mozarabic patron of the city. Most importantly, in 1209, the very same year that he commissioned the *Liber Alchorani*, he was also recorded negotiating according to Mozarabic law. In light of this, a comparative and philologically informed reading of the *Liber Alchorani* becomes much more likely, and Maurice a clear candidate to be interested in such a text.

The value of such an approach within a polemical interreligious context is made clearer when we consider that, over this same period, Archbishop Rodrigo was engaged in writing a polemical text aimed in another direction: namely, his anti-Jewish treatise, the *Dialogus Libri Vite*. This text, analysed in depth by Lucy Pick, consisted largely of an imagined exchange between a Christian and a Jewish interlocutor, rooted in a detailed and highly literal reading of the Hebrew Scriptures in order to assert the superiority of Christianity.⁴⁷ The text has been internally dated to 1197, 1214, and 1218, and so this would have been an ongoing project for the archbishop at the very same moment as he and Maurice were collaborating on the *Liber Alchorani*. Pick highlights Rodrigo's extremely literal interpretation of Hebrew scriptures in the *Dialogus*, in which he engaged with the text of the Talmud and the Midrash on a philological level, as texts the literal interpretation of which would highlight errors or discrepancies against which the truth of Christianity could be proven.⁴⁸ Moreover, Rodrigo seems to have had direct access to these texts, most likely reading Hebrew himself and consulting Jewish scholars, and his *Dialogus* represents an early and important deployment of Hebrew philology for Christian polemical ends. In so doing, Rodrigo was in line with the increased attention paid by medieval theologians, led by the clerics of Saint-Victor, to the literal Latin translations of the Hebrew Scriptures, a project that was to come to fruition in Paris in the 1230s with the so-called 'trial' of the

⁴⁶ Burman, *Reading the Qur'an*, 133.

⁴⁷ Pick, *Conflict and Coexistence*, 147–65, and Pick, 'Michael Scot in Toledo', 96. Alex Novikoff has suggested that ideas of 'disputation' became increasingly popular in Spain, as they were disseminated from French *studia*, and that they increasingly determined the nature of hypothetical polemical debates, of which the purpose was to arrive at a Christian truth. See Alex Novikoff, 'From Dialogue to Disputation in the Age of Archbishop Rodrigo Jiménez de Rada', *Journal of Medieval Iberian Studies*, 4 (2012), 95–100.

⁴⁸ Pick, *Conflict and Coexistence*, 147–65. Pick highlights Rodrigo's extremely literal interpretation of Hebrew scriptures as used in the *Dialogus* and his 'remarkable awareness of Jewish traditions'.

Talmud, and reappear later on in the Peninsula in the work of figures such as Ramon Martí.⁴⁹

Just as Hebrew Scripture was being deployed to write literalist anti-Jewish polemic in early 13th-century Toledo, the production of a precise and highly literal translation of the Qurʾān would have facilitated the same approach to the Islamic holy text. This raises an inevitable parallel. Was the *Liber Alchorani* intended for this purpose? And, as the patron most familiar with Arabic and thus capable of engaging philologically with the Qurʾānic text, can Maurice and his ‘zeal’ be seen as behind this? Of course, this must remain no more than speculation. No anti-Islamic polemic was produced in Castile in these decades, perhaps surprisingly. Not long after the Qurʾān translation was made, Maurice was at war alongside his colleagues, and by 1213, he was bishop of Burgos and busy commissioning a very different sort of translation, to which we shall turn shortly. Nonetheless, we have seen from the prologue that Maurice was an enthusiastic patron who had not only his own agency in this commission, but also his own aims and expectations of the resultant text – and this awareness opens up new avenues of interpretation of the *Liber Alchorani*.

This commission also underscores the place of Maurice within the chapter of Toledo, and specifically among its intellectual *milieu*. It is evident that he was a figure of some authority, and that, beyond his power as archdeacon of the cathedral, he shared with his archbishop an intellectual approach towards Islam and a common vision of how to combat it. When we remember that this translation was finished by the summer of 1210 at the very latest, and that consequently, this must have been one of the very first actions of Rodrigo after his accession in February 1209 (since the text of the Qurʾān is long and the translation far from straightforward), this unity of purpose with Maurice becomes yet more significant. Equally, we should note Mark’s description of both his patrons as ‘learned’ (Maurice was ‘commendable in learning’ (*litteratura commendabilis*) and Rodrigo, rather bizarrely, is described as being ‘the high priest whom the learning of divine science commends’ (*antistes quem divine scientie litteratura commendat*), flattery that, whilst to some extent expected, may also hint towards a perception in Toledo that these two figures were of a similar intellectual calibre. The implications of this intellectual engagement for Maurice will be seen more clearly in the next section

⁴⁹ See Alexander Fidora, ‘The Latin Talmud and Its Place in Medieval Anti-Jewish Polemic’, in Ulisse Cecini and Eulàlia Vernet Pons, eds, *Studies on the Latin Talmud* (Barcelona: Universitat Autònoma de Barcelona, Servei de Publicacions, 2017), 13–22; P. Capelli, ‘Nicholas Donin, the Talmud Trial of 1240, and the Struggles Between Church and State in Medieval Europe’, in E. Baumgarten, R. Mazo Karras, and K. Mesler, eds, *Entangled Histories: Knowledge, Authority, and Jewish Culture in the Thirteenth Century* (Philadelphia: University of Pennsylvania Press, 2017), 159–80; and Alexander Fidora and Ulisse Cecini, ‘Nicholas Donin’s Thirty-Five Articles Against the Talmud. A Case of Collaborative Translation in Jewish-Christian Polemic’, in Charles Burnett and Pedro Mantas, eds, *Ex Oriente Lux: Translating Words, Scripts and Styles in Medieval Mediterranean Society* (Córdoba: Córdoba University Press, 2016), 187–99.

(‘The *Little Book on the Unity of God* by Ibn Tūmart’), in which we will discuss yet another strategy that Maurice adopted in his efforts to defend Christianity against the threat of Islam.

The *Little Book on the Unity of God* by Ibn Tūmart

Three years after the translation of the *Liber Alchorani*, and not long after his own promotion to episcopal status, Maurice commissioned Mark to translate another Islamic text. On 1 June 1213, Mark completed his Latin translation of the doctrines of Ibn Tūmart, the spiritual leader of the Almohads, ‘following the request of Master Maurice, archdeacon of Toledo and bishop-elect of the church of Burgos.’⁵⁰ The work in question was entitled the *Libellus Habentumati de Unione Dei*, or ‘The Little Book of Ibn Tūmart on the Unity of God’ (henceforth, the *Libellus*).⁵¹ Ibn Tūmart had led the early stages of the Almohad revolution in Morocco in the 1120s, and his teachings were compiled in Córdoba in the early 1180s.⁵² The text is a summary of the theology professed, at least in theory, by the Almohads with whom King Fernando III was at war.⁵³

For Marie-Thérèse d’Alverny, who discovered the sole extant manuscript and, with Georges Vajda, published the text and its prologue in 1951, the *Libellus* was a sequel to the Qur’ān translation; a shorter, clearer expression of Islamic theology that would aid understanding of the ‘obscure’ *Liber Alchorani*.⁵⁴ Her interpretation has been followed without exception by more recent scholars.⁵⁵ However, a closer analysis of this translation reveals a rather more complex role for this text within Toledan society. Like the Qur’ān translation, the *Libellus* is preceded by a detailed prologue, in which Mark discusses the text he has translated and pays homage to his patron, a text that has been almost entirely overlooked and which provides us with a key to the interpretation of the *Libellus* itself. Indeed, in this prologue, Mark went to some lengths to distance the text of Ibn Tūmart from that of the Qur’ān.

⁵⁰ d’Alverny and Vajda, ‘Marc de Tolède’, 269: ‘rogatus postmodum a magistro Mauricio, Toletano archidiacono et Ecclesie Burgensis electo.’

⁵¹ Held in the Mazarine library, MS780/1, and published by d’Alverny and Vajda, ‘Marc de Tolède’, 268–80.

⁵² For information about Ibn Tūmart and the Almohad movement, see Ambrosio Huici Miranda, *Historia política del imperio almohade*, 2 vols (Tétouan: Editora Marroqui, 1956), and Allen Fromherz, *The Almohads: The Rise of an Islamic Empire* (London: I. B. Tauris, 2010).

⁵³ Which led d’Alverny to describe him as ‘hardi et avisé’: d’Alverny and Vajda, ‘Marc de Tolède’, 105; see also d’Alverny, ‘Translations and Translators’, 429. Also, for the terminology of the ‘oneness’ of God, see Martínez Gazquez and Gray, ‘Translations of the Qur’ān’, 80.

⁵⁴ d’Alverny, ‘Deux traductions latines du Coran’, 123.

⁵⁵ As seen in Cecini, ‘Faithful to the Infidels’ Word’, 88; Cecini, *Alcoranus Latinus*, 96–111; Tolan, *Saracens*, 184; and Petrus i Pons, ‘Marcos de Toledo’, 90.

In what follows, we shall suggest that the *Libellus* was commissioned not to elucidate the Qurʾān, nor as a similar text to be defeated alongside it, but rather as a text that was considered to belong to the canon of philosophical translations produced in Toledo over the 12th century, and that was seen to contribute positively to other forms of intellectual debate about the nature of Christianity itself.

The Prologue to the *Libellus*

The short prologue to the *Libellus* is, as with the *Liber Alchorani*, a text of crucial importance in our understanding of the ensuing translation and the vision and intentions that lay behind it.⁵⁶ Maurice's patronage is recorded in the final lines, recording his new status as bishop-elect of Burgos. There is direct reference to the context of war that surrounded Toledo as this work was being accomplished, since Mark informs us that, having consulted the *Libellus*, 'the faithful should make greater efforts in assailing the Saracens.'⁵⁷ Mark also recalls his translation of the Qurʾān three years previously, and links both texts to the war effort at the end of the prologue, with the statement that 'in either book, through inspection by Catholic men of the secrets of the Muslims, the way of fighting back lies open.'⁵⁸ These 'secrets' were clearly opened to all Christians by rendering the text into Latin.

Mark also adds some criticism of Mohammad that fits well into the polemical style of the Qurʾān prologue, reminding the reader that 'truly Mohammad is proven to have been disgraceful in teachings, confused in word, shameless in speech.'⁵⁹ However these statements do little more than frame the body of the prologue, which is concerned instead with the doctrines of Ibn Tūmart, and strikingly, these are clearly differentiated from the Qurʾān and 'law of the unfaithful Ishmaelites.'⁶⁰ Ibn Tūmart's doctrines are quite different, Mark informs the reader, adding that very few Muslims know about or accept Ibn Tūmart's theology:

For, although the words of Mohammad have a greater authority amongst all the Muslims than the sayings of Ibn Tūmart, since the Qurʾān has been accepted amongst them all universally, however the little book of this person ... is on no

⁵⁶ Although a key difference is that the *Libellus* prologue has been entirely overlooked and has not been subject to any analysis. d'Alverny and Vajda have published the whole text in 'Marc de Tolède', 269–83.

⁵⁷ d'Alverny and Vajda, 'Marc de Tolède', 268: 'ut ex utriusque inspectione fideles in Sarracenos inveniendi exercitamenta sumant ampliora'.

⁵⁸ d'Alverny and Vajda, 'Marc de Tolède', 269: 'in catholicis viris utrumque librum inspicientibus Maurorum secreta via patet impugnandi'.

⁵⁹ d'Alverny and Vajda, 'Marc de Tolède', 269: 'ille vero Mafometus in preceptis inhonestus, in verbis confusus, in dictis inverecondus ... extitisse probatur'.

⁶⁰ d'Alverny and Vajda, 'Marc de Tolède', 268: 'legis infidelium Ismaelitarum'.

occasion accepted by them, not even by all who are under the rule and dominion of what is, strictly speaking, the king of the Carthage of Dido.⁶¹

Thus, not even all who live in the territory of the Almohad Empire ('the Carthage of Dido'), accept Ibn Tūmart's teachings, a claim that both implies schisms within Islam and simultaneously removes Ibn Tūmart's doctrines from having an immediate contemporary relevance in the wider Islamic world.

This distinction is made more explicit further on, in Mark's claim that Ibn Tūmart did not in fact practice his faith according to orthodoxy – he was mistakenly thought to be a 'pure Muslim', but in fact 'he did not believe in the law, as he was a philosopher, a disciple of al-Ghazālī'.⁶² The connection with al-Ghazālī is of great significance and a point to which we shall return, but for now, it is noteworthy that once again Ibn Tūmart is being distinguished from mainstream Islam and seen as rejecting 'the law'. Quite which law Mark is referring to is unclear. Islam itself was perceived of as a 'lex', as Mark himself makes clear in his reference to the 'law of the unfaithful Ishmaelites', and thus on one level this could be interpreted as a disassociation from the Islamic faith itself.⁶³ We should remember that Robert of Ketton's translation of the Qur'ān in 1142 was entitled *Lex Mahumet pseudo-prophete*. On the other hand, Mark could also have been commenting on recent Islamic history and the revolt of Ibn Tūmart's followers, perceived as rebels and heretics not just in the Iberian Peninsula, where they overthrew the pre-existing Almoravid Empire, but also in the Near East.⁶⁴ Alan Fromherz has emphasised the legalistic nature of Ibn Tūmart's claims as mahdī, and in particular his attacks on the Malikite jurists of the Almoravids, whose 'law' the *Libellus* was a rejection

⁶¹ d'Alverny and Vajda, 'Marc de Tolède', 268–9: 'licet enim verba Mafometi maioris sint auctoritatis apud omnes Mauros quam Habentometi dicta, cum apud omnes universaliter Alchoranus sit admissus; huius autem libellus ... [lacuna] ... nusquam [ad]missus ab illis, nec tamen ab omnibus qui sunt sub imperio et ditone dumtaxat regis Cartaginis Didonis'. It is notable that Mark refers to Dido, queen and, according to legend, founder of Carthage. It is possible that this could be a way of establishing a place for the Almohads, by recognising them as rulers of (if not successors to) the land of the *Aeneid*, and thus fitting them within a recognised classical scheme of North African history (my thanks to Graham Barrett for this suggestion). In any case, it reveals Mark to have possessed at least a passing knowledge of Virgil. See some suggestions regarding Mark's education in d'Alverny and Vajda, 'Marc de Tolède', 107.

⁶² d'Alverny and Vajda, 'Marc de Tolède', 269: 'in nullam crediderit legem, utpote philosophus Algazelis didascalus' (NB d'Alverny suggests correcting the manuscript to read 'philosophi', but for the reasons outlined here, I am inclined to accept the original iteration).

⁶³ R. Gleis and S. Reichmuth, 'Religion Between Last Judgement, Law and Faith: Koranic *dīn* and Its Rendering in Latin Translations of the Koran', *Religion*, 42:2 (2012), 247–71. On Islam as a 'lex', see Lucy K. Pick, 'What Did Rodrigo Jiménez de Rada Know About Islam?', *Anuario de Historia de la Iglesia*, 20 (2011), 221–35.

⁶⁴ For example, Ibn al-Qalānīsī from Damascus (d. 1160) wrote that Ibn Tūmart had 'perpetuated the failure of Islamic law'; Fromherz, *The Almohads*, 8–10. Similarly, al-Ghazālī, the Islamic theologian and philosopher from Baghdad whom Ibn Tūmart claimed as his spiritual leader, openly criticised the society to which he belonged and was seen as a considerable threat by the Almoravids, to the extent that his books were burnt throughout al-Andalus in the mid-12th century.

of.⁶⁵ Archbishop Rodrigo was aware of Ibn Tūmart's schismatic behaviour when he noted in his *De Rebus Hispanie* that the mahdī 'preached against the caliph of Baghdad, who is the pope of the Arabs, and in the same way, began to instigate uprisings against the Almoravids, who at that time possessed power in Africa'.⁶⁶ The *Chronica Latina* makes a similar point, although one that rather more sympathetically describes Ibn Tūmart as overthrowing the oppression of the Almoravids over the people of al-Andalus.⁶⁷ Mark's reference to this situation makes a twofold point: Islam was riven with disunity, but Ibn Tūmart, not being a 'pure Muslim', stood apart from the problems of the Islamic world.

Having thus untangled Ibn Tūmart from his credentials within the Islamic world, Mark turns to discuss the mahdī's teachings, that is, the contents of the *Libellus*, and it is here that we can start to understand what it was that attracted the interest of these two Christian clerics. To begin with, Ibn Tūmart's teachings are far superior to those of the Qur'ān:

Greater, amongst discerning and prudent men, are the arguments and convictions which Ibn Tūmart has put forward in the little book on unity than the words of Mohammad in the Qur'ān ... since indeed this Ibn Tūmart established his good intention by depending on necessary assertions in proving One God to be first and last.⁶⁸

Moreover:

[Ibn Tūmart] proves with most efficacious reasoning that there is one God and one essence⁶⁹

Such praise is striking. Ibn Tūmart's 'reasoning' in support of the doctrine of absolute monotheism, or the *tawhīd*, a key feature of Almohad doctrine, clearly differentiated the *Libellus* from the teachings of the Qur'ān. This is entirely consistent with Mark's attempts to distance Ibn Tūmart from orthodox Islam, allowing the mahdī and his teachings to be safely commended without the risk of inadvertently praising an enemy faith and people. By divorcing the theology of Ibn Tūmart from its doctrinal context and presenting it as a work of 'reasoning' instead, this prologue effectively neutralises its Islamic content, thereby claiming the doctrines of the mahdī for a non-Muslim audience.

⁶⁵ Fromherz, *The Almohads*, 143; see also Anna Akasoy, 'Al-Ghazali, Ramon Lull and Religionswissenschaft', *The Muslim World*, 102 (2012), 33–59, at 38–40.

⁶⁶ *De Rebus Hispanie*, VII.10; 'Aventumerth ... cepit ... calippe de Baldac, qui est Papa Arabum et descendit generationis linea de semine Machometi, contraria predicare, similiter contra Almoravides, qui tunc culmen regni in Affrica optinebant, rebellia adhortari'.

⁶⁷ *Chronica Latina*, ch. 7.

⁶⁸ d'Alverny and Vajda, 'Marc de Tolède', 269: 'maioris sunt apud discretos viros et prudentes argumenta et persuasiones quas Habentometus induxit in libello Unionis quam verba Mafameti in Alchorano ... quoniam quidem hic Habentometus necessariis innixus assertionibus ad probandum unum Deum esse primum et novissimum, suam bene fundavit intentionem'.

⁶⁹ d'Alverny and Vajda, 'Marc de Tolède', 269: 'unum Deum esseque unam essentiam rationibus probat efficacissimis'.

Mark refers on two occasions to an immediate audience for the translation, beyond its patron Maurice. The first such reference, cited above, is to the ‘discerning and prudent men’ who consider the *Libellus* of Ibn Tūmart to be ‘greater’ than ‘the words of Mohammad in the Qur’ān.’⁷⁰ Mark appears to refer to this same group a second time, when he comments that ‘wise men’ nonetheless censure Ibn Tūmart for referring to Qur’anic authority:

Yet he is censured by many wise men because, although he proves with most efficacious reasoning that there is one God and one essence, nevertheless he cites the authority of the Qur’ān and so he is thought to have been a pure Muslim.⁷¹

This latter group of ‘wise men’ clearly appear to be Christian, since citation of the Qur’ān sullies Ibn Tūmart in their eyes, a position hardly tenable for Muslim sages. The first claim is less clear-cut, although considering the *Libellus* to be ‘greater’ than the Qur’ān would certainly seem to suggest that these too are Christians. This indicates that the teachings of Ibn Tūmart were already known to a number of Christians in Toledo before the translation of 1213: ‘wise men’, at least some of whom were necessarily Arabophone, since they were capable of commenting on the text before its translation. Consequently, it would appear that Maurice’s commission emerged from a broader context in which at least a small number of others were interested in debating the contents of these teachings, and capable of doing so from the Arabic original. However, it fell to Maurice to request that these ‘secrets’ be rendered accessible to all, by commissioning their translation into Latin.

Ibn Tūmart as philosopher

What was it about this text that inspired such interest? The teachings of Ibn Tūmart were compiled in the caliphal court of Córdoba during the 1180s, some fifty years after the mahdī’s death, and entitled the *A‘azz mā yuṭlab* (‘The Greatest Thing That One Seeks’).⁷² The text translated in 1213 was not the whole collection of Ibn Tūmart’s *A‘azz mā yuṭlab*, but a selection of five passages from it, namely, his creed (the *Aqīda*), two short ‘guides’ to the creed (the *murshidas*) which provide summaries of the main text, and two brief prayers. These texts represented the doctrinal content of the *A‘azz mā yuṭlab*, which also included long passages

⁷⁰ d’Alverny and Vajda, ‘Marc de Tolède’, 269: ‘maioris sunt apud discretos viros et prudentes argumenta et persuasiones quas Habentometus induxit in libello Unionis’.

⁷¹ d’Alverny and Vajda, ‘Marc de Tolède’, 269: ‘et reprehenditur tamen a nonnullis sapientibus in eo quod licet unum Deum esseque unam essentiam rationibus probat efficacissimis, inserit tamen auctoritates Alchorani; et de ipso credatur quod purus fuerit Maurus’.

⁷² Fromherz, *The Almohads*, 135–86.

about the roots of Islam, legalistic debate, discussion of the position of mahdī within Almohad theology, and a catalogue of prohibitions issued against the Almoravids.⁷³ It is not clear how, or indeed when, these five doctrinal sections of the text came to be separated from the main body of the *A'azz mā yuṭlab*. The prologue of the *Libellus* makes no mention of any wider corpus of teachings by Ibn Tūmart, nor of any decision-making, either by Maurice or Mark, as to which passages to translate, suggesting that these Arabic doctrinal texts may have already existed as a separate work in Toledo, and were known to Mark and his patron only in this shorter form.⁷⁴

These teachings formed the basis of Ibn Tūmart's revolutionary Almohad theology, proclaimed in 1121 when he declared himself mahdī (or 'rightly guided one') and led his supporters against the Almoravid Empire.⁷⁵ The rallying cry of the early Almohad revolutionaries was the declaration of the unique unity of God – the *tawhīd* – in contrast to the theologians and jurists of the Almoravid Empire, who were accused by Ibn Tūmart of 'anthropomorphism', and the theological focus of the *ʿAqīda* was precisely this doctrine of absolute monotheism.⁷⁶ The short summaries and prayers based on this creed provided a means of disseminating the mahdī's teachings throughout al-Andalus, and their widespread memorisation was a crucial part of the establishment of Almohad control.⁷⁷ Notably, two contemporary Latin accounts of the Almohads also refer to the centrality of the Almohad *tawhīd*. Archbishop Rodrigo's *De Rebus Hispanie* informs us that 'some claim that Almohad means unified'.⁷⁸ The *Chronica Latina* provides even more detail: 'those who thus obtained the kingdom are called the Almohads, that is, Unitarians, because they confess that they adore one unique God, as preached by Ibn Tūmart, as he clearly states in a certain little book (*libellus*) that he wrote.'⁷⁹

⁷³ For details on this, see Fromherz, *The Almohads*, 169–86. In an important paper on Ibn Tūmart, Frank Griffel described these five texts as 'key documents for the Almohad doctrine'; see Griffel, 'Ibn Tūmart's Rational Proof', 770.

⁷⁴ For the history of the Arabic manuscript transmission of the *A'azz mā yuṭlab* and its editions, see Griffel, 'Ibn Tūmart's Rational Proof', 765–70.

⁷⁵ Fromherz, *The Almohads*, 2. The *ʿAqīda* expresses what Alan Fromherz has described as 'the unifying ideal of the Almohad Empire ... absolute monotheism, the belief that there is one God without any physical attributes'.

⁷⁶ Fromherz, *The Almohads*, 2.

⁷⁷ Madeline Fletcher, 'The Almohad *Tawhīd*: Theology Which Relies on Logic', *Numen*, 38 (1991), 110–27, at 112–13; also Fletcher, 'The Doctrine of Divine Unity', in Olivia R. Constable, ed., *Medieval Iberia: Readings from Christian, Muslim, and Jewish Sources* (Philadelphia: University of Pennsylvania Press, 1997), 244–51.

⁷⁸ *De Rebus Hispanie*, VII.10: 'alii tamen dicunt Almohades unitos interpretari'. Indeed, Almohad seems to come from the stem 'w.h.d.', 'to be one'.

⁷⁹ *Chronica latina*, 7: 'Nominati sunt autem illi sic qui obtinuerunt regnum predictum Almohades, hoc est Unientes, quia scilicet unum deum se colere fatebantur, quem predicavit Aven Tummert, sicut in libello quodam, quem ipse composuit, manifeste declaratur'.

The *ʿAqīda* itself is a relatively short text divided into seventeen chapters.⁸⁰ In doctrinal terms, it was broadly Ashʿarite, shaped in opposition to Ibn Tūmart's Sunni Almoravid rivals as well as by his education in Baghdad.⁸¹ What is most striking about Ibn Tūmart's theology, however, is the language in which it was expressed. The *ʿAqīda* provides a series of ontological proofs for the existence and absolute unicity of God – a God known through human reason and systematic Aristotelian logic – expressed in the philosophical language used amongst Islamic scholars of philosophy in Baghdad in the early 12th century.⁸²

Central to this theology is proof of the existence of one God, and the role of human reason in attaining this knowledge: the divine can be known by 'the necessity of reason' (chapter two), and his existence proved 'by the heavens and the earth and all created things' (chapter four).⁸³ Ibn Tūmart also discusses the names of God at some length, and much more briefly, affirms the doctrine of predestination, including Ibn Tūmart's claim that the essences of all things are predestined by God in eternity, as well as the beatific vision and the properties of prophets.

The theology of Ibn Tūmart has been the subject of a number of important recent studies, revealing something of the philosophical substrate for his theological statements in the *ʿAqīda*, and emphasising the importance of the mahdī's association with the Nizāmiyya school in Baghdad, one of the most important centres of philosophical theology (or *kalām*) in the medieval Islamic world.⁸⁴ One of the most famous teachers in Baghdad at the turn of the 12th century was the theologian Abū Ḥāmid al-Ghazālī, with whom Ibn Tūmart himself claimed to have studied. This claim was disputed by many of his later medieval biographers as well as a number of modern scholars, who have pointed out that the timing of al-Ghazālī's movements makes a physical meeting between the two highly unlikely.

⁸⁰ The authoritative Arabic text of the *Aazz mā yuṭlab* of Ibn Tūmart, including the *ʿAqīda* and murshidas, is *Le livre de Mohammed ibn Toumert, Mahdi des Almohades, Texte arabe, accompagné de notices biographiques et d'une introduction par I. Goldziher*, edited by Luciani and al-Kamal in 1903. There have been at least two translations of the teachings of Ibn Tūmart into English and one into Spanish. The most complete English translation, and the one relied upon in this chapter, is that of A. Jeffrey, 'The Credal Statement of Ibn Tūmart', in A. Jeffrey, ed., *A Reader on Islam: Passages from Standard Arabic Writings Illustrative of the Beliefs and Practices of Muslims* (Gravenhage: Mouton, 1962), 353–65. A more recent translation by Madeline Fletcher is very useful indeed and is accompanied by some valuable notes, but is missing the final six chapters of the text; see Fletcher, 'The Doctrine of Divine Unity', 244–51. Also very useful is the Spanish translation of the teachings by Carlos de Ayala, *Ibn Tumart, el arzobispo Jiménez de Rada, y la cuestión sobre Dios* (Madrid: Ergastula, 2017), 107–32, which, unlike the other two, also includes the murshidas and prayers.

⁸¹ Marribel Fierro, 'Le Mahdi Ibn Tumart et al-Andalus: l'élaboration de la légitimité almohade', *Revue des mondes musulmans et de la Méditerranée*, 91–4 (2000), 107–24; see also Fletcher, 'The Almohad Tawhīd'.

⁸² Fletcher, 'The Almohad Creed', 244; Griffel, 'Ibn Tumart's Rational Proof', 756; Fromherz, *The Almohads*, 138 and 171; Fierro, 'Le Mahdi Ibn Tumart et al-Andalus', 107–24.

⁸³ Jeffrey, 'The Credal Statement', 354–5. Ayala has also noted this; *Ibn Tumart*, 65–72.

⁸⁴ Griffel, 'Ibn Tumart's Rational Proof', 257–65; Fletcher, 'The Almohad Tawhīd'; Fletcher, 'The Doctrine of Divine Unity'; Fromherz, *The Almohads*; Fierro, 'Le Mahdi Ibn Tumart et al-Andalus', 61–93.

Nonetheless, al-Ghazālī's influence on Ibn Tūmart, although indirect, was clearly significant.⁸⁵ Central to theological contention in the Nizāmiyya school under al-Ghazālī was the philosophy of the Persian scholar Avicenna, whose integration of Aristotelian logic with Islamic theology was to provide an intellectual basis for Ibn Tūmart's proofs of the existence and unity of God, as we shall see.⁸⁶

In addition to Ibn Tūmart's education in Baghdad, Madeline Fletcher has suggested another influence over the text that came to be known as the *A'azz mā yuṭlab*; that is, the context in which this text was compiled, in the Córdoba court of the 1180s. Córdoba in the late 12th century was also a centre of philosophical debate, particularly under the caliph Yūsuf I, patron of the Andalusī philosopher Averroes. Indeed, Averroes's interest in the writings of Ibn Tūmart is clear from the fact that he composed a commentary on the *A'azz mā yuṭlab* (now lost), and he may also have been part of the process of editing or adapting elements of this creed to suit the interests of the highly educated, philosophically interested scholars of Córdoba in the 1180s.⁸⁷ For Averroes, the *Libellus* was of particular interest because it displayed 'the Almohad notion of a God known by logical reasoning and definable in abstract philosophical language'.⁸⁸

This philosophical background to Ibn Tūmart's ideas was also quite clearly a defining feature for the two clerics involved in the production of the *Libellus*. On several occasions, the prologue refers admiringly to the 'efficacious reasoning' and the 'arguments' of the mahdī. Moreover, it is very significant to note that Mark validates Ibn Tūmart's 'reasoning' expressly because 'he was a philosopher, a disciple of al-Ghazālī'.

This identification of a link with al-Ghazālī is highly significant. As we have already seen, Ibn Tūmart's personal connection with the famous Baghdadi theologian has been a subject of some debate. More important for our purposes is the fact that Mark and Maurice evidently considered this connection to be of importance, indeed, to be a defining feature of Ibn Tūmart's identity and one that had an impact on his status and the validity of his doctrines. This association between Ibn Tūmart and the philosophical school of Baghdad was not unique to the *Libellus*. In Archbishop Rodrigo's *De Rebus Hispanie*, Ibn Tūmart is presented as 'very well versed in astronomy and natural sciences', whilst the *Chronica Latina* describes Ibn Tūmart as 'a wise and discreet man, even though an infidel' and even 'a philosopher from Baghdad', 'the noble and famous city ... where he had studied for

⁸⁵ Griffel, 'Ibn Tūmart's Rational Proof'; and Madeline Fletcher, 'Ibn Tūmart's Teachers: The Relationship with al-Ghazālī', *al-Qantara*, 18 (1997), 305–30.

⁸⁶ 'Ibn Tūmart's proof for the existence of God as well as for God's unity is influenced by the proof developed by Ibn Sina and studied at the Nizamiyya' (that is the Baghdadi school of theology influenced by al-Ghazālī); Griffel, 'Ibn Tūmart's Rational Proof', 757.

⁸⁷ Fletcher, 'The Almohad *Tawhīd*', 116–18.

⁸⁸ Fletcher, 'The Almohad *Tawhīd*', 122. Also Fromherz, *The Almohads*, 171.

a long time.⁸⁹ Evidently, Ibn Tūmart was considered – by Maurice, Mark, and a wider crowd – to be of a similar intellectual calibre to al-Ghazālī.

Association with al-Ghazālī was high praise in medieval Toledo. The theologian was well-known amongst Toledan intellectuals for his *Maqāṣid al-falāsifa* (the ‘Intentions of the Philosophers’), a compendium of the philosophical commentaries of Avicenna. The only work of al-Ghazālī’s to reach Toledo in this period, the *Maqāṣid* was considered to represent the pinnacle of Arabic philosophy, as reflected by the fact that the Latin translation of the work was entitled the ‘summa’ of philosophical theory (*Summa theoricæ philosophiæ*).⁹⁰ That al-Ghazālī should be renowned in Toledo as a conduit of Avicennan thought – and thereby Aristotelian logic – is of course something of an irony, since his own theological position was in self-conscious opposition to that of Avicenna, as clarified in many of his other works, but none of these were known in Toledo.⁹¹ The *Maqāṣid* was translated at some point in the later 12th century by a member of Toledo cathedral chapter, Dominicus Gundissalinus, archdeacon of Cuéllar and canon at Toledo cathedral until 1181.⁹² Gundissalinus’s impact on the intellectual scene of 12th-century Toledo was enormous: he completed over twenty translations, largely consisting of the works of Avicenna (including his *Liber de philosophia prima* or *Metaphysics* from his *Kitāb al-Shifā’*), and as well as the philosophical treatise of the near contemporary Jewish Andalusī scholar Ibn Gabirol, entitled the *Fons Vitæ*, and al-Ghazālī’s *Maqāṣid al-falāsifa*.

Within this context, the identification of Ibn Tūmart as a disciple of al-Ghazālī was one of considerable intellectual significance, aligning the Almohad mahdī with the logic of the Arabs, in direct contrast with the ‘confused’ words and ‘disgraceful’ teachings of the prophet Muhammad. The praise expressed here for Ibn Tūmart’s ‘most efficacious reasoning’ was clearly far more than simple flattery; it was a reference to the philosophical value that Ibn Tūmart’s text was seen to hold, and its status in the eyes of those ‘wise’ enough to appreciate this value.

⁸⁹ *De Rebus Hispanie*, VII.10: ‘homo in astronomia et naturalibus valde doctus’. *Chronica Latina*, ch. 6: ‘tanquam vir sapiens et discretus licet infidelis’. Also ‘quidam Sarracenus, Aven Tummert nomine, qui veniens de partibus civitatis nobilis et famose, scilicet Baldac, ubi longo tempore studuerat’. Also ch. 45: ‘ad predicationem Auen Tummert, philosophi de Baldach’.

⁹⁰ Marie-Thérèse d’Alverny, ‘Algazel dans l’Occident Latin’, in Marie-Thérèse d’Alverny, *La transmission des textes philosophiques et scientifiques au Moyen Âge* (Aldershot: Variorum, 1994), Part VII, 6–7.

⁹¹ d’Alverny, ‘Algazel dans l’Occident Latin’, 6–7; Akasoy, ‘Al-Ghazali, Ramon Lull and Religionswissenschaft’, 33–8.

⁹² See *Algazel’s Metaphysics: A Medieval Translation*, ed. J. Muckle (Toronto: St Michael’s College, 1933); Burnett, ‘The Coherence of the Arabic-Latin Translation Program’; d’Alverny, ‘Translations and Translators’, 444–59; Burnett, ‘The Translating Activity in Medieval Spain’; and Alexander Fidora, ‘Dominicus Gundissalinus’, in Henrik Lagerlund, ed., *Encyclopaedia of Medieval Philosophy: Philosophy Between 500 and 1500*, 2 vols (Dordrecht: Springer, 2011), vol. 1, 274–6. On the identity of Gundissalinus, see Adeline Rucquoi, ‘Gundisalvus ou Dominicus Gundisalvi?’, *Bulletin de philosophie médiévale*, 41 (1999), 85–106; and Alexander Fidora and M. Soto Bruna, ‘Gundisalvus ou Dominicus Gundisalvi? Algunas observaciones sobre un reciente artículo de Adeline Rucquoi’, *Estudios Eclesiásticos*, 76 (2001), 467–73.

Moreover, there is evidence to suggest that Mark – and very likely his patron Maurice – had specific aspects of this ‘reasoning’ in mind. According to the prologue, one of the key differences between Ibn Tūmart’s doctrines and the Qur’ān is that [Ibn Tūmart] depends on *necessary assertions* to prove one God to be first and last.⁹³ This is significant terminology. Central to Ibn Tūmart’s text was a chain of systematic proofs, drawing on Avicenna’s *Metaphysics*, that God was the ‘necessary existent’ (*al-wājib al-wujūd*), the absolute cause of all creation, who alone had no cause and was necessarily one and unique.⁹⁴ Ibn Tūmart follows Avicenna’s proofs carefully. The *ʿAqīda* opens with Ibn Tūmart’s division of beings into necessary, contingent, and impossible, and follows Avicenna in claiming that this classification is a ‘primary concept’: ‘the necessary truth may be said to be of three categories: what needs must be, what may possibly be, and what may not be ... these necessary truths are all firmly established in the souls of intelligent beings.’⁹⁵ That the existence of God is ‘necessary’ is stated on several occasions throughout the text; for example, at the start of the first *murshida*, Ibn Tūmart states that ‘existence is necessary for him [God] in an absolute manner.’⁹⁶

Ibn Tūmart’s case for proving that there is one, transcendent God is built upon the ‘necessary truth’ that he establishes in chapter two of the *ʿAqīda*, namely, ‘the need for an action to have a doer.’⁹⁷ Between chapters two and eleven, he lays out a chain of deductive reasoning to prove that there is one God. Firstly, if each deed must have a doer, then ‘from his own creation, man knows of the existence of his Creator’ (chapter three). As a single deed or thing has a creator, so ‘everything whose existence we know, though previously it had not existed, must be a thing produced’ (chapter four). Next, ‘a created thing cannot possibly be a creator’ since no creature is capable of the act of creation (chapter five). This means that God cannot be of the same species as man, ‘for had he been of their species, he would have been incapable with their incapacity’ (chapter six). Chapter seven reasons that this God must necessarily be transcendent and have no similitude to mankind. As a result of this, mankind cannot ascertain how God exists; God is beyond the intelligence of man and ‘those who know him, know him by his

⁹³ d’Alverny and Vajda, ‘Marc de Tolède’, 269: ‘necessariis innixus assertionibus ad probandum unum Deum esse primum et novissimum.’

⁹⁴ Griffel, ‘Ibn Tūmart’s Rational Proof’, 772. See also Amos Bertolacci, ‘Avicenna and Averroes on the Proof of God’s Existence and the Subject-Matter of Metaphysics’, *Medioevo*, 32 (2007), 61–97; Bertolacci, ‘“Necessary” as Primary Concept in Avicenna’s Metaphysics’, in S. Perfetti, ed., *Conoscenza e contingenza nella tradizione aristotelica medievale* (Pisa: Edizioni ETS, 2008), 31–50; and Robert Wisnovsky, ‘Essence and Existence in the Eleventh- and Twelfth-Century Islamic East (Mašriq): A Sketch’, in D. Hasse and A. Bertolacci, eds, *The Arabic, Hebrew and Latin Reception of Avicenna’s Metaphysics* (Berlin: De Gruyter, 2012), 27–50.

⁹⁵ Jeffrey, ‘The Credal Statement’, 354–5. See Griffel, ‘Ibn Tūmart’s Rational Proof’, 782–3; and Bertolacci, ‘“Necessary” as Primary Concept’, 31–50.

⁹⁶ de Ayala, *Ibn Tūmart*, 127–8; also Griffel, ‘Ibn Tūmart’s Rational Proof’, 772.

⁹⁷ Fletcher, ‘The Doctrine of Divine Unity’, 246.

actions' (chapter eight). Chapter nine emphasises God's uniqueness in heaven, 'for were there with him any other than himself he would necessarily be bound by the limits of accidental things'. This proves that the necessary existent cannot be composite, for which reason 'it is known that he exists absolutely'. That is, God is the only necessary existent. Chapter ten bears witness to the properties that must be attributed to God in this case. Finally, chapter eleven stresses the immutability of this God: that 'if it is known that he necessarily exists in his eternal existence, it is also known that it is impossible that he should change from that state of might and majesty that are necessarily his'. Knowledge of this necessary being is the 'greatest thing that one seeks', the title of Ibn Tūmart's work.⁹⁸

These arguments formed the intellectual foundation of Ibn Tūmart's theology, and they were closely based on the deductive reasoning of one of the most highly respected representatives of logic known in Toledo: Avicenna. Indeed, this raises the question of whether in fact the *Libellus* was considered to be something of a sequel not to the Qur'ān translation of 1210, but to the works of al-Ghazālī and Avicenna that had been translated in Toledo across much of the 12th century. As we have mentioned, al-Ghazālī's *Maqāṣid al-falāsifa* had been translated within living memory by a predecessor of Mark and Maurice in Toledo, Gundissalinus. Avicenna's many works had also been the subject of intense scholarly activity in the city over the course of the later 12th century. Much of this was the work of the same Gundissalinus, assisted either by Abraham ibn Daud, a Jewish Toledan scholar, or by another canon in the cathedral, Johannes Hispanus, a Mozarab. Charles Burnett has suggested that the translators working in Toledo in the later part of the 12th century were not only well aware of each other's works, but participated in a deliberate 'programme' of translations, with Gerard of Cremona concentrating his efforts on producing Latin translations of the works of Aristotle, and Gundissalinus devoting himself to Avicenna's commentaries and to other, more contemporary works of Islamic and Jewish Neoplatonist theology.⁹⁹ In line with this theory, Burnett has seen the 13th-century translator Michael Scot, whose translations largely concerned the works of Averroes, as something of a continuator of Gerard of Cremona. Is there, then, a sense in which we should interpret the translation of the *Libellus* of Ibn Tūmart as being an extension of the efforts of Gundissalinus to produce Latin translations of Avicenna and al-Ghazālī?

Maurice and Mark were clearly aware of the intellectual parallels between the *Libellus* and the longer history of philosophical translations in Toledo, but the question of whether they were acting in an attempt to deliberately continue the work of their predecessor must, of course, remain unanswered. It is, however, important to highlight the thematic continuity between the intellectual interests

⁹⁸ Griffel, 'Ibn Tūmart's Rational Proof', 786.

⁹⁹ Burnett, 'The Coherence of the Arabic-Latin Translation Programme', 262–70.

of Gundissalinus and the translation of the *Libellus*. In addition to his translations, Gundissalinus also composed a number of his own theological and philosophical treatises, including the *De divisione philosophiae*, *De unitate et uno*, and *De processione mundi*. The recent scholarship of Alexander Fidora has demonstrated that these works reveal a unique combination of the Arabic philosophy that Gundissalinus had been translating, and contemporary Latin theological debates from the French schools of Saint-Victor and Chartres: in Fidora's words, they represent 'the complex transition of the theory of Platonic science to that of Aristotle, which continues through confrontation with the contemporaneous Latin Christian debates and the reception of the Arabic sources.'¹⁰⁰ For Gundissalinus, Arabic philosophy could be in harmony with the study of the Scriptures, and his treatises represent an 'attempt at synthesis.'¹⁰¹ He drew on the works of al-Ghazālī, Ibn Gabirol, and others, co-opting both Islamic and Jewish philosophical theology for his own, Christian ends. It is then perhaps particularly notable for our purposes that one of his treatises addressed the issue of divine unity: the *De Unitate et uno*, a tract described by d'Alverny as expressing Neoplatonic theories of divine unity and influenced at once by the school of Chartres, the works of Boethius and the *Fons Vitae* of Ibn Gabirol.¹⁰² There was, then, a direct precedent in Toledo for the reuse of non-Christian ideas in the Christian discussion of the unity of God. We have no certainty with regard to the date of Gundissalinus's death, but he is last seen in Segovia in 1190, just one year before our first record of Mark in the archives of Toledo cathedral.

Indeed, there may in fact have been a direct personal connection between Maurice, Mark, and Gundissalinus, in the figure of Johannes Hispanus, Gundissalinus's collaborator. There has been much historiographical controversy over the identity of this 'John of Spain', who is first encountered as assisting Gundissalinus in the translation of al-Ghazālī and Ibn Gabirol. Much of the confusion lies in the frequent recurrence of the name 'Juan/Johannes' in these archives, and the existence of an almost homonymous 'Johannes Hispalensis' (or John of Seville), another Toledan intellectual who composed his own philosophical works in the mid-12th century.¹⁰³ Charles Burnett has provided a comprehensive clarification of these multiple identities, concluding that the Johannes

¹⁰⁰ Alexander Fidora, *Domingo Gundisalvo y la teoría de la ciencia árabe-aristotélica* (Pamplona: Ediciones Universidad de Navarra, 2009), 24. Manuel Alonso has revealed the extent of the connection with Hugh of Saint Victor in particular: see Alonso, 'Hugo de San Victor, refutado por Domingo Gundisalvo hacia el 1170', *Estudios Eclesiásticos*, 21 (1947), 209–16; Alonso, 'Traducciones del arcediano Domingo Gundisalvo', *Al-Andalus*, 12 (1947), 295–338; also Alexander Fidora, 'Nota sobre Domingo Gundisalvo y el Aristoteles Arabus', *Al-Qantara*, 23:1 (2002), 201–18.

¹⁰¹ d'Alverny, 'Les traductions d'Avicenne', 75.

¹⁰² d'Alverny, 'Les traductions d'Avicenne', 75–6.

¹⁰³ M. Robinson, 'The Heritage of Medieval Errors in the Latin Manuscripts of Johannes Hispalensis (John of Seville)', *Al-Qantara*, 28:1 (2007), 41–71; Charles Burnett, 'John of Seville and John of Spain: A *Mise au Point*', *Bulletin de philosophie médiévale*, 44 (2002), 59–78.

Hispanus who assisted in the two translations mentioned above was most likely a Mozarabic canon living in Toledo in the late 12th and early 13th century.¹⁰⁴ He succeeded Gundissalinus's position as archdeacon of Cuéllar in 1191 and then became a canon at Toledo, until 1213, when he was promoted to become bishop of Segorbe.¹⁰⁵ As a canon in Toledo, Johannes Hispanus was promoted twice within the cathedral by Archbishop Martín, the patron, and quite possibly relative, of Maurice. We should not forget that Maurice spent at least five years (from 1208 until 1213) in the same chapter. Johannes died in 1215, and in 1236, Archbishop Rodrigo was accused of appropriating his books and possessions instead of respecting their donation to the cathedral chapter.¹⁰⁶ Johannes thus represented a clear link with the 12th-century translators, particularly Gundissalinus, and, in the words of Burnett, was able to 'bridge the gap between these translators and the translators working in Toledo in the thirteenth century' – and also their patrons.¹⁰⁷

The essence of God

We have seen that the teachings of Ibn Tūmart were repackaged by Mark, under Maurice's commission, as a work that provided rational proof for the unity of God. What value might these proofs have had in the Toledo of 1213? Certainly, the act of translation itself was a symbolic one, a means of claiming 'truths' for a Christian society. However, Lucy Pick has suggested that the question of divine unity – and the closely related issue of the unified yet distinct Trinity – was of particular importance to Archbishop Rodrigo himself, and his 'theology of unity'.¹⁰⁸ Rodrigo's own theological identity, she suggests, was 'founded on a notion of God as the principle of unity, from whom all creation unfolds. It provided a theological substrate for Rodrigo's polemical and military efforts against the non-Christians who ruptured this unity'.¹⁰⁹ The nature of the Trinity, and how this related to the one essence of God, was a central feature of Rodrigo's apologetic, the *Dialogus Libri Vite*. And it is this question of the essence of God that points us towards another possible explanation for the commission of the *Libellus* by Maurice in 1213.

In addition to the 'necessary assertions' about the unity of God, the prologue of the *Libellus* also singles out a second aspect of the mahdī's teachings as being of particular interest: namely, Ibn Tūmart's 'efficacious reasoning' in proving that 'there is one God and one Essence'. That Mark should single out this aspect of the

¹⁰⁴ Burnett, 'Magister Iohannes Hispanus', 425–36.

¹⁰⁵ Burnett, 'Magister Iohannes Hispanus', 432–4.

¹⁰⁶ Burnett, 'Magister Iohannes Hispanus', 436; also see J. Janini and Ramón González, eds, *Catálogo de los manuscritos litúrgicos de la catedral de Toledo* (Toledo: Diputación Provincial, 1977), 13.

¹⁰⁷ Burnett, 'Magister Iohannes Hispanus', 436.

¹⁰⁸ See Pick, *Conflict and Coexistence*; see also Ayala, *Ibn Tūmart*, 47–59.

¹⁰⁹ Pick, *Conflict and Coexistence*, 73.

Libellus is significant. Ibn Tūmart's discussion of the essence of God is an exposition of his careful balance between two pitfalls in Islamic *kalām*: the sin of *tajsīm*, or limiting God to human qualities, and that of *ta'īl*, the denial of God's rightful attributes.¹¹⁰ At the root of this problem lay the tension between the existence of one absolute, unique deity, whose essence is unknowable, and the ambiguous passages of the Qur'an, in which God is described as taking his throne, or being all-hearing and all-seeing, many of which are reflected in the ninety-nine names for God and which had been subject to debate among Islamic intellectuals for centuries.¹¹¹ Large parts of Ibn Tūmart's creed concern precisely this issue, and chapter fifteen is devoted to the ways in which God might be named.

In addition to its appearance in the prologue, Mark uses the term 'essence' (*essentia*) throughout the *Libellus*, where it is used to translate two Arabic terms used by Ibn Tūmart: 'wujūd' (existence) and 'kūn' (being).¹¹² Mark uses the term most frequently, however, in chapters seven, nine, ten, and eleven, which focus on the question of how God's essence may be understood in conjunction with divine attributes.¹¹³

For Ibn Tūmart, God is demonstrably one and unique, which he proves at great length, as we have discussed above. Mark's translation of this in the *Libellus* makes it clear that, for Mark, this teaching should be understood as referring specifically to God's essence.¹¹⁴ Chapter seven of the *Libellus* states that 'the essence of the glorious God is absolute ... [He is] first without beginning, last without end, manifest without any defined limits, hidden without particular quality, found absolutely without similitude nor quality.'¹¹⁵

¹¹⁰ Jeffrey, 'The Credal Statement', 357, note 1.

¹¹¹ See Wisnovsky, *Avicenna's Metaphysics in Context*, 146–7.

¹¹² 'wujūd' (وجود). The term used by Ibn Tūmart does not reflect the complexity of the distinction between essence and existence in Avicenna's thought; see Wisnovsky, *Avicenna's Metaphysics in Context*, 145–6. Mark's consistent translation of the term as 'essentia' is notable. The argument proposed here for the relevance of the particular term *essentia* may be one possible explanation for this choice. Mark's translation of both *wujūd* and *kūn* as *essentia* shows that he had not understood the precise implications of Ibn Tūmart's terminology here. Ayala has also commented on Mark's frequent use of the term; *Ibn Tūmart*, 72–3.

¹¹³ An example of this can be found in chapter seven, where the Arabic text reads: 'If it is known that any resemblance between the Creator and what has been created must be denied, it is also known that the Creator, glory be to him, exists absolutely' (Jeffrey, 'The Credal Statement', 357). Mark renders this in Latin as 'Quomodo ergo scitur quod nulla est similitudo inter Creatorem et creaturam, scitur essentia Dei gloriosi absolute'.

¹¹⁴ It should be noted that the Arabic does not use the term 'essence'. Mark's translation of existence as essence is notable, and deserves further study. Fletcher translates Ibn Tūmart's words as 'The Creator, glory be to him, exists absolutely He is the first without any beginning, the last without any end, the outer without any defined limits, the inner without any peculiar properties, existing in absoluteness without *tashbih* (similitude to mankind) and without *tayyif* (attributes of mankind)'.

¹¹⁵ d'Alverny and Vajda, 'Marc de Tolède', 272: 'essentia Dei gloriosi absolute ... primus absque principio, novissimus absque fine, manifestus absque deffinitione, occultus absque proprietate, inventus absolute absque similitudine et qualitate'.

However, Ibn Tūmart combines this with a recognition that God must necessarily have certain attributes in order to be the Creator-God. Indeed, since God is unknowable, the only right way in which his divinity can be conceived of is through his attributes. These attributes are named by God for himself in the Qur'ān, and Ibn Tūmart emphasises, at some length, the lack of parity between the descriptions of God and those of men.¹¹⁶ Divine attributes are in no way analogous to human attributes, and they must be named without comparing, qualifying, or reducing God's unicity. The solution is simply that mankind cannot understand this paradox:

Intelligence has a limit where it stops and cannot pass beyond. This limit is its incapacity to ascertain how [God exists]. It has no way of passing beyond and attaining this, save by *tajsim* [comparing God to humanity] or by *ta'til* [denying the attributes of God]. Those who know Him know Him by His actions, and they refuse any statements of how He, the Majestic One, comes to be, because they know what *tajsim* and *ta'til* lead to, viz. that which is impossible (chapter eight).¹¹⁷

Mark's understanding of the sin of *ta'til* is quite literal: to deny God's attributes is to suggest that God is *deffectus*.¹¹⁸ And the *Libellus* makes clear that if God should be lacking in any of his attributes, he would not be able to bring all his divine actions to pass: 'since if indeed he should be understood as lacking anything in himself, then the bringing about of his deeds would be impossible for him' (chapter ten).¹¹⁹ As a result, the attributes of God's one essence are central to mankind's understanding of the divine. Or as Mark puts it: 'whilst his [God's] uniqueness is known as a result of his unicity ... it is [also] known that it is impossible for defect (*deffectus*) to fall within him, because by the same, the essence of the Creator is mighty, wise, powerful, willing, hearing, speaking, without the idea of a distinguishing quality'.¹²⁰

The implications of this for the naming of God are finally summarised in chapter fifteen, the chapter devoted entirely to the 'holy names'. Ibn Tūmart makes a

¹¹⁶ Jeffrey, 'The Credal Statement', 363: 'A creature may be named "jurist" or "liberal man" on the ground of his learning of his generosity, but there is no analogy from this to the case of the Creator, glory be to him. A creature may be named "one who throws" or "one who kills," because of his throwing or his killing but there is no analogy from that to the case of the Creator' (chapter 15).

¹¹⁷ Jeffrey, 'The Credal Statement', 358.

¹¹⁸ d'Alverny and Vajda, 'Marc de Tolède', 273: 'Intellectus habent terminum penes quem termina[n]tur, et ipsum non transcendunt, et ipse est qui deficit qualitate, citra quem non processus nec investigatio quin incidatur in corporeitatem et confusionem veritatis. Noverum ipsum intelligentes per operationes eius et negaverunt qualitatem a celsitudine ipsius, quia indicuit ei corporeitatem et defectum et hoc est inconveniens' (chapter eight). Mark also seems to have understood the implications of *tajsim*, the 'embodiment' of the divine, translated as 'corporeitas'.

¹¹⁹ d'Alverny and Vajda, 'Marc de Tolède', 273: 'Quod siquidem defectus reciperet in se, impossibilis esset ab eo provenire operationes' (chapter 10).

¹²⁰ d'Alverny and Vajda, 'Marc de Tolède', 273: 'cumque scitur singularitas ipsius ex unitate eius ... scitur quod impossibilis est defectus in ipsum cadere, ex eo quod essentia Creatoris est fortis, sapiens, potens, volens, audiens, loquens, absque conceptione qualitatis'.

distinction between the names that humans can give each other and those they can give God. When a man is called 'wise' or 'generous', it is because of his wisdom or generosity, but God's wisdom and generosity are incomparable to those of man, so these labels cannot mean the same thing when applied to the Creator. Equally, a man may be called shooter or killer for his shooting or killing, but God is not named in the likeness of these human attributes; he can only be named by the attributes he gives himself, without change, similitude with creation, or qualification.¹²¹ Mark's Latin translation faithfully follows these points, and although it becomes very convoluted in the final phrase, he maintains the distinction between the rightful names for God – that is, those that God attributes to himself – and the three sins of changing, comparing, or qualifying God's names.¹²²

Only thus can God's unicity be recognised rightfully by mankind. In the words of Carlos de Ayala, this was a way of presenting 'the reality of the divine attributes not as a personalised expression of a human author but as unequivocal self-definition coming from God'.¹²³ This, then, reflects the 'reasoning that there is one God and one Essence' as singled out in the prologue – a God whose essence was indeed demonstrably one, but whose attributes could not be denied.

The essence of God was a topic that had immediate resonances in Toledo cathedral in these years, and was particularly important to Archbishop Rodrigo himself.¹²⁴ In his anti-Jewish treatise, the *Dialogus libri vite*, written during this same period, Rodrigo himself addressed the question of God's essence and the accompanying issue of how this singular essence could also be understood as the separate persons of the Trinity.¹²⁵ The first of the eight books of this treatise relies heavily on philosophical argumentation to prove at once the unity of God and the Trinity of the divine persons.¹²⁶ Entitled *De trinitate et individua unitate*, the book is a collection of arguments based on grammar, logic, and mathematics to establish the triune unity of God within the context of an anti-Jewish apologetic.¹²⁷

¹²¹ Jeffrey, 'The Credal Statement', 363, quoted in note 116 above.

¹²² This is an extremely convoluted passage: 'appellet eum [n]omine quo ipse se ipsum non vocavit, quod prohibuit, et quod **attribuit quippe ei, absque variatione et similitudine et qualitate**. Vocabit nempe eum sanctis [nominibus] homo et hiis adorabit eum'. The sense here is 'It is prohibited to address God by names with which he did not call himself; let him be addressed by names that he attributed to himself without variation, similitude or quality'. The Arabic has been translated as 'What he refrains from giving himself in his book we will refrain from giving him, and what he has affirmed for himself, we will affirm for him, without making any change or *tashbih* or *takyif*. We will name him by his most beautiful names, and by them we will call upon him'. d'Alverny has added [*nominibus*] in square brackets as a clarification of *sanctis*, and it should be noted that she points out a number of problems with the manuscript, both copy errors and omissions, many of which she herself has filled in, usually based on the Arabic text. She reads 'homine' instead of 'nomine', but the sense here clearly suggests the latter.

¹²³ Ayala, *Ibn Tumart*, 88–9.

¹²⁴ Pick, *Conflict and Coexistence*; Pick, 'Michael Scot in Toledo'; and Ayala, *Ibn Tumart*, esp. 53–9.

¹²⁵ Pick, *Conflict and Coexistence*, 127–81; Pick, 'Michael Scot in Toledo', and Pick, 'Christians and Jews'.

¹²⁶ Pick, 'Christians and Jews', 99.

¹²⁷ Pick, *Conflict and Coexistence*, 171.

Pick has demonstrated that Rodrigo relied heavily on the writings of Alan of Lille, with whom she suggests Rodrigo had had direct contact, most likely as a student in Paris (or perhaps Montpellier) in the 1190s.¹²⁸ Equally important for Rodrigo's theology concerning the essence of God were the writings of Gilbert of Poitiers (d. 1154) and John Scot Erigena (fl. 860–70).¹²⁹

It is on these grounds that Rodrigo discussed the essence of God, which he terms '*essentia unitate*'.¹³⁰ Drawing on Augustine, Rodrigo used the three qualities of intellect, reason, and memory to explain the Trinitarian doctrine of one essence and three persons.¹³¹ These three aspects of the Godhead were necessarily present: without them, 'he [God] could not judge angels and men, nor love or cherish other creatures.'¹³² Rodrigo added that these words could not be understood in the same way when describing God and man, since this ran the danger of 'anthropopathos', or 'humanising the passion' (of Christ), a term used by Alan of Lille to 'denote the attribution of words said about a creature to the Creator.'¹³³ What was important was to find a means of expressing the unity of God and the separate attributes of the Trinity without undermining this unity: to show that God had no limits or qualities, unlike a created creature, but was three persons in one essence.¹³⁴ This was the goal of the rational, grammatical, and theological arguments deployed in the first book of the *Dialogus*.

There are some clear parallels between Ibn Tūmart's careful discussion of the divine attributes and Rodrigo's thought on the naming of the single yet triune God. The *Dialogus* recognises, like the *Libellus*, the inherent difficulties in naming God, since divine essence and created things cannot be related and 'the words used about God connote temporal effects in creatures.'¹³⁵ A whole section of the *Dialogus* is entitled 'How names said about God should be understood.'¹³⁶

¹²⁸ Pick, *Conflict and Coexistence*, esp. chapter 4.

¹²⁹ Pick, 'Michael Scot in Toledo', 97; also Ayala, *Ibn Tūmart*, 53–7, who emphasises the influence of Gilbert of Poitiers.

¹³⁰ See *Dialogus Libri Vite*, 1.i, p. 181.

¹³¹ Pick, 'Michael Scot in Toledo', 98.

¹³² 'Est enim in Deo memoria, ratio, et intellectus sine quibus non posset angelos et homines iudicare, et ceteras creaturas diligere vel fouere'; *Dialogus Libri Vite*, 1.viii, p. 193. Cited and translated by Pick, 'Michael Scot in Toledo', 98.

¹³³ *Dialogus Libri Vite*, 1.viii, p. 193, 'Cum ergo hec uires, anime uel angeli imperfectionis obice teneantur, non posunt diuine essencie adaptari que obiectu aliquo non teneantur; set si hec aliquando de diuina essencia dicta reperiantur, antropospatos est, id est, humana propassio, nec tamen a deo ista abscedimus cum eorum uocabula pro deo ut pro homine copuleantur uel suponant, diuinam enim essenciam predicant et efectum cognotant in creatis'.

¹³⁴ *Dialogus Libri Vite*, 1.i, p. 181. Cum creatrix trinitas nec principium habeat nec finem, ipsa est totius principium creature, et in hac trinitate nihil maius, nihil minus, nihil posterius, nihil prius, set tres personae, pater, filius et spiritus sanctus, **unus deus, una essencia** ... alia est enim persona patris, alia filii, alia spiritus sancti, et hec tres persone unum sunt, una unitas, una diuinitas, una natura, equales in magestate, equi diuinitate'. See also Ayala, *Ibn Tūmart*, 53–7.

¹³⁵ Pick, *Conflict and Coexistence*, 83. Ayala has also identified the significance of the *Libellus* with regard to Christian expressions of the attributes of God; see Ayala, *Ibn Tūmart*, esp. 72–9.

¹³⁶ Pick, *Conflict and Coexistence*, 83.

Moreover, such language was closely echoed by another scholar who spent these years in Toledo: the philosopher and translator Michael Scot, who, like Rodrigo, also saw the Trinity as represented in the three powers of memory, reason, and intellect.¹³⁷ Recent scholarship devoted to Michael Scot has definitively linked the translator to the immediate circles of Archbishop Rodrigo until around the year 1220.¹³⁸ He was named as being amongst Rodrigo's group of canons at the Fourth Lateran Council in 1215, and indeed, may have been in Toledo cathedral as early as 1208. By 1220 he had left Toledo, and was employed at the court of Emperor Frederick II, where he translated much of the corpus of Averroes. However, his time in Toledo was of critical importance to his intellectual formation as a philosophical author, a point demonstrated by Piero Morpurgo, who has highlighted his reuse of Toledan texts (notably the works of Gundissalinus) and his commitment to 'the thought-world of Toledo' and of Rodrigo in particular, long after his departure.¹³⁹

Of particular note is Michael Scot's scientific encyclopaedia, entitled the *Liber Introductorius*, which was completed at Emperor Frederick's court.¹⁴⁰ The work's long prologue is itself a theological text, and, most importantly for our purposes, much of it is devoted to a discussion of the divine unity of God's essence (again, *essentia*), particularly ways in which to name God and the Trinity, in language highly reminiscent of Rodrigo's *Dialogus*, and, even more interestingly, the *Libellus*.¹⁴¹ As Pick has pointed out, Michael Scot also followed Alan of Lille (and ultimately Gilbert of Poitiers) in his descriptions of the properties of the Trinity: 'for God is one substance by his essence, and his names are related by means of many properties. So that God is divine unity in his trinity and godly trinity in his unity'.¹⁴² In the section of the prologue entitled *De deo et eius essentia*, Michael addresses the problems that arise when man tries to name God:

Man has great audacity when he enters into such talk about God and his essence. But that God should be entirely one and that the same God should be entirely one in three persons, and eternal, inconceivable, most holy of holies, the greatest, the best, the most wise, unailing, unchanging, immensurable, inestimable, lord, leader, nurturer, creator, protector, and all-mighty; not only the Catholic faith, that is, all

¹³⁷ Pick, 'Michael Scot in Toledo'.

¹³⁸ Burnett, 'Michael Scot and the Transmission of Scientific Culture', 104–5; and Pick, 'Michael Scot in Toledo', 96.

¹³⁹ Morpurgo, 'Il *liber introductorius* di Michele Scoto', 149–61; and Pick, 'Michael Scot in Toledo'.

¹⁴⁰ Pick, 'Michael Scot in Toledo', 96. The work's long prologue has been convincingly dated to a *terminus post quem* of 1228.

¹⁴¹ Glenn Michael Edwards has provided an edition; see Edwards, 'The *Liber Introductorius* of Michael Scot' (Unpublished PhD thesis: University of Southern California, 1978).

¹⁴² Edwards, 'The *Liber Introductorius* of Michael Scot', 72: 'Deus enim est substantia una per essentiam et eius nomina sunt corrolativa propter diversas proprietates. Vel sic Deus est divina unitas in trinitate sui et trinitas deitatis in unitate sui.'

peoples of the world, has knowledge of this truth, but natural reasoning also fully points it out.¹⁴³

Once again, at issue is the question of how to name God in a way that is appropriate both to his unicity and his Trinity. Michael Scot's sources have not been studied, but he frequently draws on the teachings of 'the Philosopher' (generally a reference to Aristotle). Moreover, here, as in the *Dialogus*, reason is key – even non-Christians can appreciate the truth of the unity of God through 'natural reasoning'.

Ibn Tūmart's teachings, dependent as they were on 'reasoning', demonstrated Michael Scot's point exactly. His *Libellus* did posit a God that was entirely one, and, although of course Ibn Tūmart did not have any reason to prove that God was also three persons, his teachings do demonstrate how the essence of God might be described and understood by mankind. Michael Scot's list of properties included 'indeficiens', reminding us of the *Libellus*'s insistence that God cannot be 'deffectus'. The *Libellus* was a text that addressed the thorny issue of the attributes of God, and yet presented it in such a way that it was coupled with a logical proof of the divine unity. Ibn Tūmart's arguments fitted entirely into the sorts of discussion that Rodrigo and his circle were engaging in, and what is more, provided a template of proof that, in Mark's own words, 'there is one God and one Essence', one that both lays out the inherent problems and some solutions to the understanding of a united but multifaceted God by humanity.

It is relevant to mention here that Mark's translation in fact edits one passage of Ibn Tūmart's text in such a way as to make it more palatable to his fellow Christians. The first *murshida* goes further than the main text of the creed to deny any limits to God: 'existence is necessary for him in an absolute manner without any limitation nor specification through time, space, direction, defining limits, species, form, shape, measure, appearance or state.'¹⁴⁴ The text, it has been noted by Fletcher, then assumes 'an air of pantheism.'¹⁴⁵ God is described as being synonymous with existence, since 'nothing coexists with him, nothing exists beyond him, neither earth, nor heaven, nor water, nor air ... nothing exists other than the Unique, the Irresistible.'¹⁴⁶ It was a statement that went beyond the pale of acceptability in 12th-century Córdoba, and Fletcher has suggested that similarly

¹⁴³ Edwards, 'The *Liber Introductorius* of Michael Scot', 67–8: 'Grandis audacia est in homine quando se introit sic loqui de Deo et eius essentia. Set quod Deus omnino sit unus et quod idem Deus omnino sit trium personarum unus et eternus, incomprehensibilis, beatissimus beatorum, summus, optimus, sapientissimus, indeficiens, immutabilis, immensus, inextimabilis, dominus, rector, nutritor, creator, protector et omnipotens; non solum fides catholica, id est universalis onmium gencium, hic habet cognitionis verum etiam naturalis ratio plene insinuat.'

¹⁴⁴ See Griffel, 'Ibn Tūmart's Rational Proof', 772.

¹⁴⁵ Fletcher, 'The Almohad *Tawhid*', 118; Griffel, 'Ibn Tūmart's Rational Proof', 773, who cites Ignaz Goldziher, 'Materialien zur Kenntniss der Almohadenbewegung in Nordafrika', *Zeitschrift der Deutschen Morgenländischen Gesellschaft*, 41:1 (1887), 30–140, at 72 and 83: 'eine pantheistische Nuance'.

¹⁴⁶ For the Arabic text of the *murshida* and Spanish translation, see Ayala, *Ibn Tūmart*, 128.

pantheistic statements must have been removed from the main creed when the text was drawn together in the 1180s, but that these statements survived in the *murshida*.¹⁴⁷ However, it is striking to note that the most controversial statement is left out of the *Libellus*. Mark translates the *murshida*, but appears to have edited out the line that ‘nothing exists other than the Unique’, indicating his awareness of the problematic nature of the original and his desire to rid the text of the *Libellus* from an evident point of contention.¹⁴⁸

Clearly, this was a text that was to be used to inform and add to the debates about the nature of God that were taking place in early 13th-century Toledo. This intellectual and theological context is crucial in understanding Maurice’s commission of the translation of the *Libellus* in 1213. The question of divine unity – specifically the nature of the Trinity and the naming of God – were questions of acute interest to those in Maurice’s immediate milieu. By commissioning this translation, Maurice was adding a valuable new voice into this discourse: a systematic, Avicennan argument that combined logical proof of the unicity of God with a discussion of the essence and attributes of the divine. These colleagues of Maurice are surely among the ‘wise men’ referred to in the prologue, ‘censuring’ Ibn Tūmart under the mistaken belief that he was a ‘pure Muslim’ (as well they might, given the war with the Almohads that was taking place around them). It was on behalf of this same group that the prologue tried so hard to justify the writings of Ibn Tūmart on the grounds that he was, really, a ‘philosopher, a disciple of al-Ghazālī’.

‘Greater efforts in assailing the Saracens’

It is clear that the teachings of Ibn Tūmart were considered to be of an entirely different order to the Qur’ān. The *Libellus* was not a text to be ridiculed or defeated, and nor was it seen as representing Islam. On the contrary, all the evidence points to the suggestion that this text was seen as having an intrinsic value to the Christians of Toledo, and that it was translated in order that the ‘most efficacious reasoning’ it contained might be made available to as wide a group of ‘wise men’ as possible.

¹⁴⁷ Fletcher, ‘The Almohad *Tawhīd*’, 118.

¹⁴⁸ Ibn Tūmart’s passage reads: ‘nothing coexists with Him, nothing exists beyond Him, neither earth, nor heaven, nor water, nor air, nor that which is empty nor that which is full, nor light, nor shadow, nor night, nor day, nor company, nor noise, nor sound, nor whisper; *nothing exists other than the Unique, the Irresistible*. He is for all eternity Unique in unicity, rule and divinity’ (as translated from Arabic in Ayala, *Ibn Tumart*, 128). This is translated into Latin by Mark (with a few small mistakes) as ‘non habens secum quemquam preter ipsum, nec aliquid invenitur preter ipsum, non terra, non celum, non aqua, non aer, non mare, non plenum, non lux, non tenebre, non nox, non dies, non solacium neque strepitus, neque secum habet clangorem, nec silentium. Sed solus est victor singularis in eterna unitate, regno et deitate’; d’Alverny and Vajda, ‘Marc de Tolède’.

How are we to reconcile this with the remark in the prologue that Christians should read the *Libellus* in order to fight back against the Almohads? In order to make sense of this, it is important to consider what ‘fighting back’ entailed. Polemical texts were one possible tool at the disposal of Christian theologians, and mission another (one that would become more popular in Spain later on in the 13th century through the efforts of the Dominicans).¹⁴⁹ As we have seen in the discussion of the *Liber Alchorani*, both of these hinged on the self-identification of Christians against non-Christians, or, indeed, ‘the performance of Christianity’ itself.¹⁵⁰ However, the *Libellus* made no comment on Islam; on the contrary, passages that would have scandalised Christian readers were edited out. Instead, in providing arguments that were based on the logic of Avicenna, the *Libellus* was a weapon in the arsenal of Christian intellectuals, a means of proving Christian truths on the grounds of reason rather than faith.

Of course, Ibn Tūmart was not the first non-Christian whose ideas had been repurposed in this way in Toledo. As we have already mentioned, Gundissalinus provided a direct model for this, employing the logic of Avicenna and Ibn Gabirol to make his own, Christian, arguments about the unity of God at some point in the late 12th century. And indeed, in 1217, just four years after the translation of the *Libellus*, Michael Scot translated another work by a Muslim author; the astronomical treatise *De Motibus Celorum* by the Andalusī scholar al-Bīṭrūjī (d. 1204), a work that has been described as ‘good Aristotelian philosophy and what’s more, good Almohad monotheistic theology.’¹⁵¹ It is into this category that we must place the *Libellus* of Ibn Tūmart. Certainly, the text needed more of a justification than these others, unsurprisingly given the context of war with the Almohads. But if the ‘wise men’ of Toledo had misjudged the doctrines of Ibn Tūmart, in the mistaken belief that he was a ‘pure Muslim’, Mark’s prologue works hard to prove them wrong, and to justify and neutralise the text on the grounds that Ibn Tūmart was, after all, ‘a philosopher’.

By commissioning the translation of the *Libellus* in 1213, Maurice was adding a valuable new voice into the discourse of Christian intellectual debate in Toledo: a systematic, Avicennan argument that combined logical proof of the unicity of God with a discussion of the essence and attributes of the divine, a text that would help himself and his colleagues to better articulate the theology of their Trinitarian God. It is unclear how Maurice got to know of this text. Certainly, Mozarabs had

¹⁴⁹ On polemic, see Pick, *Conflict and Coexistence*, 128–64. On the Dominicans, see Robin Vose, *Dominicans, Muslims and Jews in the Medieval Crown of Aragon* (Cambridge and New York: Cambridge University Press, 2009).

¹⁵⁰ See Pick, *Conflict and Coexistence*, 134; Karl F. Morrison, *Understanding Conversion* (Charlottesville: University Press of Virginia, 1992); and Patrick Henriët, ‘Entre praxis, évangélisme et conscience de chrétienté: la conversion des musulmans au moyen Âge central (Xie–XIIIe siècles)’, *Anuario de Historia de la Iglesia*, 20 (2011), 179–200.

¹⁵¹ Pick, *Conflict and Coexistence*, 120.

been fleeing al-Andalus for Toledo since the middle of the 12th century, but it is also worth noting that Archbishop Martín, Maurice's mentor, had been personally responsible for sending Arabic-speaking priests from Toledo into al-Andalus throughout the 1190s: a clear potential vector for the transmission of Arabic texts into the cathedral chapter. In either case, Maurice's patronage of the *Libellus* in the immediate aftermath of the battle of Las Navas was an attempt to contribute to the war effort, not by supplying new information about Islam or the Almohads, but by bringing new and stimulating ideas about the rational proof of God to inform ongoing Christian debates in Toledo.

Conclusions

Maurice spent much of his career 'fighting back' against Islam, although the means by which he pursued this goal shifted over the course of his life. Throughout, he proved himself to be committed to the same ideals as Archbishop Rodrigo, and there can be little doubt that these two clerics shared the same thought-world, the same understanding of Islam, and, very likely, the same training. Whilst we have far fewer sources for Maurice's thought, the two acted together consistently throughout their careers, whether this was in the provision of texts that added to a 'theology of unity' in Toledo, or in their joint preaching of crusade throughout Castile in 1225.

As we have seen, Maurice was an important figure in the intensification of war with the Islamic south and the series of successful military excursions led by Fernando III and his nobles, which resulted in the conquest of much of al-Andalus and the demise of the Almohad Empire. Whilst there seems to be little suggestion of Maurice's presence on any of the military front lines, there is much evidence that, in conjunction with Archbishop Rodrigo, he supplied the ideological imperative for these wars. Not only were these two clerics the chosen advisors of the king, but they were also the chosen preachers of the pope, designated *crucesignatus* in 1225, a role they apparently took seriously, as the wars between Castile and the Almohads began to be consistently reframed as crusades.

Maurice's engagement with Islam in the early years of his career reveals him to be an overlooked, yet important, figure in the circle of scholars and theologians that was based in Toledo cathedral. The patronage of the *Liber Alchorani*, undertaken by Rodrigo and Maurice together, suggests not only that Maurice was a member of this thought-world, but also that he shared with Rodrigo a common vision of Islam and its place within Christian society at a very early stage in both of their careers. More significantly still, Maurice's commission of the *Libellus* translation in 1213 reveals him to be an independent contributor to this milieu. The doctrines of Ibn Tūmart, despite providing the theological foundations of the

Almohad Empire, were nonetheless presented in the prologue to the *Libellus* as a work of philosophical value in the tradition of some of the greatest logicians known in Toledo. As Mark's prologue makes clear, this was a text with some immediate resonances in Toledo, and in requesting its translation, Maurice was bringing a new and distinctly rationalist voice to bear on debates about the nature of the Trinity and Unity of God that stood at the heart of Christian self-understanding.

Maurice alone requested the translation of the *Libellus* in 1213, probably his first act as bishop of Burgos (an interesting parallel to the fact that the commission of the *Liber Alchorani* must have been one of the first things Rodrigo did as archbishop). From the commission of 1210, it is clear that Maurice had both a privileged and a powerful position in the intellectual circles of Toledo cathedral, but the commission of the *Libellus* in 1213 allows us to go further in regarding him as a leading figure, and one whose own interests and priorities must have been important in the development of an ideological and intellectual strategy to 'fight back' against the Almohad troops that were on the Toledan border.

Mute Counsel and Violent Hands: Hierarchy and Authority in Burgos

Although raised to episcopal office by King Alfonso VIII at some point in late 1212 or early 1213, Maurice needed papal consecration in order to transfer from *electus* to full *episcopus*.¹ He is first referred to as *episcopus* in March 1215, following an audience with Pope Innocent III in Rome, during which he was clearly conferred the *pallium* of episcopal power.² Ultimate permission to take up episcopal office came from Rome, at least symbolically. Yet, Maurice's purpose for travelling to Rome in March 1215 was not solely, or indeed primarily, to receive papal confirmation, and he was several months early for the Fourth Lateran Council.³ In fact, Maurice had travelled to the papal curia in a hurry, in order to answer an accusation against him by a neighbouring bishop, Melendo of Osma, that he had illegally expanded the diocese of Burgos. It was a case that came to papal attention on several subsequent occasions, resulting in bitter personal relations, the 'raising of violent hands', and a threat of excommunication, and highlighting the variety of tools that Maurice had at his disposal in establishing his own authority in Burgos.

This chapter will explore the ways in which Maurice defined, established, and augmented his episcopal authority in the diocese of Burgos, balancing the demands of the papal curia with a plethora of more local pressures and imperatives.

¹ Maurice is first mentioned as *electus* in Burgos in *DCB*, Doc. 457 (June 1213). In Toledo, his new status is mentioned for the first time by Mark of Toledo in the prologue to the *Libellus*, also dated to June 1213 (see d'Alverny and Vajda, 'Marc de Tolède', 269). As we have discussed in [Chapter 1](#), however, the earliest record of Maurice's election is in Ruiz de Loizaya, *El Libro Becerro de Santa Maria de Bujedo*, Doc. 142. Mansilla has mentioned the importance of receiving the *pallium* after an episcopal appointment: Mansilla, *La Iglesia Castellano-Leonesa*, 176–7.

² He was still *electus* in the Burgos documentation in July 1214 (*DCB*, Doc. 478), and again on 8 November 1214 (*DCB*, Doc. 484, in a letter from Archbishop Rodrigo). However, by the end of March, he is referred to as *episcopus* in a letter from Innocent III (*DCB*, Doc. 491). For more about the case between Melendo and Maurice and their accusations at the papal court, see below ('Negotiating *auctoritas*').

³ See [Chapter 4](#) for a discussion of Maurice's reception of the decrees of this council.

It draws on widespread evidence of frequent litigation from Maurice's lifetime, documented in the archive of Burgos cathedral, the Vatican archive, and also in collections from monasteries and churches around and beyond the diocese. A close investigation of Maurice's imperious exchanges and frequent conflicts with his colleagues and rivals, and of his efforts to define, physically as well as symbolically, the extent of his power, provides an important insight into the mechanics of episcopal lordship in medieval Castile, and the ways in which savvy bishops were able to assert themselves in a turbulent society.

As bishop of Burgos, Maurice was compelled to negotiate his authority and identity within complex and intersecting networks of familial, noble, royal, and ecclesiastical allegiances. It was a balancing act that would have been familiar to his contemporaries across much of medieval Christendom.⁴ By the start of the 13th century, the Roman curia had become the ultimate court of appeal, and the pope played an increasingly large role as arbiter, in name if not in deed, in the jurisdictional procedures of regional and local churches throughout Christendom.⁵ These developments can be seen reaching to the edges of the Christian world too. Maurice was one of many Castilian prelates from this period to be deployed as a papal judge-delegate, both whilst he was archdeacon at Toledo and during his episcopal career. He also had no hesitation in referring cases to Rome, and some of the fiercest of his many legal disputes were taken to the papal court – though, as we shall see, none of these ever seems to have been resolved through papal intervention alone. Instead, we see a bishop for whom local and regional concerns were often considerably more pressing than papal agendas, a figure who travelled around his diocese himself, who drew up *concordiae* or agreements with those abbots or priors who defied him, and who went to great lengths in his attempts to define and assert what he felt to be his prerogatives as bishop of Burgos.

In this chapter, we shall see how Maurice constructed his own episcopal authority, often blending canon law with local allegiances to define and ensure his status as bishop of Burgos, a position at the junction of various networks of power.

⁴ See the important recent study of episcopal identity in medieval Europe, Ott and Trumbore, *The Bishop Reformed*, especially Ott and Trumbore, 'Introduction: The Bishop Reformed', and Head, 'Postscript: The Ambiguous Bishop'.

⁵ Colin Morris, *Papal Monarchy: The Western Church from 1050 to 1250* (Oxford: Clarendon Press, 1989), 121–7; Gillian Rosemary Evans, *Law and Theology in the Middle Ages* (London: Routledge, 2001); Thomas Smith, 'The Development of Papal Provisions in Medieval Europe', *History Compass*, 13:3 (2015), 110–21; Smith, 'English Episcopal Acta and Thirteenth-Century Petitions to the Pope', *Archives*, 40 (2014), 16–22; Anne J. Duggan, 'Conciliar Law 1123–1215: The Legislation of the Four Lateran Councils', in W. Hartmann and K. Pennington, eds, *The History of Medieval Canon Law in the Classical Period, 1140–1234: From Gratian to the Decretals of Pope Gregory IX* (Washington, DC: Catholic University of America Press, 2008), 318–66; L. Fowler, 'Recusatio iudicis in Civilian and Canonist Thought', in J. Strayer and D. Queller, eds, *Post Scripta: Essays on Medieval Law and the Emergence of the European State in Honor of Gaines Post* (Rome: Libreria Ateneo salesiano, 1972), 717–85. For an Iberian perspective, see Damian Smith, *Innocent III and the Crown of Aragon: The Limits of Papal Authority* (Routledge, 2004); and Lincoln, *A Constellation of Authority*.

The first point of analysis will be the surviving evidence for Maurice's appointment as papal judge-delegate throughout his career, as role in which he held no less than the fullness of papal *potestas*, although, as we shall see, under most circumstances, this was directed to local rather than papal ends. Next, we shall discuss Maurice's relations with the monasteries and abbeys of the diocese, as presented through the extensive body of litigation that survives in Burgos cathedral, local monastic archives, and, since many of these cases involved appeals to papal justice, the pontifical archive. Close analysis of these cases brings to light the wide variety of tools at Maurice's disposal in his assertion of episcopal power, ranging from appeals to Rome and the implementation of the most up-to-date canon law, to far less exalted tactics, such as the deployment of armed men to bring his negotiations to the desired conclusion. The tensions and rivalries that characterised much of this litigation provide a crucial context for the final part of this chapter, in which we shall assess the significance of a series of inscriptions uncovered in recent years, recording the personal visitations of Maurice and his reconsecration of churches in contested areas, carving his episcopal authority into the landscape of the diocese.

Maurice as papal judge-delegate

As archdeacon

Maurice was commissioned to act as papal judge-delegate in three different cases whilst he was still archdeacon of Toledo. Such an appointment was a commission to represent papal justice in a local case, increasingly vital to the papal curia as it became the centre of appeals from across Europe. Maurice was never acting alone: on each occasion, he was appointed to be part of a team of three, alongside Bishop Martín of Zamora and Master Miguel, canon of Segovia. His first commission was the long-standing litigation between the bishop of Burgos, García de Contreras (1206–11), and the monastery of Oña, a large and powerful Benedictine monastery two hundred kilometres to the north of the city of Burgos. In a letter dated to 24 April 1210, Pope Innocent III addressed his 'venerable brother the bishop of Zamora and dear sons, Masters Maurice archdeacon of Toledo and Miguel canon of Segovia' and introduced them to their roles as apostolic judges in the already long-running quarrel.⁶

The issue at stake was one of principle as well as practicality: namely the rights of the bishop of Burgos over Oña and its dependent churches and lands.⁷ This was a power struggle that had flared up at various points over the 12th

⁶ DCB, Doc. 426; *Inocencio*, Doc. 426.

⁷ DCB, Doc. 426.

century. In 1210, Bishop García of Burgos leant on what he described as *ius commune* and the ‘ancient and approved custom’ of the diocese to claim episcopal rights from the monastery and its dependent houses. The monks hit back with their own claims to liberty and rights over their lands, as granted to them by a sequence of popes, as well as by secular princes and by at least one former bishop of Burgos. Innocent commissioned Maurice and his fellow judges-delegate to hear witnesses for both sides and work out the rights of the case, with the warning that if Oña could not prove their claims and justify their appeal against Burgos, the monastery would bear the expenses of the costly business of bringing a case to Rome.⁸

The intricacies of the lengthy litigation between Oña and the see of Burgos will be discussed in more depth later in this chapter, as this grievance remained unresolved in 1210 and would recur throughout Maurice’s own episcopate. However, Maurice also reappeared as papal judge-delegate in two other, similar cases in 1210, both concerning the episcopal rights and claims of the bishop of Burgos once again. Just a few days after Maurice’s first appointment, Innocent III wrote to him again, entrusting to the same team – Maurice, Bishop Martín of Zamora, and canon Miguel of Segovia – the resolution of litigation between the bishop of Burgos and the collegiate church of Santa María de Castrojeriz, which lay some 40 kilometres to the west of Burgos, not far from the diocese of Palencia.⁹ The cause of contention was very similar to that already seen in Oña: the control of several churches considered by Castrojeriz to belong to them, the right of election of the abbot, and the payment of the *tercia* to the bishop of Burgos. The discord had amounted to excommunications, and even the exhumation of monks buried whilst under episcopal interdict, and there is again evidence that other papal judges had been commissioned to investigate in the past.¹⁰ It seems that in this case, too, the suit had been brought to the papal court by Bishop García of Burgos. The judges’ sentence was delivered at Valladolid in January 1211, finding in favour of the bishop of Burgos and commanding the collegiate clergy to pay damages to the bishop and the costs of the litigation, whilst in return absolving them from their excommunication.¹¹ However, as with Oña, this was a case that would drag on into Maurice’s own episcopate.

Maurice received one more commission as papal judge-delegate whilst still an archdeacon, this time concerning the monastery of San Juan de Ortega.¹² Again,

⁸ *Inocencio*, Doc. 429. This was, presumably, a means of discouraging speculative appeals against papal sentences.

⁹ *DCB*, Doc. 428.

¹⁰ For more on episcopal interdict, see Peter Clarke, *The Interdict in the Thirteenth Century: A Question of Collective Guilt* (Oxford: Oxford University Press, 2007), 91–3. Bishops could only lay interdict on people or places within their diocese, which makes the recognition – or lack of it – of the sentence all the more poignant in such cases.

¹¹ *DCB*, Doc. 433. Notably F. archdeacon of Zamora stood as substitute for Bishop Martín.

¹² *Inocencio*, Doc. 428.

Innocent's letter, dated to 28 April 1210, reveals evidence of an extended struggle between the two institutions before this case reached Rome. The case had risen to violence, and five named monks had been expelled from their monastery, but despite the involvement of previous judges-delegate, tensions were still high and Maurice, Martín, and Miguel were once again requested to hear witnesses and enforce a solution (although needless to say, this was not the end of the matter). Again, this case had been brought by Bishop García of Burgos, who had gone directly to the pope and is described as being *in nostra presentia*.

In each of these cases, Maurice's role as papal judge-delegate was made clear; he and his co-judges were instructed to interview local witnesses and inform themselves in detail about the complexities of the case in hand before coming to a judgment which would hold the same authority as a sentence by the pope himself. This authority was divested to them through their designation by papal commission.¹³ The office of papal judge-delegate had become more prominent across Christendom over the course of the 12th century, in line with the establishment in canon law of the universal right to papal appeal.¹⁴ As increasing amounts of local litigation were referred to Rome across the century, it became expedient for the papal curia to delegate the judgment to a local individual or group who could investigate more thoroughly, meaning that the case in hand was thus 'referred back to reliable and well-regarded ecclesiastics in the locality from which the appeal arose ... drawing local bishops, deans, archdeacons, abbots and priors in the web of papal jurisdiction'.¹⁵ By the late 12th century, Charles Duggan estimates, the appointment of judges-delegate across medieval Europe had become a significant part of clerical life, and was a task that most bishops would expect to fall to them at some point in their career.¹⁶

The role of judge-delegate itself was thus one in which a considerable degree of spiritual power was invested – the judge wielded no less than the papal *plenitudo potestatis*, which was extended to him for the purposes of the specific case in question.¹⁷ For this case alone, the authority of the delegate would override that of

¹³ DCB, Doc. 429; 'discretionem vestre per apostolica scripta mandamus'. This phrase is repeated in all the letters of commission.

¹⁴ The principle first outlined in Gratian's *Decretum*; see Charles Duggan, 'Judges Delegate', in W. Hartmann and K. Pennington, eds, *The History of Courts and Procedure in Medieval Canon Law* (Washington, DC: The Catholic University of America Press, 2016), 229–43, at 230.

¹⁵ Duggan, 'Judges Delegate', 231.

¹⁶ Duggan, 'Judges Delegate', 231.

¹⁷ See G. Pavloff, *Papal Judges Delegate at the Time of the Corpus Iuris Canonici* (Unpublished PhD thesis: Washington, 1963); Jane Sayers, *Papal Judges Delegate in the Province of Canterbury, 1198–1254: A Study in Ecclesiastical Jurisdiction and Administration* (Oxford: Oxford University Press, 1971), 148; Evans, *Law and Theology in the Middle Ages*, 46. See also Walter Ullmann, 'The Papacy as an Institution of Government in the Middle Ages', *Studies in Church History*, 2 (1965), 78–101, at 95; and for a useful comparison, see James Sweeney, 'Innocent III, Canon Law, and Papal Judges Delegate in Hungary', in J. Sweeney and S. Chodorow, *Popes, Teachers and Canon Law in the Middle Ages* (Ithaca and London: Cornell University Press, 1989), 26–52.

other local ecclesiastics, including metropolitan bishops, and even visiting papal legates, and was not confined to the judge's own geographical region (or indeed country).¹⁸ The judge-delegate was also granted the powers of coercion to bring a resolution about, at least in theory, and could issue interdicts and excommunications in the name of the pope, although it should be pointed out that he could not extend this to parties beyond those named in the papal rescript.¹⁹ It appears that, by the early 13th century, an established procedure existed in England to guide the actions of the papal judges-delegate, as suggested by the survival of a formulary containing sixteen different templates for their use, but we have no evidence of any parallels in Castile.²⁰

Judges-delegate were appointed as named individuals in papal bulls, as we have seen in these cases concerning Maurice and his colleagues Bishop Martín of Zamora and Master Miguel of Segovia. However, this begs the obvious question: how did Innocent III know who was 'reliable and well-regarded' and capable of producing a just sentence in the diocese of Burgos (or indeed in any other part of the wider Church)? The process by which a judge was chosen and the requisite qualities for such a position remain to be explored with regard to the Castilian Church. Despite the institution becoming increasingly common over the 12th century, there were not many such appointments in Castile in these years: in 1210, Innocent wrote a total of seven letters concerning delegated judges (of which Maurice featured in five), and there were none in 1211, and only two in 1212. The final six years of Innocent's pontificate, 1210 to 1216, saw him write to Castile designating judges to resolve ecclesiastical squabbles on some eighteen occasions. The selection of judges varies widely amongst the bishops, archdeacons, deans, and canons of the churches of Castile, although certain teams of individuals do seem to be appointed on multiple occasions, such as the trio within which Maurice acted in 1210.

For Luciano Serrano, Maurice's commission was evidence of his personal connection with Innocent III, and he suggests that this role provided Maurice with an introduction to the church of Burgos, paving the way for his election as bishop three years later.²¹ However, it is important to remember that the delegation of judges was supposed to be the final step in a chain of communications between plaintiffs and defendants, local (usually episcopal) authorities, and, in the last

¹⁸ There are cases of English bishops being appointed judges-delegate in Italy; Duggan, 'Judges Delegate', 237–8.

¹⁹ Pavloff, *Papal Judges Delegate*, 12–18.

²⁰ Francis D. Logan, 'An Early Thirteenth-Century Papal Judge-Delegate Formulary of English Origin', *Studia Gratiana*, 14 (1967), 73–88. Logan has analysed a formulary from the start of the 13th century, of English provenance, which supplies as many as sixteen different texts for judges delegated by the pope to summon litigants, deal with absences, appoint deputies to act in their stead, and to reach and implement a judgment on the case – or to refer the case to the pope in case of doubt.

²¹ Serrano, *Don Mauricio*, 23.

resort, the papacy. As Thomas Smith has recently illustrated, papal government in this period was almost always responsive and dependent on the information provided by those who brought their cases to the curia.²² In her study of papal judges-delegate in medieval Canterbury, Jane Sayers reached the conclusion that by the end of the 12th century, suitable or desired judges were most commonly suggested by the plaintiff when local litigation reached the papacy.²³ Indeed, this was the most practical option given the growing volume of cases brought to Rome, each of which involved the intricacies of local church politics and required the intensely local knowledge of the judge-delegate, who often needed to be familiar with local customs and history, matters in which the pope had neither knowledge (except in rare cases) nor vested interest. Sayers has pointed out that the option remained for the defendant to refuse the judges appointed, allowing a veto if the selected judge was deemed partial or in any way unsuitable, although to do so would further prolong the time and money expended on the case.²⁴

Sayers was working from a much larger body of source material than exists for the Castilian Church in this period, and crucially, she was able to use surviving petitions from Canterbury to the pope in which individual judges were requested. No such petitions are extant to reveal the correspondence from Burgos to Rome, and so our conclusions must remain more tentative. However, the five letters from Innocent to Maurice in 1210 all refer to the bishop of Burgos bringing the case to Rome, and on more than one occasion, it appears that either Bishop García himself or a procurator for Burgos cathedral was actually at the curia.²⁵ The fact that cases against three different institutions in the diocese of Burgos were brought to the pope's attention within the space of three weeks further supports this view. As such, it seems most likely that Maurice and his co-judges were suggested to Innocent III along with the original petition from the church of Burgos.

What can this selection of Maurice inform us about him? The status of the judge-delegate was not categorically defined in any canon law text from this period, but as Sayers has pointed out, 'the idea that the judges should be local men was basic to the judge-delegate system, and the advantages of local inquiry and knowledge account for the growth of the system of delegation.'²⁶ Laymen were forbidden

²² As many as 90 per cent of papal bulls were responsive to demands, Thomas Smith suggests; Smith, 'English Episcopal Acta and Thirteenth-Century Petitions to the Pope'.

²³ Sayers, *Papal Judges Delegate*, 109–11: from 1198, it is 'common to find forms of petition to the curia making mention of the judges who were required' (109). Charles Duggan also agrees with this interpretation; Duggan, 'Judges Delegate', 230–4. See also the suggestion that this was the case in Aragon too: in 1203 the bishop of Huesca requested individual judge-delegates; Smith, *Innocent III and the Crown of Aragon*, 174–5.

²⁴ Pavloff, 'Papal Judges Delegate', 11.

²⁵ This procurator may well have been Gil from Burgos, later Cardinal Gil of Zamora; see Peter Linehan, "'Columpna firmissisima": D. Gil Torres, the Cardinal of Zamora', in Simon Barton and Peter Linehan, eds, *Cross, Crescent and Conversion: Studies on Medieval Spain and Christendom in Memory of Richard Fletcher* (Leiden: Brill, 2008), 241–61, at 247–9.

²⁶ Sayers, *Papal Judges Delegate*, 113.

to judge clerical matters, and Innocent's predecessor, Pope Celestine III (1191–8) had mentioned both juridical knowledge and factual capacity as requisite qualities, whilst Innocent III himself barred a judge from acting in a case concerning his own interests.²⁷ Judges-delegate should be clerics of *dignitas* and *personatus*, preferably holding one of the higher canonical posts, such as dean or archdeacon, with some jurisdictional responsibilities attached.²⁸ Bishops, abbots, priors, and the higher canonical authorities received the vast majority of judicial commissions from the papacy.

In addition to ecclesiastical status, a reputation for higher education or training in canon law was also a decisive factor in the selection of judges-delegate. As Jane Sayers has demonstrated, the majority of judges appointed in 12th- and 13th-century Canterbury bore the title of 'magister', and judges educated to the highest levels, at Oxford, Bologna, and Paris, were frequently named in papal petitions.²⁹ Indeed, it appears that, whilst those of highest ecclesiastical rank may have been selected for their ecclesiastical status and role in a diocese, lesser figures were seemingly chosen for their own merits, that is, for their education or experience in canon law, although we must remember that once they had been promoted to bishop, the title of 'master' seems to have been dropped, possibly distorting this impression.³⁰ Certainly, scholarly status does seem to have been a factor in selecting the judges-delegate of Castile, as far as the evidence permits us to determine it. Maurice's title of 'Magister' has been discussed elsewhere in this study, along with its possible implications and inherent vagaries, but it is notable that he was accompanied by another, Master Miguel of Segovia, whose identity remains obscure. There appears to be a preference for judges from Palencia, home of the theological *studium*, and Zamora, a city described by Peter Linehan as 'one of the peninsula's principal juristic centres'.³¹ The bishop of Palencia was commissioned as judge-delegate five times between 1210 and 1216, the maestrescuela of the cathedral received a commission in 1215, and so did a figure named Magister Fornarino of Palencia – possibly one of the 'Italian masters' teaching in the *studium* as described by Rodrigo Jiménez de Rada.³² Maurice's third co-judge, Bishop Martín of Zamora, was appointed as judge most frequently in this six-year period, on a total of eight occasions. Also referred to as Bishop Martín I, a Galician

²⁷ Pavloff, *Papal Judges Delegate*, 8–12. Innocent's case was in Paris in February 1206/7 – although he would have been more likely to know whose interests were at play in Paris than he would in Castile.

²⁸ Pavloff, *Papal Judges Delegate*, 11–12.

²⁹ Sayers, *Papal Judges Delegate*, 114–34. She uses as an example Richard de Mores, canon of Merton and prior of Dunstable from 1210 to 1242, who heard causes in approximately forty-eight suits as delegate. He had studied theology in Paris after Lateran IV for a year (1215–16) and served in a variety of small groups of judges.

³⁰ A point made with regard to English delegates by C. R. Cheney, 'England and the Roman Curia under Innocent III', *Journal of Ecclesiastical History*, 18 (1967), 173–86, at 180–1.

³¹ Linehan, "Columpna firmissima", 246.

³² *De Rebus Hispanie*, VII.34.

by birth, he seems to have received legal training, since he composed a number of glosses on Gratian's *Decretum*.³³ As Peter Linehan has illustrated, Martín was not alone in his interests at Zamora: the archdeacon Master Florentino was also appointed judge-delegate in February 1213, a figure whom Linehan has identified as 'one of the chief practitioners of law at Zamora'.³⁴

Clearly, it would seem that a reputation for higher education of some sort, and especially in canon law, was a factor influencing the selection of papal judges-delegate in Castile – as, of course, is only to be expected. As a 'magister', Maurice was in line with this trend, although we do not have enough evidence to determine whether he was known for training that was specifically legal in nature, or for being a scholar more broadly. The question of local reputation and status becomes even more important when we consider that the appointment of judges-delegate seems to have been dependent on nominations from the plaintiff, then ratified by the pope. Any plaintiff selecting a judge for his own case would choose a figure who had good credentials, but also, importantly, one who could be trusted to deliver the 'right' judgment. Judges were not passive appointees, but made their own decisions and were thus actors of considerable power. If chosen carefully, they could be a considerable asset to a prelate, permitting papal authority to be used to local advantage. And in cases such as these three power struggles in Burgos, no one could be relied upon more completely than a cleric who had vested interests in the see himself. Indeed, as we saw in [Chapter 1](#), Maurice was already well-connected in Burgos before his episcopal appointment, and was known in some way to the powerful Haro family as well as, evidently, the bishop, García, who had selected him as judge in 1210. In any case, Maurice could clearly be trusted to defend the interests of the see, and his appointment in these cases suggests that, even as archdeacon, he was fully aware of the fluidity of episcopal authority in Castile, and well-equipped to navigate ecclesiastical politics to local advantage. His appointment as papal judge-delegate was an indication that he was a trusted agent of the see of Burgos.

As bishop

Maurice continued to receive papal commissions to act as judge-delegate during his episcopal career too, largely concerning cases between his fellow bishops. He was appointed to judge the argument between Archbishop Rodrigo of Toledo

³³ Linehan, "Columpna firmissima", 244; Fletcher, *The Episcopate in the Kingdom of León*, 44. See also Antonio García y García, 'La canonística ibérica medieval posterior al decreto de Gratiano', in *Repertorio de las ciencias eclesiásticas en España I* (Salamanca: Instituto de Historia de la Teología Española, 1967), 397–434, at 412. Bishop Martín's successor, Martín II, also composed glosses and legal commentaries.

³⁴ Florentino was appointed on 24 February 1213; see *Inocencio*, Doc. 499. For more on Florentino, see Linehan, "Columpna firmissima", 247, and 'An Impugned Chirograph, and the Juristic Culture of Early 13th Century Zamora', in *Historical Memory and Clerical Activity*, 467–71.

and Bishop Juan of Ávila in 1217, and then to intervene between the same archbishop and Bishop Tello of Palencia in 1221, which he did with success, as we know thanks to a record in Toledo cathedral archive in which Tello and Rodrigo thank him for his arbitration.³⁵

However, we can achieve an insight into the more personal aspects of the role of judge-delegate through Archbishop Rodrigo's quarrel with the bishop of Cuenca, and his insistence on Maurice as his papally appointed judge. Cuenca was a suffragan see of Toledo, established in 1182 following the Castilian conquest of the area. The new bishopric had been granted the Visigothic sees of Valeria and Arcavia in order to provide some viable income, but by 1218, Rodrigo was petitioning the pope to have this arrangement annulled and the income from these sees assigned to Toledo.³⁶ The response from Honorius, dated to January 1218, makes clear that, in addition to the territories themselves, Rodrigo had requested the appointment of a suitable person to oversee the case.³⁷ Honorius named Maurice, as well as the abbot of Rioseco and a canon at Burgos, with the apostolic mandate that they were to fulfil Rodrigo's wishes. Given Rodrigo's request, it seems very likely that the identity of this 'suitable' person may also have been put forward. Honorius wrote again to the same judges in May 1218, bringing the proceedings under *appellatio remota*, thus blocking appeals from the defendant to Rome.³⁸ This was far from the end of the case, however. Bishop García of Cuenca fought back, and in the summer of 1220, we find two more commissions to Maurice from the pope, this time asking for further information about García's moral character.³⁹ In a case where personality and personal relations stood for so much, the identity of the judge-delegate would have been particularly important. The case dragged on beyond the deaths of both García of Cuenca and Pope Honorius III, and we next see Maurice involved in April 1228, in a bull from Pope Gregory IX to the bishop of Tarazona, who was by this point judging the case. Remarkably, Gregory informs the bishop that the case between Toledo and Cuenca was to revert back to Maurice and his co-judges on the request of the archbishop.⁴⁰ Clearly, at least in some cases, the plaintiff had considerable scope to insist upon the appointment of the judge-delegate, and a plaintiff such as Archbishop Rodrigo was aware of the importance of getting it right.

Moreover, in cases where papal demands conflicted with local politics, Maurice's priorities clearly lay with preserving the peace at home. In the same year,

³⁵ For Toledo-Avila, *Honorio*, Doc. 56. For Toledo-Palencia, *Honorio*, Doc. 379 and ACT X2.A.2.12.

³⁶ Linehan, *Spanish Church*, 12–13. Also Mansilla, *La Iglesia castellano-leonesa*, 71. On the new bishop of Cuenca, see Lincoln, *A Constellation of Authority*, 101–12.

³⁷ *Honorio*, Doc. 146.

³⁸ *Honorio*, Doc. 172.

³⁹ *Honorio*, Docs 306 and 314. Honorius had received the report concerning García's character by March 1222 (*Honorio*, Doc. 396).

⁴⁰ *Gregorio*, Doc. 96.

1218, Bishop Sancho of Zaragoza, acting as papal judge-delegate, requested that Bishops Maurice of Burgos and Tello of Palencia should assist Bishop Melendo of Osma, whose see was being pillaged by Fernando III and one of his most powerful courtiers, Diego López de Haro, the governor of the Rioja.⁴¹ Neither bishop obeyed his command, resulting in a sharp letter from Sancho later that year.⁴² It was their episcopal duty, he reminded them, to aid a brother bishop, in order that 'the holy canons should be seen to be made manifest'.⁴³ The bishop should not offer 'mute counsel' (*mutum consilium*) and excuses, 'for if this were always to be feared by bishops, justice against kings and princes would always sleep'.⁴⁴ He closed by giving Maurice six months to act on the papal commission and warned that a copy of the letter would be sent to Rome. Yet, a look at the context in which this request came might explain Maurice's reticence. The reign of Enrique I had been a time of civil unrest that bordered on war, and the accession of the young King Fernando in 1217 did not lead to a restoration of peace until at least the start of the 1220s. Burgos had been invaded by King Alfonso IX of León in 1217, who had penetrated to within nine miles of the city itself, and it was the knights of Diego López de Haro who had defended the region. Clearly, it would have been inopportune at the least for Maurice to have followed the papal command to reprimand him in 1218 for pillaging the see of Osma – indeed, it was preferable that his troops should reimburse themselves in Osma than by pillaging closer to home. In this example, the pressures of the immediate context and the need to stay on friendly terms with the powerful Burgalés nobility clearly took precedent over the requests of the papacy.

Maurice also seems to have chosen tactical silence in response to papal requests that he intervene in the trials that beset the diocese of Segovia between 1224 and 1227. Bishop Giraldo of Segovia, who had been expelled from his see in 1224, seems to have been battling with King Fernando III as well as his unruly canons, as suggested by a stern letter from Honorius III warning the king to stop pillaging the diocese in the spring of 1223.⁴⁵ Following Giraldo's departure and death in 1224, the cathedral chapter duly elected his successor, Bernardo, formerly archdeacon of Talavera, an election confirmed canonically by Rodrigo of Toledo but, it would seem, displeasing to Fernando III, who blocked Bernardo's accession and dispossessed the see.⁴⁶ Bernardo appealed to Rome, and a series of correspondence from Honorius to Fernando III made clear the pope's support for the prelate

⁴¹ Loperraez, *Colección diplomática del obispado de Osma*, Doc. XLV.

⁴² Loperraez, *Colección diplomática del obispado de Osma*, Doc. XLVII.

⁴³ Loperraez, *Colección diplomática del obispado de Osma*, Doc. XLVII: 'cum sacri canones censeant manifeste'.

⁴⁴ Loperraez, *Colección diplomática del obispado de Osma*: 'si enim hoc semper episcopis esset timendum contra reges et principes semper iustitia dormitaret'.

⁴⁵ *Honorio*, Doc. 436.

⁴⁶ Mansilla, *La Iglesia Castellano-Leonesa*, 168–71. See also Linehan, *Spanish Church and Papacy*, 11.

and his request that the king cease his assault.⁴⁷ This did not happen, however, and so the pope's next step was to appeal to the archbishop of Toledo for assistance, and when that was met with no response, to Maurice, who on 8 April 1225 received a bull instructing him and two others to reprimand the king.⁴⁸ They were to proceed against all those who were illegally retaining land in Segovia, and were to do so using ecclesiastical censure, although Honorius added that sentences of excommunication should not be extended to the king and his mother. Evidently, as Mansilla has pointed out, Honorius was trying to avoid a direct confrontation with the king whilst remaining bound to defend the liberties of the Church.⁴⁹ He even permitted the judges to hold another election in Segovia, but only after Bernardo had been recognised by the king. It was certainly a difficult situation, but for none more so than for the judges-delegate in the midst of the controversy.

Maurice and his colleagues responded to this conundrum by doing nothing. Honorius reissued his command to Maurice a month later, on 6 May 1225, again exhorting him to speak out in defence of their brother bishop, but nothing seems to have come of it.⁵⁰ A year later, Bernardo was still far from acceding to his see, and once again, Maurice and the bishop of Calahorra were firmly instructed to defend and assist him on 9 May 1226, and to proceed with ecclesiastical censures against those who were preventing the accession.⁵¹ From 1227, Honorius changed his choice of judge-delegate, although Segovia was still oppressed by the king in March 1233.⁵² Evidently, Maurice was prepared to ignore a papal commission if fulfilling it would damage his political standing with the king. Nor was it always possible for him to balance papal requests with his allegiance to local powers, such as the Haro family, whose protection of Burgos was vital for the future of the diocese.

Negotiating *auctoritas*

Let us now turn to the large amount of litigation in which Maurice himself was plaintiff: the cases he brought as bishop of Burgos against a wide range of religious institutions around and beyond his diocese. Without doubt, this constitutes the

⁴⁷ *Honorio*, Docs 521 and 549.

⁴⁸ *Honorio*, Doc. 550. See Mansilla, *La Iglesia Castellano-Leonesa*, 170. Honorius redirected the request to Maurice, Bishop Juan of Calahorra, and the archdeacon of Cuenca.

⁴⁹ Mansilla, *La Iglesia Castellano-Leonesa*, 169.

⁵⁰ *Honorio*, Doc. 554, this time commissioning Maurice, Tello of Palencia, and the archdeacon of Cuenca.

⁵¹ *Honorio*, Doc. 600, although it should be noted that the pope instructs Maurice and Juan of Calahorra to exempt the king and his mother from the ecclesiastical censure.

⁵² Mansilla, *La Iglesia Castellano-Leonesa*, 170: 'no podemos precisar bien las causas que retardaron todavía casi dos años el tomar posesión del obispado'. *Honorio*, Doc. 612 (13 January 1227: the bishop of Cuenca and the archdeacon of Madrid and Sigüenza are instructed to try to restore some of the goods of Segovia); Docs 616, 617, 618, 619, 620, 621. Concerning 1233: *Gregorio*, Doc. 339. Maurice is one of those requested to help.

majority of the documentary evidence extant for Maurice's life, and provides a vivid insight into the various ways in which he imposed and extended his episcopal power. Over the course of his life, Maurice drew up official agreements, described as *concordiae*, with at least eight different monasteries and collegiate churches, all of which addressed and defined the powers of the bishop over the clergy and traditions of the religious institutions in question, and their duties – both practical and symbolic – towards him. These were the communities of San Esteban de Burgos (with whom he made a *concordia* in 1217), San Salvador de Oña (who reached agreements with Maurice in 1218 and 1234), Santo Domingo de Silos (1222), San Juan de Ortega (1222), Sans Cosme y Damián de Covarrubias (1222), Santa María de Castrojeriz (1222), Santa María de Nájera (1223), and San Juan de Burgos (1234 and 1243).⁵³ Five of these were signed in Burgos cathedral between January 1222 and March 1223, in an unprecedented succession of different abbots and senior clergy, some travelling considerable distances to negotiate their rights with the bishop. In some of these cases, Maurice was clearly seeking to resolve long-standing grievances, but there are also several examples of entirely new litigation, and for a number of the churches and monasteries around diocese, there is no record of any contact at all with the bishop of Burgos until Maurice's lifetime. A number of these cases did pass through the papal court, inevitably, given Burgos's exemption from the metropolitan see, but it is important to note that many were appealed to Rome by the monasteries in question, on the grounds that their papal liberties were being infringed by Maurice's personal ambition. 'Reform' was very much in the eye of the beholder.

As ever, it is of vital importance to remember the context within which these exchanges were carried out. The diocesan and monastic borders of much of this region were still changeable and indeed challengeable in the early 13th century, as the ecclesiastical identities of provinces conquered from Muslim rule were established. The borders of the diocese of Burgos had been largely determined in the process of lengthy negotiations between the Council of Husillos in 1088 and the Council of Burgos in 1136, but not all points of contention had been ironed out, as we shall see.⁵⁴ The continued expansion of the Castilian borders brought new complications, as illustrated in the case of the diocese of Cuenca, conquered in 1177.⁵⁵ Moreover, the exempt status of the diocese of Burgos had been under question at various points in the 12th century, and although attempts by the metropolitan of

⁵³ For San Esteban, see *DCB*, Doc. 511, and for San Juan, see Pena Pérez, *Documentación del monasterio de San Juan de Burgos (1091–1400)*. For the others, see references in the notes that follow here.

⁵⁴ See Odilo Engels, 'Husillos, Konzil von (1080)', in *Lexikon des Mittelalters* (1990), 5.232. The text of the Council of Husillos is lost, but a diploma survives with the details of borders between Burgos and Osma; see Serrano, *El Obispado de Burgos*, I, 231 and III, nos 31–73.

⁵⁵ See above ('As archdeacon') for details of Rodrigo's efforts to remove land originally granted to Cuenca. The conquests of Baeza (1228), Córdoba (1236), Cartagena (1245), and Seville (1247) all resulted in tensions between established northern dioceses over the redistribution of ecclesiastical rights; see Mansilla, *La Iglesia Castellano-Leonesa*, 109.

Toledo to incorporate Burgos had largely ceased by Maurice's lifetime, Rodrigo did try to raise the question with the pope in 1218.⁵⁶ The status and prerogatives of individual monasteries, all with unique histories and affiliations, was another point of negotiation. The relationships between individual communities and the diocesan bishop varied enormously, from those that were fully submitted to the bishop, to those who would not permit him to enter their lands. There is sometimes no way of being sure of the affiliation of a monastery, and in much of the litigation discussed here, both Maurice and the monasteries in question had different, conflicting accounts of their histories and privileges, to the extent that even local witnesses were unclear as to which party was legally justified in its claims.

A close reading of the correspondence, appeals, and agreements that resulted from this process is essential in going any further towards understanding Maurice's actions. In what follows, we will discuss the most illuminating cases of these years, which took place at flashpoints in the powerful houses at Oña, Castrojeriz, Silos, Nájera, and Foncea.

San Salvador de Oña

The most long-standing of the jurisdictional cases which Maurice pursued was that between the see of Burgos and the Cluniac monastery of San Salvador de Oña.⁵⁷ Contention between the abbots of Oña and the bishops of Burgos had been ongoing since before 1152, the year in which the abbot and bishop made an agreement that was to be ratified by the pope and reissued on a number of subsequent occasions.⁵⁸ At the heart of the issue lay the long-debated question of the status of a Cluniac monastery vis-à-vis the diocesan bishop, and particularly, the duties and financial obligations of the monastery's dependent churches, houses, and lands.

The agreement of 1152 had consisted of a concession by the then bishop of Burgos, Victor, to the monks of Oña.⁵⁹ He had conceded that the monastery should receive the *tercia*, or third of the tithe, from all of the churches, monasteries, and all other holdings that it possessed in the diocese of Burgos. The monks should also receive the full tithe from seven towns in Burgos which, until then, had been due to the bishop. In return, the abbot of Oña ceded to Bishop Victor the town of Ribilla (most likely Revilla).

⁵⁶ Mansilla, *La Iglesia Castellano-Leonesa*, 108. Toledo also had ambitions over Salamanca, Plasencia, and Zamora.

⁵⁷ There is a modern edition of the archival records of Oña: Oveja Gonzalo, *Documentación del monasterio de San Salvador*; also to be supplemented by del Alamo, *Colección diplomática*.

⁵⁸ See Alamo, *Colección diplomática*, 1, Doc. 272.

⁵⁹ The agreement of 1152, made between the abbot of Oña and Bishop Victor of Burgos (1147–56), was reconfirmed by Innocent III in May 1210 (*Inocencio*, Doc. 430); see also Alamo, *Colección diplomática*, vol. 1, Doc. 272 and ff.

This agreement set the parameters of the case within which Maurice was summoned to act as papal judge-delegate in 1210. As we have seen, Bishop García de Contreras of Burgos had been arguing to the pope that ‘common law’ and ‘ancient custom’ in the diocese meant that the dependent institutions of Oña should be attending his synods, observing his sentences, and paying procurations to him, as well as an additional payment at the accession of a new bishop. However the procurator of Oña had countered that they had an even greater claim to ecclesiastical liberty, and presented the privileges of three former popes, as well as the document of 1152, proving the agreement with Bishop Victor of Burgos. They also promised to produce witnesses who could verify the long-standing rights of the monastery – and indeed, in the archives of the monastery, there is a document dated to 1209 in which several witnesses affirmed the case in favour of the monks.⁶⁰ Innocent III hesitated to come down on either side of the dispute, commanding Maurice and his fellow judges-delegate to hear the testimonies of witnesses and to come to a decision, referring back to the papal curia if necessary.⁶¹ He urged discretion on his judges, so that the two warring parties should not be informed of their deliberations until their dispute should be resolved.⁶² Innocent also reconfirmed the text of the agreement of 1152.⁶³

However, the judges-delegate did not do as they were instructed. Innocent wrote again in March 1215 to say that the judges had not sent him all of the required testimonies from the Oña witnesses, but had held back six of them, as the monastery had been able to demonstrate.⁶⁴ Innocent’s response was to reopen the case and to commission a new team of delegates to request that the original judges bring forth the six missing statements, if necessary compelled by ecclesiastical censure.⁶⁵ Innocent was aware of the awkward fact that one of these judges was now the bishop-elect of Burgos himself.

Innocent died before the case could be solved. The second team of judges made no headway: they had been delayed by Lateran IV, and in the meantime, two of the (necessarily elderly) witnesses from Oña who had been able to remember the 1152 agreement had died.⁶⁶ The monks of Oña begged the pope to act, ‘lest due to defective evidence, justice might fail’, and so, in November 1217, Honorius

⁶⁰ Oceja Gonzalo, *Documentación del monasterio de Oña*, Doc. 107.

⁶¹ For the full correspondence with Innocent III about this issue, see *DCB*, Docs 425, 426, 427, 488, and 489; and also *Inocencio*, Docs 424–6, 429–32, and 522–3.

⁶² *Inocencio*, Doc. 431.

⁶³ *Inocencio*, Doc. 430.

⁶⁴ *Inocencio*, Doc. 522, dated 12 March 1215: ‘Verum, quia pars monasterii sufficienti probatione monstravit, non omnes depositiones testium, quas super prescriptione produxerat, ad nos fuisse transmissas, cum dicta sex testium ... reperta inter attestationes alias non fuissent’; a copy remains in *DCB*, Doc. 488 (though misdated to 15 March 1215).

⁶⁵ *DCB*, Doc. 488.

⁶⁶ *Honorio*, Doc. 102; also see Alamo, *Colección diplomática*, Doc. 414.

appointed a third team of judges-delegate, this time from outside of Castile.⁶⁷ At Oña's request, he also confirmed and reissued the agreement made between the monastery and Bishop Victor in 1152, and Pope Innocent III's judgment of the matter from 1210.⁶⁸

Both popes clearly had some difficulty in deciding which of the two parties were acting within their rights, and for good reason. Both the bishop and the monastery were quick to appeal for papal support in their quarrels, and had procurators who could present their arguments.⁶⁹ The events between 1210 and 1217 also reveal the most obvious danger of the system of papal judges-delegate: namely, that it was impossible for the pope to know whether a recommended judge had his own vested interests in the outcome of the case. If so, they had considerable power to frustrate papal commands. Maurice's transition from judge-delegate to the bishop of Burgos certainly sheds an unfavourable light on the loss of the apparently crucial evidence in favour of Oña, a point appreciated by Honorius when he speculated that these lost testimonies may have remained in the possession of the judges who collected them.⁷⁰

However, Honorius's new judges-delegate did not get a chance to come to a conclusion on the Burgos–Oña case, as on 2 May 1218, Maurice drew up a *concordia* with the abbot of Oña, signed in the bishop's palace in Burgos by both parties, which finally brought the 'stultifying controversy' (as Maurice termed it) to an end.⁷¹ The financial toll of upholding a case in Rome seems to have been a decisive factor in bringing proceedings to a conclusion, as the text of the *concordia* notes that the monastery was 'greatly wounded' by the litigation.⁷² This was presumably a reference to the costs of sending a procurator to Rome to appeal against sentences, although as will shall see, Maurice was to prove himself capable of ordering physical damage to other monasteries that withstood him.

According to the text of this agreement, the abbot of Oña was to cede to Burgos all four of the points raised in 1210: dependent churches and monasteries

⁶⁷ *Honorio*, Docs 101 and 102. They were Galicians: the dean of Santiago de Compostela and two canons from Orense.

⁶⁸ *Inocencio*, Docs 87 and 88.

⁶⁹ The procurator for the cathedral of Burgos is likely to have been the formidable Gil de Zamora; see Linehan, "Columpna firmissisima".

⁷⁰ *Honorio*, Doc. 102: 'per venerabilem fratrem nostrum Zamorensem episcopum et coniudices suos recepti fuerint quidam testes, quorum sex attestations invente postmodum publicationis tempore non fuerint postquam super hoc coram eodem predecessor fuit diutius litigatum; quia sibi per testes idoneos constitit attestations ipsas vel *penes dictos iudices remansisse vel fuisse deperditas apud eos*'. It is notable that both Innocent and Honorius reissued the agreement of 1152 twice (in 1210 and again on three further occasions, in 1215, 1217, and 1218), but copies are only to be found in the archive of Oña, and the cathedral of Burgos does not seem to have received (or perhaps preserved) this document.

⁷¹ *DCB*, Doc. 515: 'sopita controversia ... inter burgensem ecclesiam et onienae monasterium'; also Alamo, *Colección diplomática*, Doc. 415.

⁷² *DCB*, Doc. 515: 'in persecutione iam dicti negotii sepe dictum monasterium onienae enormiter lesum erat'.

should attend episcopal synods called by the bishops, archdeacon, or archpriest of Burgos; they should obey sentences of excommunication and interdict issued by the same; they should pay the procuration to the bishop; and they should pay an additional sum, amounting to a gold piece each, to new bishops on their appointment. They also agreed ‘never to bother the church of Burgos again’ about these matters.⁷³ The question of tithe payments was also resolved mostly in the bishop’s favour: Oña ceded their claim to the tithe on lands and territories they did not directly cultivate and which belonged to Burgos ‘according to territorial law’. The abbot also accepted that all churches or monasteries acquired by Oña since 1152 should pay the *tercia* to the bishop. A committee of six, three from the cathedral and three from Oña, was established to determine dates of acquisition, overseen where there was disagreement by the abbot of San Millán de la Cogolla, a monastery that lay in neighbouring Calahorra. As a concession on his part, Maurice withdrew from any other claims about tithes, and also renounced his request for Oña to cover the costs of the extended litigation.⁷⁴

It is unclear how Maurice managed to force the monastery’s agreement to this *concordia*, when the terms were clearly very much in his own favour. Notably, the terms of the agreement are presented as being the will of Pope Innocent III and his judges-delegate, and to ‘uphold the sentence that the aforesaid pope would want’.⁷⁵ And yet, as we have seen, this was not wholly the case. Innocent had been unable to proceed due to a lack of evidence, and had shown his displeasure at the failure of Maurice’s team of judges to satisfactorily deliver the required evidence. And Maurice had not waited for the conclusions of the new judges-delegate appointed (at the request of Oña) by Honorius III just six months previously – this time, men who were from outside Castile and more likely to have been unknown to Maurice and potentially pose a risk to the interests of Burgos cathedral.

The *concordia* of May 1218 effectively brought the case to a close, however. The document stood unchallenged for the rest of Maurice’s lifetime, barring an additional agreement over one extra parish in 1236, and, indeed, appears to have held throughout the rest of the 13th century. Moreover, from this moment onwards, the cathedral seems to have been much more closely involved in the monastery’s financial dealings. In March 1225, Oña made an agreement with a town called Montenegro. The charter recording the deal was produced in Burgos, however, and the agreement took place *in presencia Mauricii Burgensis episcopis*.⁷⁶ This was followed up a few months later by an agreement between Oña and Sotovellanos, again made *in presencia mea Mauricii Burgensis episcopi*, written in the first person

⁷³ DCB, Doc. 515: ‘promittentes et firmiter quod super probatione predictae prescriptionis numquam burgensium ecclesiam molestabunt’.

⁷⁴ DCB, Doc. 515. Maurice himself as judge-delegate had ordered Castrojeriz to pay all legal fees as a punishment for appealing against the bishop.

⁷⁵ DCB, Doc. 515: ‘sententiam ferre vellet memoratus papa’.

⁷⁶ Alamo, *Colección diplomática*, Doc. 438, March 1225.

and suggesting that Maurice had direct power over the formulation of this agreement.⁷⁷ Another charter, this time between Oña and the confraternity of Rubena, dated to 1229, was made *coram domino Mauricio*, and the bishop's seal attached.⁷⁸ In April 1230, a bequest by a layman to Oña was made in Burgos cathedral and witnessed by one of its canons, a Magister Martín, who signed himself as 'subdelegate for lord Maurice, bishop of Burgos'.⁷⁹ Finally, Maurice's consent was again sought for another agreement made by Oña in November 1233, and the charter sealed with his seal.⁸⁰

Evidently, both as judge-delegate in 1210 and then acting in his own name as bishop, Maurice had largely succeeded in bending the monastery of Oña to the will of the episcopal see of Burgos by 1218. In so doing, he quashed a point of contention that had been rumbling on for much of the 12th century, consolidating his lordship over the diocese of Burgos in a way that his predecessors do not appear to have achieved. His manoeuvres in support of the see of Burgos in 1210, whilst under papal commission as a supposedly neutral judge, provide a good illustration of some of the inherent problems of the judge-delegate system, and the ways in which papal structures could be deployed to serve personal agendas – a reality of which Innocent and Honorius were both clearly conscious. That these conflicts repeatedly returned to the papal curia and that representatives of both Burgos and Oña were personally in Rome vying for the papal ear demonstrate the success of the 12th-century papacy in channelling canon law disputes to Rome. No less notable, however, is the fact that it was ultimately local and pragmatic factors – obfuscation by local judges-delegate (one of whom was deeply invested in the interests of the see), the financial toll paid by Oña, and the forcefulness of Bishop Maurice – that brought the dispute to a close.

Santa María de Castrojeriz

The litigation between Maurice and the collegiate church of Santa María de Castrojeriz was also established before Maurice came to office.⁸¹ Tensions arose sometime before 1210, in which year Innocent III wrote to appoint a team of papal

⁷⁷ Alamo, *Colección diplomática*, Doc. 439, August 1225. This is Mansilla, *Catálogo*, Doc. 565.

⁷⁸ Alamo, *Colección diplomática*, Doc. 455.

⁷⁹ Alamo, *Colección diplomática*, Doc. 461.

⁸⁰ Alamo, *Colección diplomática*, Doc. 470. The agreement was made 'de consensu domini Mauricii Burgensis episcopi'.

⁸¹ Serrano describes the community of Santa María de Castrojeriz most often as a 'cabildo colegial' (*Don Mauricio*, 93–4; the same term is employed in his longer description of the community's history, in *El obispado de Burgos*, vol. 2, 186 and 235–6), although he does also refer to it as an 'abadía secular' on occasion. As we shall see in the documents analysed here, by the 13th century, it consisted of a community of secular canons led by an abbot, with ownership of territories and churches across a large area. In these documents, Santa María de Castrojeriz is referred to most often as 'ecclesia Sancte Marie', but is also referred to as an 'abbatia'.

judges-delegate to the case, following an appeal by Bishop García of Burgos on the grounds that the canons of Castrojeriz had ignored his sentence of excommunication.⁸² The case had become ugly: García had ordered the exhumation of canons buried under excommunication, and both sides had seized goods belonging to the other.⁸³ The nub of the matter was, again, the status of the community vis-à-vis the bishop, and both sides claimed to have a traditional right to jurisdiction. García had insisted upon his right to appoint the abbot, as well as to collect the *tercia*, and to rents, tithes, and visitations from the churches dependent on Castrojeriz. However, Innocent's bull of April 1210 was critical of both parties, accusing García of *contumacia*, and informing his judges-delegate that he did not have full confidence in the stories of either side.⁸⁴ Maurice and his co-judges were to try to solve the case, hearing witnesses from both sides, Innocent emphasised.

The judgment reached by the team of delegates, and imparted in a sentence dated to January 1211, was rather severe.⁸⁵ The bishop was owed full jurisdiction over the collegiate church as well as over its dependent houses, they determined, and all things taken from the bishop should be returned, including the foodstuffs they had carried off, and those things that had perished should be paid for, with a man named to judge the potential value of rotten or consumed goods. The canons were also instructed to supply the bishop not only with the tithe but also with additional payments, as a punishment for rejecting his authority. Four procurators were appointed on behalf of the bishop – two clerics and two laymen – to make sure all of this was carried out. The bishop was also granted the power, on his own authority and without any further royal, secular, or papal permission, to sell, give away, or withhold land belonging to the church, in return for the promise that he would not defraud the canons.

It is hardly surprising that the community appealed to the pope against this sentence, and at some point before his death, Innocent III appointed a second panel of judges.⁸⁶ However, Maurice too, now bishop, asked for papal support, and in June 1218 Pope Honorius wrote to a team of judges-delegate requesting a rapid conclusion to the litigation.⁸⁷ The case had been delayed due to foul play, he alleged: specifically, the conduct of one of the judges-delegate, who was accused of trying to hold up the case by 'wickedly casting frivolous exceptions'.⁸⁸ Honorius's final views on the case were contained in a bull sent to Maurice in September 1220,

⁸² *DCB*, Doc. 428.

⁸³ *DCB*, Doc. 428. The canons of Castrojeriz had carried off foodstuffs, but Bishop Garcia had snatched the keys to their sacristy and stolen their book of privileges.

⁸⁴ *Inocencio*, Doc. 427. For this reason, Innocent informed them, the case had been appealed to Rome 'super premissis legitime'. The same document is in Burgos archives; *DCB*, Doc. 428.

⁸⁵ *DCB*, Doc. 433.

⁸⁶ No bull survives, but Honorius refers to this in his letter of June 1218 (*Honorio*, Doc. 177).

⁸⁷ *Honorio*, Doc. 177.

⁸⁸ *Honorio*, Doc. 177: 'intendens tantummodo frivolus exceptions malitiose obicere'.

in which, after hearing the testimonies of witnesses and summoning the procurators of both parties to his court, he decided in favour of the bishop of Burgos and ruled that the church of Santa María could not press any further demands on him.⁸⁹ The one exception was, importantly, the *ius eligendi*, the right of election of the abbot, which remained in the hands of the canons of Castrojeriz.

Just a few months later, in January 1221, Maurice himself and his archdeacon Marino travelled to Castrojeriz and drew up a document in which the canons surrendered all their rights and exemptions and submitted entirely to the bishop and his archdeacon – including the power to appoint the abbot.⁹⁰ It is a remarkable capitulation after so many years of discord. Fifteen canons from Castrojeriz were named as agreeing ‘spontaneously and without any constraint’ that they ‘renounced to Burgos all rights that they had or were seen to have had in the church of Santa María’ and requested that Maurice would mercifully provide for them.⁹¹ He did so by naming sixteen canons to serve the church. These consisted of the original fifteen and one extra: Ferrando Martini, *burgensis porcionarius*, who was hereby to join Castrojeriz. In a highly symbolic move, Maurice also named their new abbot as none other than Marino, the archdeacon from Burgos. The charter finishes with the words of an oath that each member of the community was to swear spontaneously (*spontanea*), using the formal ‘vobis’ to address Maurice and the more informal ‘tibi’ when speaking to Marino.⁹² Its text provides a remarkable insight into the symbolic as well as practical nature of the *auctoritas* that Maurice was imposing on the canons of Castrojeriz:

I swear that I shall always be faithful, obedient and devoted to you [*vobis*], Maurice, bishop of Burgos and to all your successors and to the church of Burgos, and to you [*tibi*], Marino, archdeacon of Burgos, currently abbot of Santa María de Castro, and to all succeeding you in the abbey of Santa María de Castro; and I swear that, after the aforesaid Marino who is now abbot, I shall accept, without any opposition, whomsoever the bishop of Burgos will choose and establish as abbot of the aforesaid church, and no other; and I swear that I shall accept whichever canon or portionary the bishop of Burgos and the abbot, elected and established by him, shall bestow.⁹³

The dictation of this oath of allegiance and the twice-repeated claim that the clergy were agreeing of their free will and without duress both suggest that this volte-face had been imposed on the community, in what appears to be an explicit contravention of the judgment by Pope Honorius III.

⁸⁹ See *DCB*, Doc. 525; and *Honorio*, Doc. 325.

⁹⁰ *DCB*, Doc. 527. Text also available in Serrano, *Don Mauricio*, [Appendix V](#).

⁹¹ *DCB*, Doc. 527.

⁹² Both Innocent III and Honorius III used ‘tibi’ when addressing bishops and even when writing to the king of Castile. ‘Vobis’ thus seems to be an extremely formal address, and one that is not used in any of Maurice’s other litigation from this period.

⁹³ *DCB*, Doc. 527.

The agreement was witnessed by a small group of clergy, most of which seem to be third-party, being neither from Burgos nor Castrojeriz, but there are three witnesses who stand out as being part of the bishop's personal retinue: 'Nicholaus, *capellanus domini M episcopi burgensi*', 'Rodericus Didaci, *clericus Maurici burgensis episcopi*', and 'M. Iohannis, *clericus burgensis episcopi*'. These epithets are unusual. No other document from Maurice's lifetime features witnesses who sign specifically as 'Maurice's men' as opposed to canons from the cathedral of Burgos. They do not appear to be dignitaries from the chapter, since these three names do not occur amongst those of the canons signing as witnesses for documents produced in Burgos cathedral. Quite who they were and what their relationship was with the cathedral remains a mystery, but it is clear at least that their allegiance was to Maurice alone, and that he wanted their presence in Castrojeriz when he went there to impose his will in 1221.

The final development in this case was the signing of a *concordia* produced in Burgos cathedral in October 1222.⁹⁴ The abbot of Castrojeriz must be chosen by the bishop of Burgos and taken *de gremio burgensis ecclesie*, that is, from the bosom of the cathedral. The church's clergy were to be decided on by the bishop and abbot together and were to be limited to sixteen. The church should pay the *tercia* to Burgos cathedral, and so should a list of their dependent churches, over which Castrojeriz renounced its jurisdiction in favour of the bishop. The abbot was to be the sole figure in charge of discipline, and whenever he was residing at Castrojeriz, he should receive a double prebend.⁹⁵ This seems a spectacularly bad deal for the community. Perhaps as a concession, the *concordia* closes with the statement that no canon from Burgos cathedral will ever have jurisdiction over Castrojeriz – but this is a rather hollow promise given that the abbot himself would be precisely from the same *gremium*. This *concordia* was witnessed by abbots and priors from a number of important monasteries around Burgos: namely, the abbots of San Millán (probably San Millán de Lara), of San Salvador de Oña, of San Pedro de Cardeña, and of San Pedro de Arlanza, as well as some of their clergy and some senior lay figures from Burgos.

The decision by the judges-delegate in 1210 that the bishop should exercise his power over the church had been realised by the end of 1222, by which point Maurice had brought Castrojeriz entirely within his own jurisdictional power. He was supported to a certain extent by the rather uncertain verdicts sent from Rome, but the fact that he had obtained, precisely, the right of election in Castrojeriz suggests that Roman permission was not a prerequisite for his actions.

⁹⁴ DCB, Doc. 544.

⁹⁵ DCB, Doc. 544: 'Abbas, vero, quandiu fuerit intra septa monasterii recipiat duplicem prebendam'.

Santo Domingo de Silos

The Benedictine monastery of Santo Domingo de Silos was one of the richest and most powerful establishments in Castile, lying some 60 kilometres south of the city of Burgos and in territory that had been subject at various points to the sees of both Burgos and Osma.⁹⁶ Although founded at some point in the 7th century, the monastery had become particularly important from the late 11th century as the home of – and then shrine to – the eponymous St Dominic Manso, who died there in 1073 and was canonised three years later, becoming a point of pilgrimage itself just off the Camino de Santiago and attracting extensive royal and noble patronage.⁹⁷

Trouble seems to have begun between Maurice and the monastery of Santo Domingo on 19 November 1218, when, on account of the ‘evil reputation’ (*sinistra fama*) of the monastery that had reached him through ‘noisy insinuation and frequent outcry’ (*per clamoriam insinuationem et per frequentem clamorem*), Maurice himself made the journey south to Silos to investigate and bring episcopal correction.⁹⁸ The abbot and all his monks were warned to be in attendance on the day, and Maurice took with him ‘the elders of my church, wise, thoughtful and well-educated men’, as well as a number of neighbouring abbots. The visit began with a mass, after which Maurice, ‘observing the order of law’, started to rebuke the abbot and cellarer of the monastery on various accounts; namely, the alienation of the goods of the monastery, the reduction in the number of monks, and ‘certain excesses’ by the abbot, especially denying hospitality to pilgrims, guests, and the poor. At this, the abbot, ‘like an obedient son’, confessed to the accusations and promised to obey Maurice ‘in all things’. The monks, however, proved rather more feisty than their leader: ‘they all responded, unanimous in shouting and din, and with certain among them even putting forth ignominious words, that neither to this nor to anything would I be able to compel them by law, since they suspected me to have a certain plan.’⁹⁹ Specifically, they accused Maurice of harbouring designs on land that belonged to the monastery, and informed him that he had no right of jurisdiction over them, and furthermore, that they had a

⁹⁶ For the archives of Silos, see Vivancos Gómez, *Documentación de Santo Domingo de Silos*. Many documents from this archive have also been published in Férotin, ed., *Labbaye de Silos*; see particularly Férotin’s perceptive commentary on Docs 95 and 98. See also G. Martínez Díez, ed., *Fueros locales en el territorio de la provincia de Burgos* (Burgos: Caja de Ahorros Municipal de Burgos, 1982), 78–80 and 186–8.

⁹⁷ Vivancos Gómez, *Documentación de Santo Domingo*, LXII–LXXVI.

⁹⁸ DCB, Doc. 517.

⁹⁹ DCB, Doc. 517: ‘omnes unanimiter cum clamore et strepitu, et quidam ex eis etiam verba ignominiosa proponendo, responderunt quod nec ad hoc nec ad aliud possem eos de iure compellere, cum me certa ratione susceptum haberent’.

privilege of exemption and were answerable only to the pope.¹⁰⁰ The monks then fled Maurice's presence.

We learn all of this from a letter written by Maurice the following day, on 20 November 1218, in which he publicly excommunicated the community of Silos and condemned their 'frivolous and malicious' intentions towards him.¹⁰¹ The letter of excommunication was sent not just to the diocese of Burgos, but around the whole kingdom of Castile – Maurice was clearly intent on making his actions against the monks of Silos as public as possible. The witness list attached makes clear the identities of some of the 'thoughtful' men who were with him on the day: R, abbot of San Pedro of Cardaña, G, abbot of Bujedo, two monks from each of these establishments, and two *seniores* from Burgos chapter, the dean and Pedro Díaz the cantor.

Despite Maurice's outrage, this letter was carefully thought through.¹⁰² His actions were clearly presented as an *inquisitio*, a shorter form of legal inquiry which had been instigated by Innocent III at the Lateran Council of 1215 and which bypassed the traditional procedures involved in prosecuting a case before canon law.¹⁰³ Central to the *inquisitio* was the ability to respond quickly to repeated outcry or rumour (*clamor et fama*) about the excesses of a prelate.¹⁰⁴ Maurice makes clear that this was the case in his letter to Silos already cited, in which he referred to the *clamor* and *sinistra fama* that had reached his ears.¹⁰⁵ He took with him a retinue of 'senior and wise men, thoughtful and well-educated' from Burgos and beyond, conforming to the Lateran instruction that the

¹⁰⁰ DCB, Doc. 517: 'quod se a mea iurisdictione per privilegia dicebant esse exemptos et idcirco ponentes se et sua sub protectioe domini pape ad appellationis confugium conuolarunt, volentes in contemptum mei incontinenti a capitulo recedere nisi ab abbate et priore quasi inviti retinerentur'.

¹⁰¹ DCB, Doc. 517: 'videns et intelligens frivolas et malivolas eorum intenciones ...'

¹⁰² Compare Bruce Brasington, 'What Made Ivo Mad? Reflections on a Medieval Bishop's Anger', in J. Ott and A. Trumbore, eds, *The Bishop Reformed: Studies of Episcopal Power and Culture in the Central Middle Ages* (Aldershot: Ashgate, 2007), 209–19, for a discussion of episcopal anger in letters.

¹⁰³ Compared to *accusatio* and *denunciatio*. Canon Eight of the Fourth Lateran Council, 'De Inquisitionibus', addresses this; Norman Tanner, ed., *Decrees of the Ecumenical Councils*, 2 vols (London: Sheed and Ward, 1990), vol. 1, 237–9. See also Evans, *Law and Theology in the Middle Ages*, who points out that an inquisition was a form of prosecution introduced by Innocent III that allowed ecclesiastical authorities to shortcut due process in the event of widespread outcry. However, the text of the council makes clear that, in the case of correcting clergy or religious, bishops should not be the accuser but let the outcry stand as the accuser.

¹⁰⁴ Canon 8: 'si per clamorem et famam ad aures superioris pervenerit ... debet coram ecclesiae senioribus veritatem diligentem perscrutari ... Sed cum super excessibus suis quisquam fuerit infamatus ita, ut iam clamor ascendat, qui diutius sine scandalo dissimulari non possit vel sine periculo tolerari, absque dubitationis scrupulo ad inquirendum et puniendum eius excessus, non ex odio fomite sed caritatis procedatur affectu'; in Tanner, *Decrees of the Ecumenical Councils*, vol. 1, 237–9.

¹⁰⁵ DCB, Doc. 517: 'cum per clamorosas insinuationem et per frequentem clamorem ... ad me sinistra fama multociens pervenisset'. We should also note his comment that this outcry related to the abbot himself: 'non tantum laicorum vel clericorum vel etiam monachorum, etiam superiorum prelatorum, de statu Sancti Dominici de Silos'.

inquisition should be carried out 'before senior persons (*seniores*) of the Church,' and referred on two occasions to the fact that he was 'observing the order of the law'.¹⁰⁶ The eighth canon of the Council had decreed that the person under this sort of inquiry must be present (unless *per contumaciam absentaverit*), and the charges against them must be read out openly.¹⁰⁷ Maurice's letter refers to both: he had warned the abbot and monks to be present for his visit, and had pronounced the articles against them openly and clearly, yet the monks had fled from his presence *in contemptum*.¹⁰⁸ This letter of excommunication looks like a perfect example of a bishop acting in accordance with papal legislation to correct an erring monastery.

However, following this public excommunication, the monks of Silos appealed to Honorius III to protect them, and the pope appears to have seen the matter rather differently. In response to the appeal, on 5 December 1219, Honorius wrote to Archbishop Rodrigo of Toledo and the deans of Toledo and Segovia cathedrals about the case.¹⁰⁹ He recognised that Maurice was conducting an *inquisitio* against the abbot and cellarer, but his assessment of the situation differed markedly from that presented in Maurice's letter of November 1218. Rather than having an apostolic mandate, Honorius accused Maurice of acting on his own authority – *auctoritas propria* – in visiting the monastery.¹¹⁰ Maurice had tried to secure rights over two monasteries and a church, which, Honorius added 'even his predecessor had plundered unjustly'.¹¹¹ He had also retained a church very close to the monastery, and had decreed it to be a parish within the diocese of Burgos, to the detriment of the monks of Santo Domingo, as well as levying a tithe from this newly created parish, which was wholly unlawful since tithe to Burgos was *indebite*, as the pope pointed out.¹¹²

¹⁰⁶ DCB, Doc. 517: 'Ut nihil de iuris ordine pretermitti videretur, ego, predictus episcopus, observato iuris ordine' and 'ego, predictus burgensis episcopus, observato iuris ordine'.

¹⁰⁷ See Tanner, *Decrees of the Ecumenical Councils*, vol. 1, 237–9.

¹⁰⁸ DCB, Doc. 517.

¹⁰⁹ Vivancos Gómez, *Documentación de Santo Domingo de Silos*, Doc. 98.

¹¹⁰ Vivancos Gómez, *Documentación de Santo Domingo de Silos*, Doc. 98: 'Sua nobis abbas et conventus monasterii Sancti Dominici de Silos insinuatione monstrarunt quod, cum venerabilis frater noster burgensis episcopus, ad inquisitionem contra ipsum abbatem et cellarium loci eiusdem auctoritate propria descendere niteretur'.

¹¹¹ These institutions were San Millán de Lara and San Millán de Perros, and the church of San Pedro de Mercatello; Honorius comments 'quibus etiam predecessores ipsius predictum monasterium de Silos contra iustitiam spoliarent'.

¹¹² The church of St Pelagius. Honorius also accused Maurice of misappropriating papal letters to the bishop of Palencia for the purposes of levying the tithe: 'occupatam detinens ecclesiam Sancti Pelagii eiusdem loci spectantem ad eos, quam parrochiam in eorum constituit detrimentum, impetrasset ad venerabilem fratrem nostrum episcopum palentinum, et suos coniudices super ecclesia Sancti Petri Sancti Dominici de Silos, decimis et rebus aliis, a Sede Apostolica litteras contra ipsos, ac eis litterarum predictarum auctoritate citatis, archipresbiter de Bahabon et magister Apparitius, canonicus burgensis, cum litteris accedentes ipsius, indebite a parrochianis eorum decimas recepissent'; Vivancos Gómez, *Documentación de Santo Domingo de Silos*, Doc. 98.

Of ultimate importance seems to have been Maurice's jurisdictional status vis-à-vis the monastery of Santo Domingo, and his right, or lack of it, to hold authority over them. Honorius's strongly worded letter makes clear who he perceives to be the aggressor, and his sympathies clearly lay with the monks, who he saw as 'protesting that they were not in his diocese, and not wishing to suffer that he, who was neither judge-delegate nor ordinary judge over them, and who they held in this and in other things to be their enemy, should slander the reputation of the aforesaid abbot, the cellarer, and the monastery'.¹¹³ The monks even had a *libertas privilegia* from the papacy, which was apparently shown to Maurice, but this had been disregarded.

The letter thus sets out a rather different perspective on the events of 1218. However, the next paragraph of the document is even more interesting. The copy of the letter held at Silos, which has been reproduced in the catalogue of Vivancos Gómez, has been substantially altered by erasures of the text, obliterating entire clauses in a number of sentences.¹¹⁴ Vivancos estimates that this damage to the manuscript was effected very early on in its history, and although there is no way of proving when this was done, the erasures certainly decrease the severity of Maurice's actions, as we shall see. Fortunately, a papal copy also survives, held at the Vatican and thus intact, which has allowed a clear picture of the deleted phrases.¹¹⁵

According to the second half of this letter, a delegation of monks from Silos travelled to Burgos and approached Maurice over the excommunication of 1218. Some apostolic judges from Osma had exempted the laity of Silos from excommunication, a passage that has been crossed out in the Silos version of the document. On hearing this, Maurice 'raised violent hands (*manus violentas iniecit*) against them and caused them to be beaten by his clerics and laymen, so that one of them [the monks], of the order of deacon, once he had entered the sick bed was unable to rise for many days'.¹¹⁶ This citation is taken from the Vatican copy of the letter; the Silos copy has crossings out obliterating both the raising of *manus violenta* and the beating of the clergy of Silos.

Following this, Honorius stated, Maurice caused havoc for the monks in Silos: inciting and arming the townsmen (their own vassals, as the pope remarked) to

¹¹³ Vivancos Gómez, *Documentación de Santo Domingo de Silos*, Doc. 98: 'Protestantes se in illius non esse diocesi, ac pati nolentes quod is, qui nec delegatus nec ordinarius erat iudex ipsorum, et quem habebent in hiis et aliis adversarium, famam predictorum abbatis et cellerarii et eorum monasterii laceraret'. The slander of reputation (*fama*) was a punishable crime according to canon law; see Evans, *Law and Theology*, 124–9.

¹¹⁴ The manuscript can be found in the Archivo del monasterio de Silos (AMS), B.XXVI.1.

¹¹⁵ *Honorio*, Doc. 257. Serrano did not seem to know of the Vatican copy of this letter, and used the damaged Silos copy as his source, leading to some misreading of the situation.

¹¹⁶ *Honorio*, Doc. 257: 'pontificis abiecta modestia et manus violentas iniecit in ipsos, et eos verberari acriter a laicis et quibusdam suis fecit, ita quod unus ipsorum constitutus in ordine diaconii, lectum doloris ingressus de ipso diebus plurimis non surrexit'.

break into the monastery with the help of gangs from Burgos, and to loot it as well as inflicting many other injuries.¹¹⁷ It should be pointed out that the raising of *manus violenta* was an action with some serious canonical implications, and a grave accusation against a clergyman. Canonical attitudes to clerical involvement in violence had been under discussion by church lawyers for some time by the 13th century, but most were unequivocal that the inciting of violence against a member of the clergy was a serious offence.¹¹⁸ The Fourth Lateran Council had also explicitly prohibited clergy from commanding the shedding of blood (including that of a layman), and the consequences could include excommunication.¹¹⁹ Honorius's solution was to appoint a team of judges-delegate, namely, Archbishop Rodrigo and two deans, to investigate under the instruction that, if they found proof that Maurice had unleashed violence against any member of the Church, he was to be publicly excommunicated, without right to appeal, until the pope was satisfied that he could be absolved. Regarding the other charges of the monks against Maurice, the judges were to hear the case themselves and come to a decision.

For Serrano and, later, Vivancos Gómez, this conflict was about the jurisdiction over the town of Silos and whether this should belong to the monastery or the bishop. However, a closer look at the events and their context suggest that this was merely an irritation, and that Silos lay on a much deeper fault-line that concerned the relationships between the bishops (and bishoprics) of Burgos and Osma.

The monastery itself was situated on the border between the two dioceses, a border that had been a point of dispute since the translation of the see from Oca to Burgos in 1075, at a time when diocesan identities in these lands, some only recently conquered from Muslim rule, were still under formation. Diocesan borders between Osma and Burgos were decided at the Council of Husillos in 1088, and then revised in the Council of Burgos at 1136 and ratified that same year by Alfonso VII, who commented on the grumbling (*querimonia*) that surfaced between the

¹¹⁷ *Honorio*, Doc. 257: 'adeo etiam contra ipsos incitavit homines de burgo sancti Dominici, vassallos eorum, quod iidem armata manu, in suum monasterium irruentes, con fractis, cum hominum eiusdem Burgensis auxilio, ipsius monasterii et cellarii eius portis, res ibidem inventas hostiliter asportarunt. Preterea, idem episcopus multiplices alias iniurias et dampna innumera que foret explicare difficile'.

¹¹⁸ Attitudes to clerical arms-bearing were complicated in this period, as Duggan has illustrated; see Lawrence G. Duggan, *Armsbearing and the Clergy in the History and Canon Law of Western Christianity* (Woodbridge: Boydell Press, 2013), 145–61 and 182–200. See also Charles Duggan, 'Armsbearing by the Clergy and the Fourth Lateran Council', in A. Larson and A. Massironi, eds, *The Fourth Lateran Council and the *Ius Commune** (Brepols, 2018), esp. 13–17. Canon 47 is also very firm on the punishments for 'unjust excommunication', something that Maurice is guilty of in the pope's eyes in this case.

¹¹⁹ Canon 18 of the Fourth Lateran Council, 'De iudicio sanguinis et duelli clericis interdicto', prohibits clergy from being involved in the shedding of blood or from commanding the same, even by letter (see Tanner, *Decrees*). As Duggan has pointed out, this was most likely a means of limiting and defining permissible military action by clergy rather than eliminating it altogether, and self-defence or defence of the Church were probably excepted: Duggan, 'Armsbearing by the Clergy and the Fourth Lateran Council', 15.

two bishops.¹²⁰ The Esgueva and Arlanza rivers were effectively to mark the divisions between the dioceses, meaning that Silos, situated between these two rivers, lay right on the diocesan border.¹²¹ However, the monastery belonged to neither, since in 1118 Pope Gelasius II had taken it under papal protection and granted it liberty in all its possessions and holdings, in the government of the monastery itself and in all abbatial elections.¹²² Even more unusually, the monastery was granted the privilege of choosing the bishop they wished to confer episcopal sacraments and ordinations.¹²³ Both of these privileges were renewed by popes throughout the 12th century, until the pontificate of Innocent III, who did not include the freedom to select a bishop in his bull of protection issued in February 1216.¹²⁴

One possible reason for this was the fact that by 1216, Osma had a bishop who was actively seeking to secure jurisdiction over Silos. Melendo, bishop of Osma from 1210 until 1225, was a canon lawyer of apparently Portuguese origins, who had come from Rome to take up the seat at Osma.¹²⁵ He seems to have also studied or taught at Bologna and Vicenza, and has been identified at the *studium* of Palencia, where he was also referred to as Magister Melendo in 1211.¹²⁶ Peter Linehan has described him as a 'giant among papal chancery lawyers'.¹²⁷ He had also been granted the lordship and castle of Osma as a reward for his performance in the battle of Las Navas in 1212, and so was a bishop on good terms with both the pope and the king.¹²⁸

It was thus a serious matter when, in September 1214, Pope Innocent III wrote to Maurice requesting that he send 'suitable men' to the Fourth Lateran Council to answer to the claim by Bishop Melendo that Burgos had illegally expanded into the diocese of Osma – and first on the list of territories claimed by Osma was Santo Domingo de Silos *cum omnibus terminis suis*.¹²⁹ If Maurice did not send justification, these territories were to revert to Osma. Maurice must have rushed to

¹²⁰ The two documents from 1136 are nos 96 and 97 in Serrano, *El Obispado de Burgos*, III. See Mansilla, *La Iglesia Castellano-Leonesa*, 126–7 and Engels, 'Husillos, Konzil von (1080)' in *Lexikon des Mittelalters* (1990), Pt. 5 p. Sp. 232.

¹²¹ Mansilla, *La Iglesia Castellano-Leonesa*, 126; as Alfonso VII put it: 'Reddidimus namque Aszam ... usque ad pennam Cerveram, sicut ab illis montibus difluunt aque ad illum rivum qui dicitur Auseva, sicut ad occidentem discurrit, usque ad Castellum de Ovech Diez et usque ad Ruviales; ex parte vero orientis de illo loco ubi nascitur Auseva usque ad pennam de Carazo reddidimus Oxomensis ecclesie'; Serrano, *El Obispado de Burgos* III, Doc. 97.

¹²² Vivancos, *Documentación del monasterio de Santo Domingo*, LXVIII and Doc. 32.

¹²³ Vivancos, *Documentación del monasterio de Santo Domingo*, Doc. 36. Vivancos describes this as 'uno de los privilegios más preciados de la época' (LXVIII).

¹²⁴ Vivancos, *Documentación del monasterio de Santo Domingo*, Doc. 90.

¹²⁵ See Linehan, "'Columpna firmissima'", 247. Also Linehan, 'Don Juan de Soria, Unas apostillas', 386–7; and de Ayala, 'Los obispos', 161–2.

¹²⁶ See Abajo Martín, *Documentación de la catedral de Palencia*, Doc. 128; and Antonio García y García, *Derecho común en España: los juristas y sus obras* (Murcia: Universidad de Murcia, 1991), 59.

¹²⁷ Linehan, 'Don Rodrigo and the Government of the Kingdom', 97.

¹²⁸ See also Linehan, 'Don Juan de Soria, Unas apostillas', 384–5, for more on Melendo and his chapter; Antonio García y García, *Iglesia, Sociedad y Derecho*, 2 vols (Salamanca: Universidad de Salamanca, 1985–7), vol. 1, 51; and Ayala, 'Los obispos'.

respond, since in a second bull to Burgos, written in March 1216, Innocent commented that ‘you brought your cause to our curia before the time of the General Council’.¹³⁰ It would seem from this second bull that both bishops had been there in person in early 1215. In response to Melendo’s accusation, Maurice accused Osma of usurping land belonging to Burgos, although notably, he named a far shorter list of territories, and none as significant as the monastery at Silos. The papal bull describes a period of negotiation at the curia between the two bishops, before concluding that their accusations cancelled each other out, and that they should both be content with the borders as they were and maintain the status quo.

However, regardless of the diocese in which it lay, Santo Domingo de Silos had been consistently, and quite legally, choosing the bishop of Osma to fulfil episcopal duties for the monastery for most of the 12th century. Indeed, the bishop of Burgos does not appear in the Silos archives even once from at least 1170, whereas that of Osma does on many occasions.¹³¹ In January 1201, the abbot granted land to the bishop of Osma, and in 1213, Melendo had been appointed papal judge-delegate, most likely on the petition of the monks, to pass a judgment on the citizens of the town of Silos who had refused to pay tithes to the monastery.¹³² If Innocent’s ruling of 1216 gave Maurice the permission (at least in theory) to assert himself as the bishop to which Silos should turn, he faced the hurdles of monastic tradition and apparent preference to the contrary.

The case between the citizens of Silos and the monastery provided him with just such an opportunity. At just the same time as the two bishops were negotiating in Rome, the men of Silos were again refusing to pay tithes to the monastery, sparking another appeal to Rome by the monks. In an unprecedented move, however, Innocent appointed a trio of judges from Burgos cathedral, and not from Osma, in a letter dated to 13 January 1216 – perhaps due to Maurice’s presence in Rome.¹³³ Crucially, this brought Silos closer to the grasp of the episcopal jurisdiction of Burgos. These three judges were Martín the dean of Burgos, Pedro Díaz the cantor, and Marino, an archdeacon. They duly investigated the men of Silos, and found that the monastery deserved their tithe payments.¹³⁴ The judges’ report was sent to Rome sometime in the autumn of 1216.

¹²⁹ *Inocencio*, Doc. 520.

¹³⁰ *Inocencio*, Doc. 548: ‘Vos autem ante tempus concilii generalis coram nobis proposuistis querelam.’

¹³¹ Vivancos Gómez, *Documentación del monasterio de Santo Domingo* (the earliest documents contained here date from 1170). There was even an ‘hermandad’ (brotherhood) established between Silos and Osma in 1132; see Férotin, *Labbaye de Silos*, Doc. 43.

¹³² Vivancos Gómez, *Documentación de Santo Domingo*, 82 and 86.

¹³³ Vivancos Gómez, *Documentación de Santo Domingo*, Doc. 89. It seems highly likely in this case that the pope himself appointed these judges. Silos would certainly not have chosen them, and Maurice himself was in Rome, so such a decision would be logical.

¹³⁴ They also noted that their judgment was not accepted by all those in question, with several refusing to attend the sentencing, see Doc. 91. The judges also incorporated some criticism of the abbey in their sentence: the citizens of Silos had been subject to persuasion ‘per potentiam et violentiam abbati Sancti Dominici ... et per violentiam conventus eiusdem monasterii’.

However, fate cut short the jurisdiction of this delegation: Innocent died in July 1216, and the judges' report never reached him. They must have sent their feedback at the very end of the year, since they knew of his demise.¹³⁵ The extent to which the involvement of Burgos was unprecedented (and perhaps unwelcome to the monastery) is illustrated in the subsequent events. Rather than accept the appointment of his predecessor's delegation, Honorius III instead reappointed a new delegation of judges to resolve the Silos tithe in March 1217 – this time, a group from Osma cathedral, in line with earlier tradition.¹³⁶

This was the highly complex background to Maurice's attempt in November 1218 to personally assert his authority over the monastery of Silos itself and to conduct an *inquisitio* in the monastery. Diplomacy had failed him, and even with the apparent support of Innocent III, he had not been able to draw Silos into his jurisdiction nor to wield greater direct control over the monastery of Santo Domingo. It is no surprise that the report of intervention by canons from Osma in 1218 had resulted in Maurice's exasperation and the raising of *manus violenta*.¹³⁷

Nothing transpired from the pope's commission to assess Maurice for excommunication in 1219 – like many other papal bulls to Castile, this seems to have been ineffective. In any case, Maurice was not present in Burgos for much of the year, instead leading a delegation to Germany to collect Beatrice, the bride of Fernando III.¹³⁸ However there is some evidence that the cause between Burgos and Osma continued to rankle, on a personal as well as an institutional level. A short bull from Honorius to Maurice on 25 September 1220 contains the message that the pope would no longer appoint the bishop of Osma nor anyone else from that cathedral to be a judge-delegate in any case pertaining to Burgos, since they would seek to excommunicate Maurice wherever possible. The request came from Maurice, and the reason behind it was the 'unjust hatred' (*odium iniquum*) held by the bishop and canons of Osma towards Burgos.¹³⁹

This 'hatred' should also be taken into account when considering Maurice's failure to intervene in the sacking of Osma in 1217, as well as the previous conflict between the two bishops in Rome. This document also explains the issuing on the following day of a second bull from Honorius to Maurice, permitting him to be

¹³⁵ The opening of the report comments on 'quoniam fragilis est mortalium memoria,' and the 'felicitas recordationis domini pape Inocencii tercii'.

¹³⁶ Vivancos Gómez, *Documentación de Santo Domingo*, Doc. 92.

¹³⁷ Vivancos Gómez, *Documentación de Santo Domingo*, Doc. 98.

¹³⁸ See [Chapter 5](#).

¹³⁹ *Honorio*, Doc. 328: 'Ex parte vestra fuit propositum coram nobis, quod cum venerabilis frater noster episcopus et canonici Oxomenses vos et ecclesiam vestram **odio** prosequantur **iniquo**, cum aliter vobis nocere nequeant, si quando aliqua negotia ipsis a sede apostolica committuntur, executionem eorum alicui vestrum committunt, ut sic in vos excommunicationis vel in ecclesiam vestram interdicti sententiam valeant promulgare'.

resolved from excommunication by one of his own chaplains when the sentence had been imposed by an 'adversary'.¹⁴⁰

It is perhaps testament to Maurice's persistence that the affair with Silos rumbled on until 8 January 1222, when it was finally resolved in a *concordia* drawn up in Burgos cathedral.¹⁴¹ The terms of both the negotiations and the ultimate agreement weigh heavily in Maurice's favour. Three appointed arbitrators were chosen 'by common consent and by both sides'; however, they were none other than Martín, Pedro, and Marino – the same trio who investigated Silos in 1216.¹⁴² The opening sentence makes clear the agenda of this document: the arbitrators have brought an end to the 'discord between Maurice bishop of Burgos ... and the abbot and community of the monastery of the town of Santo Domingo de Silos, of the diocese of Burgos'.¹⁴³ The abbot of Silos renounced his hold over three local churches and agreed to pay the bishop of Burgos thirty gold coins per year, as well as accepting visitations by the bishop to the monastery. In return, Maurice recognised the rights of the abbot in the town of Silos, and as soon as the *concordia* was established, the same archdeacon-commissioners at once granted the abbot of Silos taxation rights over the townsmen of Silos.¹⁴⁴ The *concordia* seems to have initiated a period of calm between Burgos, Silos, and Osmá, and no other controversies with the monastery are recorded in Maurice's lifetime.

Santa María de Nájera

In March 1223, Maurice made a *concordia* in Burgos cathedral with the prior of the Benedictine monastery of Santa María de Nájera.¹⁴⁵ Unlike the other institutions discussed here, Santa María de Nájera was not in the diocese of Burgos nor even on its borders, but was situated in the neighbouring see of Calahorra. It was a house with a distinguished history, having been granted to Cluny by Alfonso VI of Castile in 1079.¹⁴⁶ Before this, Nájera had formerly been the metropolitan and capital of the kingdom of Navarre, and consequently owned property over a huge area, including within the diocese of Burgos, thanks to donations from the Navarrese royal house as well as later donations by the counts of Castile.¹⁴⁷

¹⁴⁰ DCB, Doc. 526; Honorio, Doc. 329.

¹⁴¹ DCB, Doc. 537.

¹⁴² DCB, Doc. 537: 'de comuni consensu utriusque partis electis nobis arbitris'.

¹⁴³ DCB, Doc. 537: 'discordia inter Mauricium, burgensem episcopum ... et abbatem et conventum monasterii burgi Sancti Dominici de Silos, burgensis diocesis'.

¹⁴⁴ Vivanco Gómez, *Documentación de Santo Domingo*, Doc. 103.

¹⁴⁵ ACB v. 31, f. 5; Mansilla, *Catálogo documental*, Doc. 549; text also provided by Serrano, *Don Mauricio*, 139.

¹⁴⁶ Serrano, *Don Mauricio*, 107–8.

¹⁴⁷ Serrano, *Don Mauricio*, 107.

Santa María de Nájera was not a monastery with which Burgos had connections, and does not appear in the archives of Burgos cathedral before Maurice's lifetime. However, from the start of the 1220s, this situation seems to have shifted, with Maurice starting to concern himself with the monastery and its complicated network of dependent houses, and in a document from Burgos dated to January 1221, there is a reference, for the first time, to G., 'prior of Nájera'.¹⁴⁸ This charter records an undertaking by two churches dependent on the monastery, Cueva-Cardiel and Agés, both of which lay within the diocese of Burgos, that they should recognise the bishop of Burgos as well as the abbot of Nájera. Both churches agreed to attend synods when summoned by Burgos, or significantly, by the abbot of Foncea, to obey sentences of excommunication or interdict issued against them, and to pay an annual 'procuration' of three maravedís to Maurice, and a further five solidi to the abbot of Foncea. Significantly, it was the prior of Nájera whose 'voluntas' was necessary for Maurice to make this agreement.

In March 1223, Maurice went further, making a formal *concordia* with Nájera over four of its dependent churches.¹⁴⁹ The text opens with a recapitulation of the agreement of January 1221, and then expands Maurice's requests: that the bishop of Burgos should receive the *tercia* from four churches dependent on Nájera, namely, Cueva-Cardiel, Agés, Santurdejo, and Laredo.¹⁵⁰ In addition, Santurdejo should owe full obedience to Burgos and pay additional procurations to the bishop. This selection of churches is intriguing. Cueva-Cardiel and Agés both lay to the north-east of the diocese of Burgos, as we have mentioned. Santurdejo was situated in Calahorra, very close to the powerful monastery of Santo Domingo de la Calzada. Laredo was a town of considerable importance that controlled a wide area of the Cantabrian coast, to the far north. In 1200, it had been granted the status of a royal city with its own *fuero* by Alfonso VIII, in recognition of its importance as a port.¹⁵¹

There seems to have been some discord as a result of Maurice's request, and the text goes on to confirm that the bishop of Burgos should receive the *tercia* for the church of Laredo 'in peace and quiet'.¹⁵² In return, Maurice agreed not to demand

¹⁴⁸ *Documentación de Burgos*, Doc. 528.

¹⁴⁹ ACB v. 31, f. 5, text in Serrano, *Don Mauricio*, 139–40. This, unlike the earlier agreement, was sealed and confirmed by the monastery: 'Hec [the earlier deal] omnia tunc facta fuissent, instrumenta de his confecta non fuerunt sigillata. Ideo prescripta omnia huic instrumento duximus annectenda, que omnia dictus J. camerarius Carrionis et modo prior Naiarensis et conventus Naiarensis rata habent et confirmant'.

¹⁵⁰ Serrano, *Don Mauricio*, 140; 'terciis decimarum pontificalibus quas idem episcopus petebat ab ecclesia naiarensi in Laredo et in Covacardiel et in Fagege et in Santurdejo'.

¹⁵¹ DCB, Doc. 305: in 1192, Alfonso VIII granted to the bishop of Burgos all the ports in the diocese, naming Santander. See Beatriz Arizaga Bolumburu, 'La villa de Laredo y sus términos jurisdiccionales', in Juana Torres Prieto, ed., *Historica et philologica: In honorem José María Robles* (Santander: Universidad de Cantabria, 2002), 183–96.

¹⁵² Serrano, *Don Mauricio*, 140: 'et clamat eam quitam ut de cetero burgensis ecclesia ipsam habeat et possideat pacifice et quiete'.

the *tercia* for the other three churches. The former rights and procurations granted in January 1221 still stood, however, and additionally, the church of Santurdejo was to submit full obedience to Burgos (obeying cathedral clergy as though they were the bishop himself), and to pay Maurice an annual sum of one maravedí.¹⁵³

Why did Maurice choose this moment to try to extract concessions from the powerful and distant monastery of Nájera? For Luciano Serrano, Maurice was doing no more than ‘regularising’ the economic situation of churches that lay within the diocese of Burgos.¹⁵⁴ However, by 1223, the networks of power within which Nájera, Burgos, and Calahorra were balanced had started to shift. The monastery had been involved in long and sometimes violent negotiations with the see of Calahorra as a result of its Cluniac status, and in October 1222, Maurice had acted as arbiter between the two.¹⁵⁵ His verdict was delivered in March 1223, and confirmed the monastery’s freedom: Nájera was bound by ‘*iure privilegiorum Cluniacensis ecclesie*’ and was thus free of legal submission to Calahorra, along with its priories – which incidentally allowed it to make independent decisions about the four priories in question.¹⁵⁶ In return, the monastery had to receive the bishop of Calahorra in procession on formal occasions and provide him with a meal, and they also had to pay a procuration but only if he came in person to collect it. A number of dependent priories were named to accept episcopal visits of up to twenty knights.

These tensions between Nájera and Calahorra were long-standing, but it was not by chance that they should have flared up in the early 1220s, and nor was it a coincidence that Maurice should decide to get involved. The see of Calahorra was in crisis, one that had begun in 1216 and was still unfolding in 1236, and during which time the bishop of Calahorra had lost all authority and been expelled from his diocese. At some point towards the end of 1216, Bishop Juan García of Calahorra died, leaving a chapter that was fiercely divided over his successor, between Guillermo, prior of Tudela, and Rodrigo, dean of Calahorra.¹⁵⁷ After some violence, the canons supporting Guillermo appealed to Rome, and Honorius III wrote back twice in May 1219, expressing his exasperation at the lack of local progress in the matter, even after having appointed a stream of local judges (including Maurice), and he ordered Archbishop Rodrigo of Toledo to re-establish canonical order and judge the case.¹⁵⁸ Rodrigo ignored the pope’s instructions and appointed his own candidate, Juan Pérez, to the see sometime before October

¹⁵³ Serrano, *Don Mauricio*, 140: ‘Clerici de Sancturdeio obedient in omnibus Burgensi episcopo et eius archidiacono et archipresbitero sicut et alii clerici sui episcopatus’.

¹⁵⁴ Serrano, *Don Mauricio*, 100.

¹⁵⁵ DCB, Doc. 543.

¹⁵⁶ Mansilla, *Catálogo documental*, Doc. 548. Full text transcribed by Serrano, *Don Mauricio*, 136–9.

¹⁵⁷ Serrano, *Don Mauricio*, 106. Both were related to Juan García.

¹⁵⁸ *Honorio*, Docs 228 and 229.

1220. Juan Pérez was a canon from Toledo cathedral, thereby securing Calahorra as an ally of Toledo – and indeed, Maurice was to refer to their ‘special friendship’ in March 1223.¹⁵⁹

However, Juan Pérez’s episcopate was to prove problematic. Juan readopted the title of ‘*Calagurritanus et Naiarensis episcopus*’, revealing an awareness of the monastery’s pre-Cluniac past and its integral position as the seat of the former see, thereby threatening its independence.¹⁶⁰ Trouble, as we have seen, ensued with the monastery at Nájera. He also tried to move the seat of the bishop from the city of Calahorra to the monastery of Santo Domingo de la Calzada in 1224, claiming episcopal lordship over that independent monastery, a move that was permitted by Honorius III in November of that year on the grounds that the air was too poor for synods to be held in Calahorra.¹⁶¹ However, this proved to be a highly unpopular step: Juan Pérez was not accepted by the monks of Santo Domingo, and by 1226, he had been physically expelled and had fled to refuge in Rome. Juan’s opponents in Calahorra were diverse, and included the cathedral chapter, but one of the most serious challenges he faced was from the king’s courtier and noble, Diego López de Haro, governor of the Rioja.¹⁶² From the many stern letters of Honorius III from 1227, it appears that the Haro family, with Fernando III’s consent, were enriching themselves from the see of Calahorra, apparently without constraint from canon or secular law.

The pope had thanked Maurice for his ‘amicable’ intercession between Nájera and Calahorra in 1223; however, this amicability seems to have only been available when it suited Burgos.¹⁶³ In October 1225, Honorius III wrote to Maurice, asking him to intervene in Calahorra again and to protect the beleaguered Bishop Juan.¹⁶⁴ However, Juan’s claims over Santo Domingo de la Calzada, one of the richest monasteries in Castile and positioned in the extreme west of Calahorra, almost on the border with Burgos, do not seem to have been something Maurice was willing to assist in. After Juan’s expulsion, Honorius III sent a total of seven additional letters to Maurice in 1227, instructing him repeatedly to intervene and force Diego López de Haro to desist.¹⁶⁵ A letter written on 21 January 1227 directly orders

¹⁵⁹ Serrano, *Don Mauricio*, 137; ‘specialis amicus eorum archiepiscopus Toletanus predicti episcopi [Calagurritensis]’. Serrano suggests that Rodrigo did not mean to disobey the pope, but must have been distracted by other things: ‘bien fuese inconscientemente, bien en atención a otras causas’.

¹⁶⁰ David Peterson, *La Sierra de la Demanda en la edad media: El valle de San Vicente (ss. VIII–XII)* (Logroño: Instituto de Estudios Riojanos, 2005), 233.

¹⁶¹ *Honorio*, Doc. 526: ‘propter asperitatem loci accessus difficiles habeat ... ita quod ibi nec commode residere nec synodum valeas celebrare’. As a result, he granted Juan permission to move the see to another place in Calahorra. Gregory IX supported to move to the new seat too.

¹⁶² Serrano, *Don Mauricio*, 110.

¹⁶³ *Honorio*, Doc. 502. Maurice was thanked by Pope Honorius III for his ‘amicable’ intervention (*amicabiliter intercessit*) between Calahorra and Nájera.

¹⁶⁴ *Honorio*, Doc. 577. See R. de Lama, *Colección diplomática medieval de la Rioja*, vol. 3, Doc. 505 bis.

¹⁶⁵ *Honorio*, Docs 625–31.

Maurice to obey the letter from 1225 and accuses him of *negligentia* of both the pope and his brother bishop.¹⁶⁶

That Maurice did little or nothing in response is suggested by the fact that after Honorius's death, Gregory IX continued to write to him asking him to intervene and discipline Diego López de Haro. On 4 April 1231, Pope Gregory appointed Maurice and two others, the deans of Burgos and Calahorra, to once again instruct Fernando III that his molestation of the church of Calahorra must stop.¹⁶⁷ The language is unequivocal: the king was 'trampling on the rights and liberty of the church of Calahorra' and Maurice and his co-judges were exhorted, once again, for the sake of the Church, to intervene and implore the king to desist.¹⁶⁸ However, Gregory was forced to repeat his request on 16 February 1233, and on 23 September 1234 wrote to Archbishop Rodrigo and Maurice once again, recounting Honorius's attempts to resolve the situation and giving them an ultimatum of a month to confront the king in person.¹⁶⁹ By 1236, Juan Pérez was dead, and the see was vacant once more.

Reprimanding the king and his leading courtiers seems to have been too unpalatable a task for Maurice, but he also had little to gain from supporting Juan Pérez. Indeed, the new bishop of Calahorra's attempts to dominate two large monasteries close to the border with Burgos – Nájera and Santo Domingo de la Calzada – would hardly have been welcome to Maurice, and it is notable that Juan was ultimately required to cede claims to lordship over Calzada in return for peace.

Moreover, Maurice stood to gain from the chaos on his eastern border. From the start of the 1220s, he had been gradually extending his episcopal control over parishes that had been paying allegiance to Nájera, and intervening as a judge over Nájera itself. In 1229, Maurice made an agreement with Bishop Juan of Calahorra over the diocesan control of six towns and their attendant parishes and rights.¹⁷⁰ According to the wording of the agreement, these were towns that were 'held jointly across our common borders', although the deal seems to have somewhat favoured Burgos.¹⁷¹ All six were in the same region, on the Burgos–Calahorra

¹⁶⁶ *Honorio*, Doc. 628.

¹⁶⁷ *Gregorio*, Doc. 203.

¹⁶⁸ *Gregorio*, Doc. 203.

¹⁶⁹ *Gregorio*, Doc. 317; and Doc. 489: 'nec ... a predicti episcopi molestatione compescit ... quocirca, discretioni vestre per apostolica scripta in virtute obedientie districte precipiendo mandamus quatenus, infra mensem ad regis ipsius presentiam personaliter accedentes et litteras quas ei super hoc dirigimus presentantes eidem, ipsum ad hoc moneatis attentius et inducere procuretis.'

¹⁷⁰ ACB v. 27, f. 18; Mansilla, *Catálogo documental*, Doc. 583.

¹⁷¹ ACB v. 27, f. 18: 'Super hiis qui in confinio episcopatum nostrorum habebamus comunia.' The deal included 'omnia supradicta quantum ad temporalium ecclesiasticorum perceptionem, et ecclesiasticam iurisdictionem, ceterotumque spiritualium amministrationem episcopo.'

border and very close also to the monastery of Foncea.¹⁷² These territories were to be controlled by both sees over alternate years. Finally, following Juan's death in 1236, Maurice was appointed to be governor of Calahorra for a year and a half, until a new candidate had been selected, and so had free rein to rule the diocese, administratively as well as spiritually, until shortly before his death.¹⁷³

San Miguel de Foncea

It is in this context of instability and accompanying opportunity that we should interpret Maurice's establishment of the monastery of Foncea as a satellite for Burgos cathedral. Situated on the eastern edge of the diocese and bordering Calahorra, the monastery is almost entirely absent from Burgos cathedral archives over the 12th century, with its abbot appearing in Burgos cathedral just twice as a witness, in 1187 and 1189.¹⁷⁴ The monastery's cartulary similarly reveals a complete lack of interaction with Burgos over the 12th century.¹⁷⁵ This was to change in 1218, however, when Maurice appointed a new abbot to the monastery, and one who had close connections with Maurice himself – none other than Hylario, the canon who had served as Maurice's assistant in Toledo.

As Maurice's assistant and delegate, we saw Hylario on several occasions in [Chapter 1](#), named as deputy director of Toledo cathedral lighting, and buying land on Maurice's behalf in 1214.¹⁷⁶ This is the last occasion on which the name appears in the Toledan documentation, and it seems clear that he moved with Maurice to Burgos cathedral sometime after 1214, as in June 1217, *Hylarius sacrista* witnessed an exchange of some land in Burgos cathedral.¹⁷⁷ It is an unusual name, and there is no other figure in either the Burgalés or the Toledan archives with this name in this period. The fact that Maurice's 'assistant' from 1214 should vanish from Toledo with that of Maurice and appear in Burgos a few years later makes

¹⁷² For more on these, see R. de Lama, *Colección diplomática medieval*, vol. 3, Doc. 352. He identifies all six towns and informs us that one of them, La Morcuera, had been granted to Calahorra by the king in 1194. See also Demetrio Mansilla Reoyo, *Geografía eclesiástica de España: estudio histórico-geográfico de las diócesis* (Rome: Iglesia Nacional Española, 1994).

¹⁷³ Maurice was administrator of the diocese until a new bishop was accepted in mid-1238, but he also seems to have overseen agreements by Juan Pérez on several occasions prior to this: Mansilla, *Catálogo Documental*, Doc. 567; ACB v. 27, f. 1; ACB v. 27, f. 12; Mansilla, *Catálogo*, Doc. 599. Maurice was appointed sometime before May 1237, when he wrote to the dean an chapter of Calahorra to inform them of his appointment; R. de Lama, *Colección diplomática medieval de la Rioja*, vol. 4, 'Documentos siglo XIII', Doc. 120.

¹⁷⁴ DCB, Docs 271 and 286.

¹⁷⁵ I am very grateful to David Peterson for showing me his transcriptions and photographs of the cartulary.

¹⁷⁶ See [Chapter 1](#).

¹⁷⁷ DCB, Doc. 508.

it extremely likely that this is the same person, and his immediate promotion to sacristan equally indicates that Maurice knew and patronised him.

Just one month after his first appearance in Burgos documentation, Hylario appears again, but this time as mayordomo, that is, one of a small group of senior canons charged with administrating much of the business of the chapter, and who represented the cathedral in transactions with the town.¹⁷⁸ He appeared on two further occasions in this role, in November 1217 and March 1218.¹⁷⁹ Hylario was also witness to one of Maurice's *concordiae*, made with the monastery of San Esteban de Burgos on 20 September 1217.¹⁸⁰

However, at some point before August 1218, Hylario had been promoted to become abbot of Foncea, at which date he first appears with this title in the monastery's *Cartulario*, and from this moment, the relationship between Burgos and Foncea underwent an important change.¹⁸¹ As abbot of Foncea, Hylario seems to have made frequent visits to Burgos, and is listed as a witness twice in 1221, twice in 1222, and once more in 1223.¹⁸² However, more importantly, he seems to have become something of a deputy for Maurice in his dealings with the Calahorran border and the four churches already mentioned, which had belonged to the Calahorran monastery of Nájera.

As we have seen, in January 1221 the clergy of Cueva-Cardiel and Agés swore obedience to the bishop of Burgos, but also to the abbot of Foncea. Not only were they to go to synods called by Maurice, but also those called by Hylario; similarly, sentences of excommunication or interdict from either prelate had to be obeyed, and Hylario was also to receive a (lesser) annual payment.¹⁸³ Both prelates were permitted to carry out visitations. Interestingly, a report of this agreement exists in the *Cartulario*, dated to the following year: the text is almost exactly the same, but has been redacted so that the first-person references to Maurice (*michi Mauricio*) have become third-person (*eum*).¹⁸⁴ The abbot's role was extended in March 1223, when Maurice made a *concordia* with Nájera itself, negotiating episcopal rights for Burgos from the foundations at Laredo and Santurdejo, as well as Cueva-Cardiel and Agés.¹⁸⁵ Here Hylario was described as 'our deputy in these parts', and again accorded the same rights and privileges as Maurice over the four churches in question.¹⁸⁶ This was written up in a slightly shortened version in the *Cartulario* of

¹⁷⁸ DCB, Doc. 509.

¹⁷⁹ DCB, Docs 512 and 513.

¹⁸⁰ DCB, Doc. 511. Hylario is still sacristan in the witness list for this document in which Maurice claimed authority over the tithes and various other tributes from the monastery.

¹⁸¹ *Cartulario de San Miguel de Froncea* (transcribed D. Peterson), Doc. 59: 'yo don Ylario, abbat de Franuncea'.

¹⁸² *Documentación de Burgos*, 1221, Docs 533 and 536; 1222, Docs 541 and 543; 1223, Doc. 548.

¹⁸³ *Documentación de Burgos*, 1221, Doc. 528.

¹⁸⁴ *Cartulario de San Miguel de Froncea*, Doc. 57.

¹⁸⁵ Mansilla, *Catálogo documental*, Doc. 549; full text provided by Serrano, *Don Mauricio*, 139.

¹⁸⁶ Serrano, *Don Mauricio*, 139: 'vicario nostro in partibus illis'.

Foncea, dated to the same year.¹⁸⁷ We should note also that the abbot of Foncea was granted a seat in the inner sanctuary of Burgos cathedral in 1230, thereby becoming one of just four abbots to be appointed a permanent seat in the cathedral hierarchy.¹⁸⁸

Evidently, Maurice was concerned with building up his episcopal control in the monasteries along the eastern edge of the diocese, and was able to do so via diplomatic intervention in the diocese of Calahorra and the imposition of personal allies into a key monastery on the border.

The foundations of power

Diplomacy and the strategic use of canon law were both important tools in the assertion of episcopal power, but Maurice also resorted to another, even more direct means of claiming lands and people under his jurisdiction. In addition to making agreements with monastic houses and promoting his allies into positions of power, he also toured the diocese himself, founding or refounding churches on borderline areas. Six inscriptions can be identified across the diocese of Burgos, bearing Maurice's name and recording his movements, providing an insight into an aspect of Maurice's episcopal policy that has been entirely overlooked by Serrano and indeed almost all other historians of the medieval Castilian Church. Several have been discovered in recent years (some entirely fortuitously), and there remains much work to be done on them, particularly concerning their palaeography, original placement, and reuse since the 13th century. Nonetheless, these inscriptions shed a new light on the ways in which Maurice exercised and displayed his episcopal authority, especially along the edges of his diocese.

The border area with Calahorra, near Nájera, was the site of Maurice's most concerted efforts, for the reasons outlined above. He travelled to these valleys himself, a journey of some 70 kilometres from Burgos cathedral, during the winter of 1224, where he consecrated three churches, leaving several inscriptions.

The best-known of these is a pair of inscriptions preserved on the arch of the main door at the small church of Nuestra Señora de la Asunción in the parish of San Vicente del Valle, which were studied shortly after being uncovered for the first time in 1989 by José Fernández Flórez and have been included in Álvaro Castresana López's encyclopaedic collection of medieval inscriptions from the

¹⁸⁷ *Cartulario de San Miguel de Froncea*, Doc. 56.

¹⁸⁸ *Concordia Mauriciana*, see [Appendix V](#). Nor were these the only monasteries brought under the control of Foncea. In 1237, a royal document granted to the towns of Villaboroy and Brieva noted 'quod consuevistis dare domino vestro episcopo [burgensis] vel abbati de Frenocea'; *Cartulario de San Miguel de Froncea*, Doc. 104.



Figure 3.1 San Vicente del Valle, upper inscription

modern diocese of Burgos.¹⁸⁹ It is clear that neither inscription is in its original position, since both have been damaged by being reshaped and replaced. Both refer to the founding or reconsecration of the church by Maurice on 14 November (the day after the feast of St Bricius) in 1224. Some relics of St Christopher seem to have been conferred on the church at its consecration and buried within the main altar.¹⁹⁰ The principal inscription, just to the left of the keystone of the principal arch (see [Figure 3.1](#)), reads:

CONSECRATA EST ECCL[ES]IA ISTA
 SANTE MARIE P[ER] MANUM MAURICII
 BURGENSIS EPISCOPI ALTERA

¹⁸⁹ See J. Fernández Flórez, 'Inscripción de consagración de la iglesia de Santa María en San Vicente Del Valle (Burgos)', *Archivos Leoneses*, 85/86 (1989), 309–22; and Álvaro Castresana López, *Corpus inscriptionum christianarum et mediaevalium provinciae Burgensis ss.IV–XIII* (Oxford: Archaeopress, 2015), 249–54. This church is a building of wide historical interest that stretches far beyond its 13th-century inscriptions. Roman artefacts and later medieval art have also been uncovered here since a fire in the late 1980s brought the church to wider attention.

¹⁹⁰ See Flórez, 'Inscripción de consagración', 320.

DIE POST FESTUM SANTI
 BRICI ANNO GRACIE MCCXXIII
 ERA MCCLXII IN MAIORI ALTARE
 RECO[N]DITE R[E]LIQ[U]E M[ARTI]R[UM] SANTI X[RISTO]FORI

There is some confusion about the final few letters of the inscription, since, following ‘Santi Xristofori’, there appears to be a continuation that has been moved three voussoirs to the right, and which reads: ‘STI CE’. Both Fernández Flórez and Castresana have suggested that the dedication may have originally been in the name of two saints, but that significant damage was done to the end of the original inscription.¹⁹¹ It is also likely that the inscription was displaced within the arch itself at a much later date.¹⁹²

The second, much shorter inscription lies on the left-hand springer of the arch, simply confirming the date of consecration in the Spanish era:

CONSECR[TA]
 EST ECCL[ES]IA
 ERA MCCLX
 II

The final TA of CONSECRATA has been displaced, although these two letters appear rather inexplicably on the voussoir above, perhaps another indication that significant restructuring of this stone and the arch as a whole has taken place at some point.¹⁹³

Both Flórez and Castresana have agreed that the palaeography of these two inscriptions should be dated to the early 13th century, and that they were carved at the stated date of consecration in 1224.¹⁹⁴ The script of both inscriptions has been described by Flórez as ‘basically Gothic ... more precisely within the period

¹⁹¹ Flórez, ‘Inscripción de consagración’, 310 and Castresana, *Corpus inscriptionum*, 252. Indeed, so mutilated are the voussoirs, Flórez claims, that the arch must have been significantly reduced in size, resulting in each stone being made smaller and thus the upper letters being cut into and ends of the lines being clipped.

¹⁹² Flórez, ‘Inscripción de consagración’, 312–14: ‘no queda otra alternativa. La inscripción principal fue colocada sobre el arco en su emplazamiento primitivo, pero con posterioridad se creyó oportuno trasladarlo a otro lugar, para lo que se necesitó retocar sus dovelas’ (313). Flórez also suggests that these inscriptions were carved *in situ*. On the other hand, Castresana suggests that changes were made to the structure of the arch in the Baroque period or later; Castresana, *Corpus inscriptionum*, 250.

¹⁹³ Castresana, *Corpus inscriptionum*, 249, nb. 714. Also Flórez, ‘Inscripción de consagración’, 311.

¹⁹⁴ Flórez, ‘Inscripción de consagración’, 315: ‘pensamos que la cronología de la inscripción es la misma que la que se nos da para la consagración de la iglesia’, es decir, el año 1224’. Flórez has put forward various hypotheses about why there may have been two inscriptions (see p. 311).

of transition from Caroline to Gothic script.¹⁹⁵ Both capital and uncial forms are used interchangeably, and, Flórez proposes, the sculptor had freedom of choice in choosing his alphabet, ‘not only to distribute the text but also to employ the script and letters that seemed most convenient to him.’¹⁹⁶ Castresana has been more cautious in naming the script used here, citing both ‘pre-gothic’ and ‘transition’ scripts as options, but agrees that the date of the inscription and the script used correlate to suggest a form of early Gothic.¹⁹⁷

It thus seems clear that Maurice travelled to this remote church in San Vicente del Valle, seemingly bearing some relics, to consecrate this church in person – *per manum*. The wording of the inscription is significant, and a point to which we shall return, but it is important to note here that the church at San Vicente was already in existence before the 13th century.¹⁹⁸ David Peterson has suggested that in fact the church building was used for agricultural storage for much of the 11th and 12th centuries.¹⁹⁹ Nor should we forget that the rebel count Álvaro Núñez had pillaged and largely razed this precise area in 1217, and so it is not unlikely that the church had been in a state of physical disrepair too.²⁰⁰ Maurice’s actions here were not to found the church but to refund it; to consecrate it by his own hand and with relics, and to record the fact in two inscriptions, dated according to both the Spanish Era and the Anno Domini.²⁰¹ It was clearly Maurice’s goal to bring this church back into ecclesiastical use and re-establish it firmly as belonging to his diocese.²⁰²

Maurice’s actions at San Vicente were reiterated twice more in the same region. Just a week earlier, on 7 November 1224, he was just 12 kilometres away, at the church of Santa María de Tres Fuentes at Valgañón. The following inscription is still legible, now located in the southern wall of the modern church:

¹⁹⁵ Flórez, ‘Inscripción de consagración’, 316 suggests that it is ‘un tipo de escritura de transición’, although he adds that ‘de una forma general se puede decir que se trata de una escritura gótica’. He demonstrates this with a convincing table of letter forms (p. 315).

¹⁹⁶ Flórez, ‘Inscripción de consagración’, 318–19. Flórez also suggests that the sculptor was not aided by an ‘ordinator’, as suggested by the strange layout of the shorter inscription. Castresana describes this slightly differently: ‘the richness in the form of the characters, and the liberty of the scriptor, with an alteration between capitals and uncials, although with a preponderance for the latter’; Castresana, *Corpus inscriptionum*, 253.

¹⁹⁷ This causes ‘un punto de indecisión’ in the naming of the script, as Castresana points out, *Corpus inscriptionum*, 253, nb. 723.

¹⁹⁸ Castresana, *Corpus inscriptionum*, 253.

¹⁹⁹ Peterson, *La Sierra de la Demanda en la edad media*, 231. See also J. Aparicio Bastardo, ‘Estudio arqueológico e intervención arquitectónica en la Iglesia de la Asunción en San Vicente del Valle (Burgos)’, *Numantía*, 6 (1993), 153–72, at 159.

²⁰⁰ Bianchini, *The Queen’s Hand*, 132–4. Also *Chronica Latina*, 80–8, and *De Rebus Hispanie*, IX.7.

²⁰¹ There is further work that needs to be done on the introduction of AD dating into Castile, and specifically into Burgos, during the early 13th century.

²⁰² Later this church would also become an archidiaconate, although exactly at what point this occurred is unclear; see Peterson, *La Sierra de la Demanda*, 231 and 234.

CONSECRATA EST ECL[ES]IA BE[ATAE] M[ARI]AE P[ER] MANU[M]
 MAURICI BURGEN[SIS] EP[ISCOP]I VII DIE ME[N]SI
 NOU[EM]BRIS ANNO GR[ATI]E MCCXXIII
 ERA MCCLXII....AN[U]M²⁰³

There is a lot that is puzzling about this inscription; the space before the final word and the word itself after the date in the Spanish era, and also, the displacement of ‘MANU’, which seems to have been moved from the end of the first line and repositioned above it.

This inscription has escaped almost all scholarly attention, although it is included in the collection of Castresana. From a palaeographical perspective, he has suggested that this inscription was engraved in the same style as that at San Vicente and that it ‘shares similarities in both its characters and its diplomatic formulation’.²⁰⁴ We should also note the same double-dating, in AD and Era, and the reference to the hand of Bishop Maurice, although there is no indication that relics were involved, suggesting that the church at Valgañón was not destined to be of the same status as that at San Vicente. Evidently, this church was visited by Maurice on the same trip, and either consecrated by him for the first time, or reconsecrated as in the case of San Vicente.

Finally, furthest to the north, we see the church of San Pedro, at Santa Gadea del Cid, being consecrated and once again displaying similar rhetoric. Very little is legible of this inscription, which has been badly mutilated. Castresana has deduced the following:

...MONIS²⁰⁵ ET....
 DE PER MANUM
 MAURICII BURG[EN]
 SIS EPISCOPI...²⁰⁶

Whilst much remains unclear about this inscription, the expression ‘per manum Mauricii burgensis episcopi’ evidently suggests another consecration or refounding of this church by Maurice. The date has not survived, but given Maurice’s activities just south of this, in the same valleys on the edges of the diocese of Calahorra, it seems highly likely that this was undertaken at around the same time

²⁰³ It is not clear what this last word is; Castresana suggests ‘AINM’, which does not fit either; Castresana, *Corpus inscriptionum*, 4 nb. 29.

²⁰⁴ Castresana, *Corpus inscriptionum*, 4 nb. 29 and 254.

²⁰⁵ As regards the first word, Castresana suggests that it could be ‘Simonis’, and is thus a possible dedication to the saint, but also points out that ‘sermonis’ may be another possibility; Castresana, *Corpus inscriptionum*, 259.

²⁰⁶ Castresana, *Corpus inscriptionum*, 258–9.

as Valgañón and San Vicente del Valle.²⁰⁷ Indeed, Maurice may have been travelling north through this region; Valgañón is the furthest south, and was dedicated first (7 November 1224), followed a week later by San Vicente, about 12 kilometres to the north (14 November 1224). Santa Gadea del Cid is almost 54 kilometres north of San Vicente, so may have been consecrated at the start of 1225, depending on the speed of the episcopal retinue. Importantly, the monastery of Foncea lies between San Vicente del Valle and Santa Gadea del Cid, and it seems very likely that Maurice would have stopped there, although there is no evidence of his presence in the archive of Foncea for the years 1224 and 1225.²⁰⁸ Intriguingly, however, Abbot Hylario made a charter in Burgos cathedral in March 1225, written by the cathedral scribe and witnessed by several canons from the chapter, suggesting that Maurice had returned from the eastern edges of the diocese by then (and had perhaps been joined by Hylario on the way back).²⁰⁹ It should be noted that Santurdejo, the town that had been claimed by Maurice in March 1223, was extremely close to Valgañón.

The eastern edges of the diocese were not the only areas to which Maurice paid such personal attention. He also founded three churches on the western edges of the diocese, two of them in 1222, in what is now Palencia. First was the church of San Andrés at Cabria, very close to the 13th-century border with Palencia, which bears the following inscription, situated on the voussoirs of an interior archivolt:

SUB ERA MCCLX FUT CONSECRATA ECCL[ESI]A

ISTA A MAURICIO BURGENSE EP[ISCOP]O IIII K[A]L[ENDAS] MAI²¹⁰

Thus, Maurice seems to have travelled some 80 kilometres north-west to consecrate this church on 28 April 1222. This tallies with the archive of Burgos cathedral, since Maurice was last there on 8 January of this year, making a *concordia* with the abbot of Silos.²¹¹ He must have returned to Burgos after this, since we next see him in the cathedral making another agreement in June 1222.²¹² However, Maurice was back in the north-west of Burgos, in the very same area, at the end of

²⁰⁷ It should be noted that Santa Gadea pertained to the jurisdiction of the Haro family, who issued a fuero for the town during Maurice's lifetime; see Martínez Díez, *Fueros locales en el territorio de la provincia de Burgos*, 71–2.

²⁰⁸ The documents of San Miguel de Foncea are being prepared for publication by David Peterson, under the title *El cartulario de San Miguel de Froncea* ('Foncea' being a modernisation of 'Froncea'). I am very grateful to him for allowing me to use his transcriptions.

²⁰⁹ *El cartulario de San Miguel de Froncea*, Doc. 17.

²¹⁰ This inscription has been listed in Castresana's collection *Corpus inscriptionum*, 4 nb. 28, but there has been no scholarship devoted to it.

²¹¹ DCB, Doc. 537.

²¹² DCB, Doc. 541.

the year, since on 1 November 1222, he consecrated the church of the monastery of Santa Maria la Real at Aguilar de Campoo.²¹³ The inscription reads:

ISTA ECCLESIA EST CONSECRATA PER MANUM
MAURICII BURGENSIS EPISCOPI TEMPORE AB-
BATIS MICHAELIS ET PRIORIS SEBASTIANI REGNAN-
TE REGE DOMINO FERDINANDO III²¹⁴ KALENDAS
NOVEMBRIS ANNO GRATIAE 1222²¹⁵

Aguilar is just about 4 kilometres west from Cabria, on banks of the Pisuerga river that separated Burgos from Palencia, and it seems very surprising that Maurice did not consecrate both churches on the same trip. One possible solution is that he visited both churches in April 1222 but that the church at Aguilar did not produce their (longer) inscription straight away and dated it to the moment of completion. However, there is also reason to consider that Maurice may have taken two different trips to the region, apart from the different dates of the inscriptions. Although very much an argument from silence, it is to be noted that Maurice was not mentioned in Burgos cathedral archives from October 1222 until early 1223, leaving plenty of time for the trip to Aguilar in November. More persuasive, however, is the fact that the two inscriptions are very different. The one at Cabria is substantially shorter and simpler, and is dated solely according to the Spanish Era. The inscription at Aguilar is far more elaborate, bears the Anno Domini dating, and echoes the same phraseology – *per manum Mauricii* – used in the consecrations of 1224. Fernández Flórez has recognised close similarities between the inscription here at Aguilar and that at San Vicente del Valle.²¹⁶ We have seen that the churches at Valgañón and Santa Gadea also bore this phrase. Additionally, the script used at Aguilar has been described by Castresana as ‘pre-gothic’, matching that of the three churches on the eastern border.²¹⁷ It would seem, then, that Maurice travelled to Aguilar with the same team that was to accompany him to the Calahorran border in 1224. This team seems to have been lacking earlier in the year, when he

²¹³ This has also been noticed by F. Flórez, ‘Inscripción de consagración’, 320, and was originally recorded by Henrique Flórez in his *España Sagrada* XXVI, 309. See also M. González de Fauve, *La orden premonstratense en España: el Monasterio de Santa María de Aguilar de Campoo (siglos XI–XV)*, 2 vols (Aguilar de Campoo: Centro de Estudios del Románico, 1992), vol. 2, Doc. 242.

²¹⁴ Rodríguez de Diego, *Colección diplomática de Santa María de Aguilar*, 74, includes a transcription of this too.

²¹⁵ This is as quoted by F. Flórez, ‘Inscripción de consagración’, 320, and has been taken originally from H. Flórez’s transcription in *España Sagrada* XXVI, 309. H. Flórez expanded the contractions, and as I have not been able to see the inscription for myself, I have reproduced his version of the transcription here.

²¹⁶ Flórez, ‘Inscripción de consagración’, 320.

²¹⁷ Castresana, *Corpus inscriptionum*, 253.

was at Cabria, or perhaps, for some reason, he simply did not give the church at Cabria the same attention and effort.

There is some corroborative evidence from Aguilar de Campoo to give us slightly more information about Maurice's relationship with the monastery. The monastery seems to have been in the process of confirming and establishing its own hinterland in the early decades of the 13th century: in 1205, the local noble Fernando Nuñez de Lara confirmed the monastery's possessions, and in 1224 Pope Honorius III did the same.²¹⁸ José Rodríguez de Diego, who has edited and published the archives of Santa María de Aguilar de Campoo, has suggested that the construction of a new abbey in 1222 was part of this process of asserting the monastery's presence in the region.²¹⁹ Moreover, Maurice can be seen in the archives of the monastery in this same year, issuing a sentence in a long-standing case involving the land holdings of the monastery, which must have correlated with his visit.²²⁰

A third example of Maurice's interest in this region is an inscription in Cantabria, around 35 kilometres north of Cabria and Aguilar, at the church of San Millán de Villapaderne. It is in very poor condition, rendering its text almost illegible, although Fita produced the following transcription in 1914:

I[N] D[E]I N[OMIN]E DIE V NON[AS] CON
 SECRATA E[ST] EC[CL]ESIA
 ISTA ME[NSE] MARCIO FE[RIA] II
 ERA MCCLII I[N] D[IE] S[ANC]TI IMTERICO DEDICAVIT
 [EAM MA]URICIUS B[URGENSIS]
 EPISCOPUS²²¹

The date identified here (although with some difficulty), is 3 March of the Spanish era 1252, thus 1214 AD, much earlier than the other inscriptions, and the script, Castresana suggests, is Caroline, again marking a difference with the later inscriptions.²²² If this early date is correct, it is interesting to note that there seems to be no reference to Maurice as 'electus', although since we are missing that part of the inscription, it is impossible to be sure about the exact wording.

²¹⁸ Rodríguez de Diego, *Colección diplomática de Santa María de Aguilar de Campoo (852–1230)*, 74; *Honorio*, Doc. 487.

²¹⁹ Rodríguez de Diego, *Colección diplomática*, 32 and 74.

²²⁰ *Honorio*, Doc. 336. Maurice also resolved a case between Aguilar and the neighbouring monastery of San Pedro de Cervatos in 1230; *Honorio*, Docs 412 and 475.

²²¹ Castresana, *Corpus inscriptionum*, 3 nb. 26; E. Fita, 'El templo de Villapaderne en la provincia de Santander. Su consagración en 3 de marzo de 1214, fiesta de San Emeterio', *Boletín de la Real Academia de la Historia*, XLIV (1914), 416–19. San Emeterio seems to be a Catalan saint from the 4th century.

²²² Castresana, *Corpus inscriptionum*, 3 nb. 26.

The precise context for this inscription remains obscure. Unlike the tense situation on the Calahorran border, Maurice and Bishop Tello of Palencia often seem to have acted in each other's interests. As we have seen with Aguilar de Campoo, however, monasteries were carving out the boundaries of their own authority across this period, and it was clearly in the bishop's interests to impose himself here as much as would be tolerated. On 1 January 1212, the community of Santa María of Vallespinoso de Aguilar, just under 10 kilometres away from Aguilar de Campoo, recognised Tello of Palencia as their ordinary and promised obedience to him, whilst at some point, seemingly not long after Alfonso VIII's death in 1214, the prelates of Toledo, Osma, and Segovia were requested to validate the donation of the region of La Pernia by Alfonso VIII to the bishop of Palencia, a municipality that lay close to both Aguilar and Villapaderne.²²³ Maurice and Tello did not seem to share the 'hatred' which characterised his relationship with Melendo of Osma, but the bishop of Burgos was nonetheless keen to establish his control over the monasteries and churches that might be tempted to align themselves with a different prelate.

What was the significance of reconsecrating or founding these churches? As we have seen, not all were even in ecclesiastical use in the early 13th century; indeed, San Vicente del Valle was being used for agricultural storage.²²⁴ These inscriptions represent the rededication of these buildings, which, if not physically rebuilt, were at least spiritually renewed. The positioning of three of these churches on the eastern border of the diocese, with Foncea in their midst, implemented a very clear barrier between Burgos and Calahorra in the same year in which the embattled Bishop Juan Pérez of that see was attempting to claim control of this same area. An episcopal visitation would have been a very rare event in these valleys, hard as they are to reach from Burgos, and Maurice's visit was an unforgettable way of reminding them of their allegiance. Moreover, Maurice would certainly have had an entourage with him, and it seems that this included a sculptor capable of producing the Gothic inscriptions discussed above.²²⁵ By refounding these churches, Maurice was leaving his own name indelibly inscribed on the frontiers of his lands; a literal symbol of his authority and the diocesan identity of the parishioners that removed any doubt about their allegiances.²²⁶

²²³ Martín, ed., *Documentación de la catedral de Palencia (1035–1247)*, Docs 122 and 129.

²²⁴ Peterson, *La Sierra de la Demanda*, 231.

²²⁵ The Gothic cathedral of Burgos was founded just three years before this, and so there would have been many highly skilled stonemasons in Burgos to choose from (see [Chapter 5](#)).

²²⁶ Jeffrey Bowman has demonstrated that bridges could fulfil the same function; Bowman, 'The Bishop Builds a Bridge: Sanctity and Power in the Medieval Pyrenees', *The Catholic Historical Review*, 88:1 (2002), 1–16.

Conclusions

Maurice was clearly a strategist of considerable acumen, and acutely aware of the tools at his disposal to define and enforce his authority as bishop of Burgos. The symbolic reconsecration of churches went hand-in-hand with a variety of other means by which he made his episcopal power known; whether through negotiations with abbots, selective appeals to canon law, the appointment of a favourable judge-delegate, or through more direct methods, such as sending armed bands of men to the provinces. As we have seen, Maurice was surrounded by potential threats and conflicting ambitions, from the movements of the bishop of Calahorra to the legal challenge of Melendo of Osma. His relationships with the monasteries of Silos and Nájera were, in both cases, proxies for the larger question of Burgalés authority vis-à-vis a rival bishop. Even one of Maurice's closest allies, Archbishop Rodrigo of Toledo, seems to have had the control of Burgos in his sights in 1218, when he wrote unsuccessfully to Rome to inquire about whether Toledo had any historic right to jurisdiction over Burgos.²²⁷

In June 1218, Honorius III had recognised that his judges-delegate had been delayed in their work because of 'wars and disturbances in the kingdom'.²²⁸ Maurice lived in a turbulent society, and throughout the early years of his episcopal career, he had to contend with the threat of invasion from the north and political instability within Castile itself. In this context, the networks of power we discussed in [Chapter 1](#) were clearly crucial. We have no evidence of any direct communication between Burgos cathedral and the aristocratic López de Haro family over these years, but their relationship with the diocese of Burgos and perhaps with Maurice personally must surely go a long way towards explaining why the bishops of Osma, Segovia, and Calahorra faced pillaging from the Haro forces in 1217, 1223, and 1224 but Burgos was spared. Noble power could be unpredictable, and bishops clearly had much to fear as well as much to gain.

Nor could the king be relied upon to keep the interests of his bishops at heart. Certainly, in the cases of Segovia and Calahorra, it is clear that Fernando III was either complicit or actively involved in pillaging. More than anything, he needed revenue from them to pay for the ongoing attempts to bring war against the Almohads to the south, and in cases where the bishop was having trouble raising the requisite taxes, the king's respect for episcopal dignity clearly stood for

²²⁷ See Linehan, *Spanish Church and the Papacy*, on Rodrigo's request for a papal bull dating back to a moment when the metropolitan had held authority over Burgos. Indeed, Rodrigo clashed briefly with Tello of Palencia too, in 1221, briefly suspending him from office, leading to Tello's complaint that 'deductum est in scandalum et discordias totum regnum'. See Linehan, *Spanish Church and the Papacy*, 15, and the resulting agreement, in which Maurice was arbitrator, which is unpublished: ACT X.2.A.2.12.

²²⁸ 26 June 1218, *Honorio*, Doc. 177: 'in causa nondum testes recipere potuistis propter guerras et turbationes in regno'.

little.²²⁹ The Castilian bishops had contributed half of their yearly income to the battle of Las Navas in 1212, and although we had no evidence as to how this might have affected Burgos, Maurice had other major expenses too: principally, appealing to Rome and, from 1221, the construction of a highly ambitious cathedral.²³⁰ His strenuous efforts to command tithe payments from as wide a range of institutions as possible was an important symbol of submission, but would also have an obvious practical value.

What had been clear from the start of Maurice's career was that the pope could do little in reality to support a beleaguered bishop. As judge-delegate in 1210, Maurice and his colleagues had effectively been local agents acting on behalf of the diocese of Burgos, doing their best to bring about a result that favoured Bishop García. Indeed, it was extremely hard for the papal curia to prevent this from being the case, given the quantity of petitions arriving in Rome. Even in cases where bishops faced violent secular opposition, there was little the pope could practically do beyond accepting their retirement in Rome, as Giraldo of Segovia, Juan Pérez of Calahorra, and Bernardo of Segovia all found out.

Nonetheless, papal authority was a valuable tool for Maurice, and he drew on it when he needed to, both through the system of appointing judges-delegate as helpful local agents, and by appealing to Rome for help when he considered this to be an effective route to take, such as in the contest with Melendo of Osma. The *inquisitio* with which he tried to impose his authority over the monastery of Silos is a clear example of such selective deployment of canon law. Yet he also knew when to switch to other strategies, and when to put different sorts of pressure on the abbots of the diocese and beyond, such as the support of his own personal 'clerks', the ability to stir up civic unrest in the diocese, his confidence in drawing up his own legal documents, and the symbolism invested in personally visiting the churches that lay in some of the more disputed areas of Burgos.

Reflecting on episcopal power in medieval Europe more broadly, John Ott has provided a fitting summary with his statement that 'the debates and mandates of the royal or papal courts at this time were often perceived faintly, a muffled echo against a din of local voices'.²³¹ It was precisely these local voices that Maurice was responding to throughout much of his career, and especially in the lengthy litigation discussed in this chapter. Bishops had to defend their territories and

²²⁹ Calahorra was a particularly poor diocese, and Juan Pérez had to sell lands from his private demesne to fund his trips to Rome. Similarly, García of Cuenca had to do likewise to attend the Fourth Lateran Council. We have no evidence at all pertaining to the financial state of Burgos, but judging from Maurice's decisions, it must have been considerably better off. For comparison, see Olivia Robinson, 'Bishops and Bankers', in M. Eichbauer and K. Pennington, eds, *Law as Profession and Practice in Medieval Europe: Essays in Honor of James A. Brundage* (Farnham: Ashgate, 2011), 11–26.

²³⁰ On the payments for Las Navas and poverty of the episcopate, see Linehan, *Spanish Church and the Papacy*, 101–27.

²³¹ J. Ott, 'The Bishop Reformed', 19.

their rights, and those who were unable to suffered serious consequences. What emerges from the litigation to which Maurice devoted much of his career is a need to establish, clearly and incontrovertibly, the extent of his power as bishop, the resources on which he could draw, and the men and houses over which he could wield 'episcopal authority' in a turbulent and challenging society. He could not afford for secular and spiritual powers to clash too often or too dramatically, and nor could he afford to pay too much attention to either.

Order in Heaven and on Earth: The *Concordia Mauricana*

We saw in [Chapter 3](#) how Maurice established and underpinned his episcopal power across the diocese of Burgos through the imposition of a series of agreements or *concordiae* on abbots and priors. In this chapter, we turn our attention to how Maurice exercised his authority within the cathedral itself, through a study of his constitution, written in November 1230 and entitled, presumably after his death, the *Concordia Mauricana*. It was a fitting title for a document that combines Maurice's own ideas about reform with those of the Fourth Lateran Council, and enfold all of these within a mystical theology of hierarchy, at the earthly pinnacle of which stood the bishop himself. It was a text that would establish a link between Maurice and the order of Burgos cathedral for several hundred years, since observation of the *Concordia* was decreed in 1377, and the text was incorporated into synodal legislation in 1503 and 1533.¹ The 14th- and 15th-century inventories in the cathedral list several copies of what is referred to as the 'Mauricana' and the 'little book of Maurice', and it is the earliest constitution, indeed the earliest legislative documentation of any sort, surviving from Burgos cathedral.²

This relatively short but extremely important text provides us with an unparalleled glimpse into Maurice's episcopal rule, his ambitions for his cathedral, and his vision of his own role and that of the Church itself. The opening section of the *Concordia* consists of a statement of theological intent that proclaims not simply how Maurice saw the cathedral of Burgos, but what he believed about the order of the heavens and earth. As the text makes clear, it is within this monumental scheme of order that he positions the cathedral of Burgos. This theological framework for what is, at heart, a very practical document, is unique, both within the

¹ For which reason Antonio Garcia y Garcia has suggested that Maurice's constitutions had as much authority 'as if they had been synodal texts'; Garcia y Garcia, *Synodicon*, vol. VII (Burgos y Palencia), 9–13.

² Mansilla, *Codices de la catedral*, 166 (Item 78, 'La Mauricana') and 185 (Item 27, Libro 'Mauritiana').

Iberian Peninsula in the 13th century and beyond it. As a result, it provides us with an important glimpse into Maurice's own theological outlook and ambitions. In contrast to the opening passage, the majority of the text is concerned with the regulation of liturgical practice and canonical conduct within the chapter. Here we see Maurice's attention to even the most mundane detail. It is a highly practical series of instructions, in which Maurice determines the hierarchies within the chapter, the appearance and dress of the canons, canonical wages, the issue of absentee clerics, and precise aspects of the liturgy and singing that should take place.

This chapter seeks to bring both parts of the *Concordia* together in an analysis of the norms Maurice established and his rationale for so doing. We shall first assess the opening passage ('A theology of order'), both to understand how Maurice envisaged the rightful order of his church, and to identify parallels to this theological framework within Castile and beyond it. The second half of the chapter will deal with the practical implications of the *Concordia*: that is, the manifestation on earth of a heavenly order ('Ecclesiastical order'), and Maurice's rhetoric for putting this in place ('Voices of authority in the *Concordia*'). Although comparative material is extremely sparse, it is nonetheless clear that, at least in some ways, Maurice was reacting to the agenda of the Fourth Lateran Council of 1215, as well as balancing this with other, most likely older, traditions that are beyond identification. And yet, as we shall see, he was also making a statement about his own power, and the place of the bishop himself within this hierarchy of being, who, as both 'wise man' and 'high priest', had a God-given position at the very apex of cathedral order.

A theology of order

Maurice's constitution was a detailed set of instructions about how the chapter of Burgos should function in day-to-day life, but it opens with a passage that positions his endeavours within a much larger context: the order that God ordained for both the material world and the heavens. Marie-Thérèse d'Alverny, who noted the unusual language of the *Concordia*, has described its opening passage as a 'prologue', and the term is in some ways apt, although there is no indication in the text of any separation between the opening passage and the rest of the constitution.³ It was a statement of intent, a declaration by the bishop of the wider significance of his actions and his theological impetus in undertaking them. Maurice opened the text with an exhortation to order drawn from the Bible:

When the Apostle discussed the many gifts and offices distributed by the one Spirit within the church of God, in his first letter to the Corinthians, he added, as if in a

³ d'Alverny, 'Deux traductions latines du Coran', 128–9; also, d'Alverny and Vajda, 'Marc de Tolède', 106.

corollary at the end of the same chapter: *let all things be done decently, and according to order* amongst you, [1 Cor. 14:40] that is, lest any might seem to be blameworthy or useless.⁴

Maurice then goes on to set out a relationship of parallelism between the order of the earth and that of the heavens, as ordained by God and understood on earth by the ‘wise man’:

For truly, the wise man is not heedless of the great value of order even in the things of nature, since without order, the workings of the sensible world would not continue even for a moment. Likewise, in invisible things, which are more worthy and eternal, how great a value has order: let he who wishes to know read the book of the great Dionysius *On the Celestial Hierarchy*, where he discusses marvellously and in an unworldly manner the nine orders of the celestial hosts. The same holy martyr teaches in the book *On the Ecclesiastical Hierarchy* that that which takes place in the church of God, whether in the sacraments or in the office, holds a certain likeness to those things that the Supreme Hierarchy, that is to say, the divine goodness who is the beginning of all things, has set in order in the supercelestial hierarchy.⁵

The relationship between microcosm and macrocosm is specifically one of ‘likeness’ or ‘similitudo’, and although the things of heaven are of course ‘more worthy’ than those of earth, nonetheless, the same order should prevail amongst earthly things too. This order is divine, and established by God, who has ‘set in order’ (*ordinavit*) the heavens. Maurice establishes the existence of three tiers within this hierarchy of being: the earthly tier, or ‘the things of nature’; the ‘invisible things... which are eternal’, that is, the celestial tier in which are ‘celestial hosts’; and finally, the supercelestial tier, where God, the Supreme Hierarchy or high priest, abides at the apex of all hierarchies.

God manifests his order directly in the heavens, but the order of the earthly things is the responsibility of the ‘wise man’. Maurice describes this realm variously as the ‘workings of the sensible world’ and ‘the things of nature’, but it is clear that his focus is on ‘that which takes place in the church of God, whether in the sacraments or in the office’. Further on in the *Concordia*, Maurice refers to the arrangements of the earthly Church as ‘the temporal things’.⁶ And it is as a result of the need for rightful order in these earthly things that Maurice wrote the *Concordia*:

Considering these things, I, Maurice, by the mercy of God bishop of the church of Burgos, and the whole assembly of that same church, wishing to restore to definite order certain things in our church that seemed to be less orderly ... we have proceeded in this way.

⁴ *CM*. For the Latin text, see [Appendix V](#).

⁵ *CM*.

⁶ *CM*.

Such an introduction lends a particular significance to the reforms laid out in the remainder of the *Concordia Mauriciana*. They were to be, even in their most mundane details, rich in theological symbolism. If correctly ordered, Burgos would be nothing less than a reflection of the heavens.

The wise man had a guide in understanding this heavenly order, however, and this, Maurice informs us, is the theology of ‘the great Dionysius’, specifically, his *De Coelesti Hierarchia* (‘On the Celestial Hierarchy’) and *De Ecclesiastica Hierarchia* (‘On the Ecclesiastical Hierarchy’), written ‘marvellously and in an unworldly manner’. Even without this explicit reference to the 6th-century theologian, the Pseudo-Dionysian overtones of Maurice’s text are clearly recognisable, and have led d’Alverny to suggest that the *Concordia* constitutes the most substantial evidence of Pseudo-Dionysian ideas in Castile in this period.⁷ Pseudo-Dionysius ‘the Areopagite’, mistakenly referred to here by Maurice as the ‘holy martyr’ (he had made the same conflation of characters as the monks of Saint-Denis) was most likely a Syriac theologian writing in the late 5th and early 6th centuries, about whom extremely little is known but whose theology would have a profound impact on the medieval Church.⁸ His theological treatises constitute an early Christian interpretation of the thought of the Neoplatonic Greek philosophers, particularly Proclus and Plotinus, to the extent that Andrew Louth has described Pseudo-Dionysian thought as ‘the point where Christ and Plato meet.’⁹ In addition to the *De Coelesti Hierarchia* and *De Ecclesiastica Hierarchia*, he wrote *De Divinis Nominibus* (‘On the Divine Names’) and *De Mystica Theologia* (‘On Mystical Theology’), and a number of letters.¹⁰

Pseudo-Dionysius’s theology of hierarchy was based on the understanding that God had unfolded his creation through hierarchies, within which all of creation,

⁷ Marie-Thérèse d’Alverny, ‘Une rencontre symbolique de Jean Scot Érigène et d’Avicenne: le “De causis primis et secundis et de fluxu qui consequitur eas”’, in d’Alverny, *Avicenne en Occident* (Paris: Vrin, 1993), 170–81, at 175; also d’Alverny and Vajda, ‘Marc de Tolède’, 106.

⁸ On the development of Pseudo-Dionysian thought in the medieval Latin west, see Édouard Jeuneau, ‘Denys l’Aréopagite, promoteur du néoplatonisme en Occident’, in L. Benakis, ed., *Néoplatonisme et philosophie médiévale* (Turnhout: Brepols, 1997), 1–25; also J. Pelikan, ‘The Odyssey of Dionysian Spirituality’, in C. Luibheid, ed., *Pseudo-Dionysius: The Complete Works* (London: SPCK, 1987), 21; and H. Fichtenau, *Heretics and Scholars in the High Middle Ages 1000–1200*, trans. D. Kaiser (Philadelphia: University of Pennsylvania Press, 1998), 176. For the use of Dionysian ideas in a Cluniac context, see Dominique Iogna-Prat, *Order and Exclusion: Cluny and Christendom Face Heresy, Judaism and Islam (1000–1150)*, trans. G. Edwards (Ithaca and London: Cornell University Press, 2002), 12–13.

⁹ Andrew Louth, *Denys the Areopagite* (London: Geoffrey Chapman, 1989), 11. See also P. Rorem, *Pseudo-Dionysius: A Commentary on the Texts and an Introduction to Their Influence* (Oxford: Oxford University Press, 1993), 51–3. For a discussion of medieval Neoplatonism more generally, see Ian R. Netton, *Muslim Neoplatonism: An Introduction to the Thought of the Brethren of Purity* (Edinburgh: Edinburgh University Press, 1991), 33–52.

¹⁰ The complete collection of the works of Pseudo-Dionysius can be found in P. Chevallier, ed., *Dionysiaca. Recueil donnant l’ensemble des trad. latines des ouvrages attribués au Denys de l’Aréopage*, 2 vols (Bruges: Desclée De Brouwer, 1937–51). An English translation is provided by Luibheid, *Pseudo Dionysius*.

both in heaven and on earth, had a place. Central to this was the Neoplatonic idea of mankind's return to and union with the divine, Christianised by Pseudo-Dionysius into a process of 'divinisation' via hierarchies of being.¹¹ These hierarchies were the means by which God related to his creation and ultimately allowed its salvation; in the words of the *De Hierarchia Ecclesiastica*, God 'has bestowed hierarchy as a gift to ensure the salvation and divinisation of every being endowed with reason.'¹² Thus earthly order was created to reflect that of the celestial world: God 'modelled it [the earthly order] on the hierarchies of heaven, and clothed these immaterial hierarchies in numerous material figures.'¹³ Maurice's claim that the heavens and earth were ordered according to a divine pattern, ascending ultimately to God, the Supreme Hierarchy, was, at its root, profoundly Pseudo-Dionysian, as was his identification of nine orders of angels in the celestial realm.¹⁴ It is within this theological schema that Maurice positioned the cathedral of Burgos and its 'temporal things', all of which should bear 'similitude' to the divine arrangements of God in heaven.

The second half of the 12th century saw a resurgence of scholarly interest both in the thought of Pseudo-Dionysius and in the translations and writings of John Scot Erigena, the Areopagite's most widely known Latin interpreter.¹⁵ Erigena, an Irish theologian who was writing at the Frankish court in the 860s, produced Latin translations of the Dionysian corpus, as well as commentaries on these texts and a number of theological treatises of his own, through which he 'established the reputation of Pseudo-Dionysius in the West'.¹⁶ Although his principal treatise, the *Periphyseon* (*De divisione naturae*), was condemned as heretical by Pope Honorius

¹¹ See S. Klitenic Wear and J. Dillon, *Dionysius the Areopagite and the Neoplatonic Tradition* (Aldershot: Variorum, 2007), 117–29, and Rorem, *Pseudo-Dionysius*, 52. Also Netton, *Muslim Neoplatonism*, 33, and Fichtenau, *Heretics and Scholars*, 176. Andrew Louth argues that Pseudo-Dionysius coined the Greek noun *hierarchia*; Louth, *Denys the Aeropagite*, 38.

¹² Pseudo-Dionysius, *Ecclesiastical Hierarchy* (henceforth *EH*), I.4, trans. Luibheid, *Pseudo-Dionysius*, 198. For the original, see Chevallier, *Dionysiaca*, vol. 2, 1092–3: 'Dicimus itaque quomodo divina beatitudo, natura Divinitas, principium deificationis, ex quo est deificari deificatis, bonitate divina hierarchiam in salute et unitate omnium et rationalium et intellectualium essentiarum donavit'. See also Pseudo-Dionysius, *Celestial Hierarchy* (*CH*), I.3 in Luibheid, *Pseudo-Dionysius*, 146, and in Chevallier, *Dionysiaca*, vol. 2, 734–5. Additionally, Klitenic Wear and Dillon, *Dionysius the Areopagite*, 51–73.

¹³ *CH*, I.3, in Luibheid, *Pseudo-Dionysius*, 146. The full quote reveals yet more resonance with Maurice's text: 'Propter quod et sanctissimam nostram hierarchiam perfectissima sacrorum dispositio caelestium hierarchiarum supermundana imitatione dignam iudicans, et dictas immateriales hierarchias materialibus figuris et formalibus compositionibus uarificans tradidit ut proportionaliter nobis ipsa a sacratissimis formationibus in simplas et non figuratas ascendamus altitudines et similitudines'. See *CH*, I.3, in Chevallier, *Dionysiaca*, vol. 2, 733–5.

¹⁴ Louth, *Denys the Areopagite*, 33–40 and 78–96. Pseudo-Dionysius used the term 'Hierarchy' to refer to bishops and figures of spiritual authority; see *The Divine Names* (*DN*), III.2 in Luibheid, *Pseudo-Dionysius*, 70. Also *CH*, XII.1, at 175, and *EH*, I.3; *EH*, I.5; *EH*, II.ii.1–8, at 197, 199–200, and 201–4. Luibheid also points out that 'although the term "hierarchy" had a prehistory designating a cultic leader, the derivation "hierarchy" was new with Dionysius'; *Pseudo-Dionysius*, 197.

¹⁵ Jauneau, 'Denys l'Aréopagite', 16.

¹⁶ Fichtenau, *Heretics and Scholars*, 176; d'Alverny, 'Une rencontre symbolique', 175.

III in 1225, Erigena's Latin translations and commentaries remained the principal vessel for the transmission of Pseudo-Dionysian thought and 'cast of doctrine' in the early 13th century, and it was his Latin terminology by which this hierarchical theology came to be known.¹⁷ The influence of Pseudo-Dionysian theology can be seen to be reflected in a number of French ecclesiastical houses across the 12th century; notably Saint-Victor, Chartres, and Saint-Denis, where another Latin translation of the corpus was produced by John Sarrazin in the 1140s.¹⁸ Hugh of Saint-Victor (d. 1173) wrote a commentary on the *Celestial Hierarchy* between the years 1125 and 1137, which proved to be highly influential both within and beyond the monastery, and interest in Pseudo-Dionysian theology was to be continued by a number of later Victorines, most notably, Thomas Gallus, as we shall see. Another Parisian circle amongst which the theology of the Areopagite made an impact was that of the followers of Gilbert de la Porrée of Poitiers, known as the *Porretani*, reflected in particular in the writings of Alan of Lille.¹⁹

There is nothing to indicate whether Maurice had direct knowledge of the *Celestial Hierarchy* and *Ecclesiastical Hierarchy* himself, or whether his reference to these two treatises was through one of the above commentaries or the result of some other influence. Certainly, as d'Alverny noted, the terminology of these lines recalls that of Erigena, and Maurice refers not only to the titles of these two treatises but also the major themes that underpin Pseudo-Dionysian theology.²⁰ Whether or not Maurice had read these texts himself, he had a potentially direct access from Burgos to at least one of them. A copy of the *Celestial Hierarchy*, in the commentary by Hugh of Saint-Victor, can be found in a 13th-century inventory at Osma.²¹ This was not far away for book borrowing purposes, and as Susana Guijarro has demonstrated, the circulation of texts between medieval cathedrals

¹⁷ John O'Meara, *Erigena* (Oxford: Clarendon Press, 1988), 52; Jean Leclercq, 'Influence and Noninfluence of Dionysius in the Western Middle Ages', in Luibheid, *Pseudo-Dionysius: The Complete Works*, 25–33, at 27.

¹⁸ O'Meara, *Erigena*, 55 and Leclercq, 'Influence and Noninfluence', 27–8; and Jeuneau, 'Denys l'Aréopagite'. The Greek texts of Pseudo-Dionysius were kept at the French abbey of St-Denis from the early 9th century, and translated by the abbot Hilduin sometime before 834; O'Meara, *Erigena*, 55. Another, lesser-known version was made by Jean Sarrazin, a monk at Saint-Denis, who wrote a commentary on the *De Coelesti Hierarchia* in 1140, and subsequently made a translation of that text and the remaining corpus; see Leclercq, 'Influence and Noninfluence of Dionysius', 27–8.

¹⁹ Pick, *Conflict and Coexistence*, 81; and d'Alverny and Vajda, 'Marc de Tolède', 108–9.

²⁰ Such as Maurice's reference to God as the Supreme Hierarch, and also as the divine goodness (*divina bonitas*). Also note 'supermundane', 'supercelestis'; Declan Lawell describes these as 'hyper-adjectives', considered to originate with Erigena's attempts to render the complicated Greek of Pseudo-Dionysius into Latin. Also see Bartlett, *Natural and Supernatural*, 13, who suggests that Erigena devised new terms specifically for the complicated Greek vocabulary of Pseudo-Dionysius, the translation of which required detailed terminology that could express various layers of celestial and supercelestial existence.

²¹ Susana Guijarro González, *Maestros, escuelas y libros: el universo cultural de las catedrales en la Castilla medieval* (Madrid: Dykinson, 2004), 141–53; also listed by Guijarro under 'Scholastic theology' is Peter Comester's *Historia Scholastica*, Peter of Poitiers's *Distinctiones*, and more. See also Rojo Orcajo, ed., *Catálogo descriptivo de los códices que se conservan en la Santa Iglesia Catedral de Burgo de Osma*, 655–792.

and monastic houses was very common.²² Unfortunately, no inventories of books survive in Burgos cathedral from before the 14th century, but it is worth noting that the works of Pseudo-Dionysius also feature widely in the later medieval inventories from Burgos (although we have no way of knowing how old the codices were nor how long they had been at the cathedral).²³

This framework of mystical theology provided the justification for Maurice's reform of his cathedral in the *Concordia Mauriciana*. And for a bishop intent on reorganising the liturgy, this was a fitting conceptual template. Pseudo-Dionysius's writings have been described as 'liturgical theology', meaning that his notion of hierarchical order stretched even into the smallest details of liturgical practice; Paul Rorem points out that even the blessing of holy water could take on a symbolic significance.²⁴ This mirrors precisely the sort of text that was to follow in the *Concordia*, in which Maurice was to reorder similar details from the daily routine of the cathedral canons. If all of creation could be perfected by divine order, then so could Burgos cathedral.

This theological framework was hardly typical of the language of reform in the 13th century, and distinguishes the *Concordia Mauriciana* from the other constitutions and legislative texts produced in the Peninsula in this period. Constitutions were practical texts, with a very clear function in arranging the daily life of the cathedral. The comparative evidence is very sparse indeed; very few constitutions were written or survive from early 13th-century Castile or the surrounding kingdoms. As we shall see below in more detail, the constitutions given to Toledo in 1229 and Astorga in 1228 refer simply and very briefly to 'correcting' the ways of the chapter in each case. A more global perspective was adopted by the papal cardinal sent to reform Salamanca cathedral in 1245, who spoke of the pope's care for all churches of the world.²⁵ However, the framing of the *Concordia Mauriciana* within the language of hierarchical theology distinguished it from all of these. Maurice's message was clear: the reform of his cathedral had a theological, even mystical significance, and was intended to ensure that Burgos cathedral suitably reflected the divine order of the heavens.

Whilst there is no constitutional document comparable to the *Concordia Mauriciana* in Spain, an intellectual context for his ideas can be found in Toledo across the first two decades of the 13th century, in the theological treatises written by Archbishop Rodrigo and the scholars in his immediate circle. This was an

²² Susana Guijarro, 'El saber de los claustros: las escuelas monásticas y catedralicias en la edad media', *ARBOR Ciencia, Pensamiento y Cultura*, CLXXXIV (2008), 443–55, at 448–9. Also M. Díaz y Díaz, *Libros y librerías en la Rioja altomedieval* (Logroño: Instituto de Estudios Riojanos, 1991).

²³ See Guijarro González, *Maestros, escuelas y libros*, 153–72.

²⁴ Rorem, *Pseudo-Dionysius*, 49, and O'Meara, *Eriugena*, 64. See also Louth, *Denys the Areopagite*, 57–67, and Klitenic Wear and Dillon, *Dionysius the Areopagite*, 110–15.

²⁵ A. Quintana Prieto, 'Constituciones capitulares de cabildos españoles del siglo XIII', *Anthologica Annua*, 28–9 (1981–2), 485–529, Doc. 3 (p. 501).

ecclesiastical milieu within which, as we saw in [Chapters 1 and 2](#), Maurice had a well-established place. The hierarchical theology of the Areopagite, expressed in the language of Erigena, was well-known in Toledo, and was a central theme in the writings of Rodrigo and Michael Scot and some of their contemporaries, as Lucy Pick has pointed out. In particular, Pick has argued, these Toledan scholars relied closely in their interpretations of celestial hierarchies on the thought of the theologian and *Porretani*, Alan of Lille (c. 1128–1203).²⁶ Furthermore, Pick has also identified the opening of the *Concordia Mauriciana* as symptomatic of the same intellectual and theological interests, and points out that Maurice's words 'should remind us immediately of Alan of Lille and Michael Scot'.²⁷

Certainly, Maurice's discussion of the three hierarchies of being fits closely into that presented by Michael Scot in the prologue to his *Liber Introductorius*, which, as we have discussed in [Chapter 2](#), was heavily influenced by the translator's time in Toledo.²⁸ Michael identified three stratified orders of being, namely hierarchies in *supercelestis* (the Trinity), *celestis* (the angelic hosts), and *subcelestis* (the world below the heavens).²⁹ In what seems to be a subtle difference to the *Concordia*, Michael identifies the *subcelestis* with 'the prelates and lords of this world', not just the Church.³⁰ Pick has illustrated that both in these three orders of being and in many other ways, notably, his identification of nine orders of angels and their names, his definitions and terminology, and his subdivisions of each hierarchy of being into further hierarchies, Michael Scot was basing his interpretation on Alan of Lille's *Quoniam Homines*.

Similarly, Archbishop Rodrigo's apologetic text, the *Dialogus libri vite*, composed sometime before 1218, reflects 'an interest in the angelic hierarchy and the way it models the earthly ecclesiastical hierarchy'.³¹ Rodrigo clearly saw the Church of men as a reflection of the order ordained by Christ in the Church of angels.³² In the fourth book of the *Dialogus*, in a chapter entitled *De ordinacione ecclesie*, Rodrigo lists nine orders of angels and then a number of ecclesiastical

²⁶ Pick, 'Michael Scot in Toledo', 101–9; also Pick, *Conflict and Coexistence*, 97–103.

²⁷ Pick, *Conflict and Coexistence*, 101–2, and 'Michael Scot in Toledo', 104–5. Indeed, for Alan of Lille, order is one of four tools (or 'adminicula') that God gives mankind so as to arrive at an understanding of the divine; Alan of Lille, *Summa 'Quoniam homines'*, II.1, ed. P. Glorieux, *Archives d'histoire doctrinale et littéraire du Moyen Âge*, 20 (1953), 119–359, at 271: 'ordinem et in esse conservationem potuit homo comprehendere invisibilia Dei'.

²⁸ Pick, *Conflict and Coexistence*, 119; Maurice 'used Pseudo-Dionysian and Eriugenian themes of hierarchy as these were interpreted by Alan of Lille'.

²⁹ 'Dividitur autem gerarchia in supercelestem et celestem et subcelestem'; Alan of Lille, *Summa 'Quoniam homines'*, II.143, p. 281. See also Pick, *Conflict and Coexistence*, 97–100. She claims that Michael Scot's *Liber Introductorius* also uses these terminological divisions. See also Pick, 'Michael Scot in Toledo', 101 and ff.

³⁰ Pick, 'Michael Scot in Toledo', 101.

³¹ Pick, 'Michael Scot in Toledo', 105.

³² 'Christus ut angelorum sic et hominum ecclesiam ordinavit'; *Roderici Ximenii de Rada, Historiae Minores: Dialogus Libri Vite*, eds Juan Fernández Valverde and Estévez Sola (Turnhout: Brepols, 1999), IV.4, 298.

offices, from pope down to psalmist, and Pick has pointed out that Rodrigo also discussed the existence of orders of angelic hierarchy in his *De Rebus Hispanie*.³³

However, the text in which we see the closest link to Maurice's *Concordia* is in fact the treatise written by Diego García, chancellor of Castile under Alfonso VIII and canon in Toledo. This wide-ranging theological work, entitled *Planeta* ('The Planet'), was written sometime before Diego's death in 1218, in which year it was dedicated to Archbishop Rodrigo.³⁴ Diego García reproduced the idea of the subcelestial world mirroring the order of the heavens, and he used the same idea of nine orders of angels in three hierarchies, once again echoing Alan of Lille and Michael Scot.³⁵ Diego García also names Erigena's commentaries on Pseudo-Dionysius as his source at many points in the text.

However, Diego García goes further than either Michael Scot or Rodrigo in establishing and describing the liturgical symbolism of his theology. Book five of *Planeta* is devoted to angels, and here García establishes direct parallels between the orders of heaven and earth, reflected most precisely in the structure of the earthly Church and its proceedings during the mass and offices. Just as in the *Concordia*, in book five of *Planeta*, heaven is mirrored in the hierarchical structure within the church, its building, people, and practices. In heaven, Archangel Michael is head of the choir of angels, and has powers similar to the dean in his chapter or the cantor in the choir: 'for he will not be installed by Michael in the angelic choir who will not have installed Michael in his own breast. Just as Michael exercises his jurisdiction in heaven, so the prior in the cloister, so the dean in the chapter, so the cantor in the choir.'³⁶ For Diego García, God is the 'Ordinator': he has arranged heaven to be an example for the Church on earth, and ultimately, to lead man to salvation.³⁷

As a result, every layer of the celestial hierarchy has a reflection in the earthly Church. Much of book five is taken up with the retelling of an apocalyptic vision,

³³ *Roderici Ximenii de Rada, Historiae Minores: Dialogus Libri Vite*, IV. 4: 'Primus omnium sumus pontifex, qui solus habet plenitudinem potestatis; deinde cardinales, qui ei cotidie in regimine coassistunt; deinde alii in partem sollicitudinis euocati, ut patriarche maiores, primates, archiepiscopi, episcopi, sacerdotes, diaconi, subdiaconi, acoliti, exorciste, lectores, hostiarii et psalmiste, sumo pontifice omnibus presidente'. Pick has also pointed out that Rodrigo's angelic order is a little different to that of Alan; *Conflict and Coexistence*, 98–9.

³⁴ The principal source of information is Manuel Alonso's commentary, in *Planeta: obra ascética del siglo XIII*, ed. Alonso, 15–85. This is a text that is urgently in need of scholarship. See J. Martínez Gázquez, 'Alegorización de la declinación latina en el *Planeta* de Diego García de Campos (1218)', *Revista de Estudio Latinos*, 2 (2002), 137–47.

³⁵ 'Novem ordinibus angelorum, tribus gerarchiis'; in *Planeta: obra ascética del siglo XIII*, ed. Alonso, 361.

³⁶ 'Non enim installabitur a michaeli in choro angelico qui non installaverit in suo pectore michaellem. Exercet siquidem iurisdictionem suam michael in celo, tanquam prior in claustrum, tanquam decanus in capitulo, tanquam precentor in choro'; *Planeta*, 370.

³⁷ And he has arranged the celestis in this order since the beginning of time; *Planeta*, 378: 'ab inicio stantes in ordine suo'; and 382: 'ad quam nos perducatur dominus noster deus dei filius ihesus christus: qui conformis hominibus iherarchyis celestibus dominatur per infinita secularum seculorum'.

during the course of which García describes the structure of heaven and the divine mass that would take place at the end of the world. Nine orders of angels reflected the orders of the earthly Church.³⁸ Anchorites were an earthly representation of guardian angels, prophets were like archangels, patriarchs represented the virtues on earth. The martyrs represent the principalities, confessors were like the powers, and the apostles like the dominions. Finally, and highest in their respective hierarchies, monks were like the thrones, the doctors of the Church were cherubim, and, intriguingly, what appear to be friars minor, *caritativi simplices*, represent the seraphim, the very highest order of angel in heaven. The Church is explicitly described as representing a likeness to the court of heaven.³⁹

The centrepiece of Diego García's vision is his description of a celestial mass, each action of which is reflected in the liturgy performed on earth.⁴⁰ The Church triumphant would become a wondrous building, 'as if like a temple or an expertly built church'. Within this, the heavenly hosts would process, in splendid robes. St Paul would be the subdeacon, standing in the middle of the choir singing the gospel, whilst St Peter and Archangel Michael would be the cantors, with St Peter holding the sceptre in his right hand 'in similitudo (*similitudo*) to the cantor'.⁴¹ All the hosts of heaven will be arranged in the choir stalls, 'so a place of majesty is assigned to each according to the quality of their merits'. The holy innocents would lead the procession, followed by 'diverse orders of angels, sorted according to their dignity', and then the dean, who would be John the Baptist, carrying the Gospels. Finally, Jesus, the heavenly priest, would arrive dressed in pontifical robes. The choir should sing the mass 'both with melodies and with harmonies'; the term Diego García uses for this is *organum*, that is, the most up-to-date form of Parisian harmonic chant.⁴² This heavenly mass was reflected in every detail in the order of the mass performed by the churches on earth: in Diego's words, 'all that the angels do, is done by us too, but in a greatly inferior way'.⁴³

The theological frameworks that underpinned the *Concordia* and *Planeta* are thus closely linked. Diego García's theological treatise concerned the things of heaven – it was by regarding the celestial mass through his vision that he understood the connections with the mass celebrated on earth. Maurice approached the same paradigm from the other side: his *Concordia* dealt with the things of the earthly Church, reordering them so that they would reflect those of the celestial plane. This was a difference of genre rather than of theological understanding, as unlike any of the texts produced in Toledo, the *Concordia* was not a treatise

³⁸ *Planeta*, 384.

³⁹ *Planeta*, 379: 'Videre namque videor in hominibus novem ordines non dissimiles supercelestibus, in quibus ecclesia militans: instar celestis curie representat'.

⁴⁰ *Planeta*, 384.

⁴¹ *Planeta*, 384: 'ad similitudinem precentoris'.

⁴² *Planeta*, 385.

⁴³ *Planeta*, 380: 'Omnia faciunt et angeli: facimus et nos, set longe inferiori modo'.

or commentary, but a practical document for capitular reform. Yet both Maurice and Diego García were united around the idea that ‘that which takes place in the Church of God, whether in the sacraments or in the office’ was characterised by its *similitudo* to the order of the supercelestial mass, at which God himself was to be the celebrant. And as we shall see, many of the elements of the mass referred to in *Planeta* – the robes, the processional hierarchies, the music – would be commented on explicitly in the *Concordia*.

These Toledan texts provide a clear intellectual context for Maurice’s words in the *Concordia*. As we have seen, Maurice had spent at least five years in Toledo cathedral, and would undoubtedly have known Diego García well, as well as, of course, Archbishop Rodrigo, with whom Maurice seems to have been in contact across most of his life. We have discussed in [Chapter 2](#) the possibility of Maurice also working alongside Michael Scot sometime before or around 1215; in any case, the two were at the Lateran Council together in this year. It seems clear that Maurice had read the same texts or participated in the same theological debates as his colleagues. What precisely these texts were cannot be conclusively proved, but as Pick’s research has demonstrated, Alan of Lille was clearly a very important influence in Toledan circles, although Maurice did not adhere entirely to his ideas about the earthly hierarchy. The common ideological denominator, however, was unquestionably the works of Pseudo-Dionysius in their translation by Erigena. It is clear that, seventeen years after leaving Toledo, Maurice was still interested in these shared ideas about divine hierarchy.

The similarities with the *Planeta* are clear, but there are also some more unexpected intellectual resonances in the *Concordia* that suggest that Maurice may have been adding to his ideas from other sources. As we have seen, by the late 12th century, a resurgent interest in Pseudo-Dionysius was led by Parisian scholars, and especially the canons of Saint-Victor. Indeed, noting the *Concordia*, d’Alverny suggested that it was ‘full of terms dear to the Neo-Platonists of the Victorine school.’⁴⁴ Her hunch was an astute one, for further investigation reveals some intriguing parallels with texts and ideas from this *milieu*.

Alan of Lille’s hierarchies of being were named the *supercelestis*, the *celestis*, and the *subcelestis*; yet Maurice does not consistently apply this terminology – notably, his description of the earthly realm differs. As we have seen, he discusses ‘the things of nature’, ‘the sensible world’, and the ‘temporal things’, as well as, of course, ‘the Church of God’, all of which are in contrast to the ‘invisible things, which are ... eternal’, that is, the celestial realm. Maurice’s comment that ‘without order, the workings of the sensible world would not continue even for a moment’ deserves some further attention. Robert Bartlett has suggested that the term *mundi machina* emerged into mainstream use among theologians in the 12th century, following

⁴⁴ d’Alverny, ‘Deux traductions’, 128.

its use in astronomical and scientific texts that were coming under scrutiny from the turn of that century.⁴⁵ Peter Lombard (1100–60) used the phrase in his highly influential *Sentences* to describe the organisation of the earthly realm (*disposita est universitatis huius mundi machina*), and Hugh of Saint-Victor also referred to the *mundi machina* twice in much the same context.⁴⁶ As Bartlett has pointed out, ‘clearly, one would not wish to pin too much on the history of a single term, but it does seem that a new explicitness in the categorisation of phenomena marked the period from the thirteenth century.’⁴⁷

An even more convincing parallel can be seen in the work of another Victorine, Thomas Gallus, who was at Saint-Victor until 1219. Thomas Gallus, who has been described as ‘a major contributor to the early thirteenth-century Latin reception of the Christian Neoplatonic thought of Dionysius the Areopagite’, also described the world as a *machina*, twice referring to the ‘machine of sensible things’ in his *Explanatio in Libros Dionysii*, his most important Pseudo-Dionysian work.⁴⁸ However, more importantly, he presented the relationship between the ‘sensible’, ‘temporal’ world and the invisible heavens in terms that bear a clear similarity to the *Concordia*. Gallus wrote several commentaries and glosses on the Pseudo-Dionysian corpus, the most lengthy of which was his *Explanatio in libros Dionysii*, as well as at least one sermon.⁴⁹ There are many striking similarities, linguistically and conceptually, between the opening passage of the *Concordia* and Gallus’s *Explanatio*. Like other commentators on Pseudo-Dionysius, Gallus described the three hierarchies of being, each divided into three orders, and the nine orders of the celestial angels. He too used the terminology of the supercelestial and celestial realms. However, when referring to the earthly realm, which for Alan of Lille and the Toledans was ‘subcelestial’, Gallus described it as the ‘temporal and sensible

⁴⁵ Robert Bartlett, *The Natural and Supernatural in the Middle Ages* (Cambridge: Cambridge University Press, 2008), 12–16 and 35–48.

⁴⁶ Bartlett, *Natural and Supernatural*, 38. Peter Lombard, *Sententiae in IV libris distinctae*, II.14.9, in I. Brady, ed., *Spicilegium Bonaventurianum*, 5 vols (Rome, 1971–81), vol. 4, 398–9: ‘the machine of all this world was arranged’. Hugh of Saint-Victor used it in his *Sententiae de divinitate*, Pars Prima: ‘proposita est ei mundi machina quasi exemplar ut sicut divina dispositio ab informitate prima ad summam redegit pulchritudinem, sic divina cooperante grati ab informitate vitiorum homo posset reduci ad conformitatem virtutem, et his de causis, neque simul neque statim formatus factus est mundus’. Also: ‘tota mundi machina excreaverit’.

⁴⁷ Bartlett, *Natural and Supernatural*, 16.

⁴⁸ Declan Lawell, ‘Qualiter vita prelatorum conformari debet vite angelice: A Sermon (1244–46?) Attributed to Thomas Gallus’, *Recherches de Théologie et Philosophie Médiévales*, 75:2 (2008), 303–36, at 323. For ‘machina sensibilis’, see Lawell, *Thomae Galli: Explanatio in Libros Dionysii* (Turnhout: Brepols, 2011), *De divinis nominibus* 1 (G), 101: ‘totius huius machine sensibilis, eo quod omnia Dei invisibilia summe unum sint’; and *De divinis nominibus* 4 (A), p. 182: ‘hanc sensibilem machina, radiis copiosis profundit, ita divina bonitas’.

⁴⁹ For the most recent scholarship on Gallus, see Lawell, *Thomae Galli: Explanatio*; D. Lawell, ed., *Thomae Galli: Glose super Angelica Ierarchia* (Turnhout: Brepols, 2011); and Lawell, ‘Qualiter vita prelatorum’. See also James McEvoy, ed., *Mystical Theology: The Glosses by Thomas Gallus and the Commentary of Robert Grosseteste on De Mystica Theologia* (Paris, Leuven, and Dudley: Peeters, 2003).

things' (*res temporales et sensibiles*).⁵⁰ These temporal and sensible things were contrasted with the 'celestial and eternal' things.⁵¹ It is only from the things of the sensible world that mankind can start to know the invisible world, a point that Gallus makes repeatedly in his preface to the chapter on the *Celestial Hierarchy*.⁵² Moreover, this applies to the order of the earthly Church: 'from the ecclesiastical order of the sensible world [we should know] the order of the spirits of heaven which are laid out in divine imitation.'⁵³ These ideas about order, Gallus writes, are based on 'the books of the great Dionysius'.⁵⁴

It seems clear that Thomas Gallus was interpreting the theological schema of Pseudo-Dionysius in terms very similar to those found in Maurice's *Concordia*. However, Gallus and Maurice were almost exact contemporaries; the *Explanatio* has been dated to the early 1240s, and so, if this is correct, Maurice could not have read it. Nor do Gallus's earlier writings, including his earliest text, a set of glosses on the *Celestial Hierarchy* dated to c. 1224, reflect the same language with anything like the consistency and frequency of the *Explanatio*.

Clearly, much remains unknown about Maurice's sources and the influences that may have shaped his theological ideas. What does seem very likely is that Maurice had access to texts and ideas from the house of Saint-Victor. As already mentioned, according to a 13th-century inventory a copy of Hugh of Saint-Victor's commentary on the *Celestial Hierarchy* was available at Osma – a see that had belonged to Rodrigo Jiménez de Rada, later archbishop of Toledo, in 1209 – and although this text does not convey equally close ideas about hierarchy, it nonetheless illustrates the fact that Victorine texts were making their way into Castile.⁵⁵ The Osma catalogue also reveals the presence of Peter Lombard's *Espositio Psalteri* and *Sententiarum libri quatuor* and a number of other 12th-century

⁵⁰ Lawell, *Thomae Galli: Explanatio, Super Ecclesiastica Ierarchia III*, 829: 'varietatem materialem, id est res temporales et sensibiles'.

⁵¹ Lawell, *Thomae Galli: Explanatio, Super Ecclesiastica Ierarchia III*, 847: 'divina, divinitus sibi data et divinis mandatis subdita, et sursumagente, id est ad celestia et eterna bona tendente'; also Lawell, *Thomae Galli: Explanatio, Super angelica hierarchia*, 475: 'secundo capitulo, quibus considerationibus celestia et eterna'. See also all of *Explanatio, Super angelica hierarchia*, ch. 2.

⁵² *Explanatio, Super angelica hierarchia*, 477: 'Paterna pietate prouidit Deus infirmitati nostre cum inuisibilia per uisibilia in scripturis designauit ut per cognita ad incognita gradatim ascendamus. Vnde et statum animorum celestium inuisibilium et immaterialium formis et figuris sensibilibus rerum designauit, sic dirigens mentes nostras et sursumagens ad imitationem et contemplationem celestium substantiarum nobis in propria natura nunc in contemplabilium'.

⁵³ *Explanatio, Super angelica hierarchia*, 477: 'Ex sensibili pulcritudine estimamus utcumque pulcritudinem inuisibilem, ex bono odore sensibili suauitatem spirituales, ex lumine sensibili lumen intellectuale et superintellectuale, ex sacra scriptura comprehensiuam Dei cognitionem, ex sensibili ordinatione ecclesiastica ordinationem celestium animorum qui ad imitationem diuinam disponuntur, ex eucharistie perceptione inuisibilem Domini Ihesu communicationem, et similiter de similibus'.

⁵⁴ *Explanatio, Super angelica hierarchia*, 477: 'magni Dionysii libros'.

⁵⁵ Rojo Orcajo, *Catálogo descriptivo de los códices que se conservan en la santa iglesia catedral de Burgos de Osma*, 177–82. See also Susana Guijarro, 'Libraries and Books Used by Cathedral Clergy in Castile During the Thirteenth Century', *Hispanic Research Journal*, 2 (2001), 191–210, at 199; Mansilla, *Catálogo de los códices*; and J. M. Martí Bonet, *Guía de los archivos de la iglesia en España* (Barcelona: Asociación de Archiveros de la Iglesia en España, 2001).

Parisian texts.⁵⁶ Manuel Alonso has argued that the *De sacramentis christianae fidei* of Hugh of Saint-Victor was well-known to the Toledan canon Dominic Gundissalinus, whose importance to Maurice we discussed in [Chapter 2](#).⁵⁷ As we have already noted, the earliest inventories from Burgos do not permit a glimpse into that cathedral archive before the 14th century, but certainly, by then, there were a large selection of texts by Hugh of Saint-Victor and by a range of other 12th- and 13th-century Parisian scholars.⁵⁸ Both Archbishop Rodrigo and Diego García have been shown to have studied at the nascent university of Paris, Rodrigo around the year 1201, and García substantially earlier, in the 1170s and 1180s.⁵⁹ Pick has also suggested that Rodrigo studied with Alan of Lille, and that he may have been joined by Mark of Toledo and by Maurice himself.⁶⁰ The question remains inevitably open about whether Maurice also studied in Paris, but we know that he at least was present in the city in 1219.⁶¹ Moreover, we should not forget that Maurice's nephew, Juan de Medina, was studying in Paris by the 1230s, and, as we have seen in [Chapter 1](#), was making occasional visits back to Burgos, and he was surely one of many scholars to act as a vector between the two cities. There were clearly many possible routes for the circulation of ideas in Castile and for Maurice to have come into contact with the very latest discussions concerning the works of Pseudo-Dionysius from Saint-Victor or elsewhere.⁶²

Clearly, the linking of the hierarchies of heaven and earth and the reuse of Pseudo-Dionysian ideas were not unique to Maurice and his *Concordia* in Castile, and he can be seen to be writing within an intellectual context in which such theology was both well-known and discussed. However, what was unique was Maurice's deployment of this theology as a justification for ecclesiastical reform. Unlike the other texts we have just discussed, the *Concordia* was not a treatise nor a commentary, but a legislative document. Maurice's reference to the order of the earthly realm was a means to explain its reordering under his auspices. The impetus he claimed for his actions was inspired by mystical theology, but the consequences in Burgos were deeply practical.⁶³

⁵⁶ Rojo Orcajo, *Catálogo descriptivo de los códices*, 153–265; for example, the *Summa Theologica* of Simon of Tournay and a treatise by the liturgist John Beleth.

⁵⁷ Alonso, 'Hugo de San Victor, refutado por Domingo Gundisalvo hacia el 1170', 209–16. See also Alonso, *Temas filosóficos medievales*.

⁵⁸ Guijarro González, *Maestros, escuelas y libros*.

⁵⁹ For Rodrigo, see Pick, *Conflict and Coexistence*, 122–3. For Diego García, see Alonso, ed., *Planeta*, 42 and 71.

⁶⁰ Pick, *Conflict and Coexistence*, 122–3.

⁶¹ See [Chapter 5](#) for more on this.

⁶² It is worth pointing out that the nephew of Rodrigo Jiménez de Rada, the archdeacon at Toledo Martín Jiménez, studied in Vercelli, where Thomas Gallus was abbot for much of his later life. Lucy Pick has recently uncovered his will, and I am very grateful to her for pointing out this important physical connection to me.

⁶³ It should be pointed out that Lawell has claimed that Thomas Gallus was entirely unique in using Pseudo-Dionysian ideas in a practical context – as the basis of his sermon on moral reform of the clergy. This has been dated to the 1240s however, so Maurice pre-dates him.

Ecclesiastical order

The theological framework for reform marks out the *Concordia* as unparalleled amongst the other constitutional and synodal texts in 13th-century Castile and León. However, what of the text's practical implications? The bulk of the *Concordia* consists of a highly detailed series of instructions to Burgos cathedral chapter. Were these original too? Or was Maurice influenced by the practices adopted by neighbouring cathedrals or by the recent ecclesiastical legislation that had proceeded from Rome in the aftermath of the Fourth Lateran Council? Normative texts such as constitutions and customaries were, in themselves, often highly symbolic documents, capable of aligning communities with particular ecclesiastical models or, alternatively, distinguishing them on the basis of even the most detailed and seemingly mundane choices of ecclesiastical practice.⁶⁴ Maurice provides us with very little by way of his intentions in the text itself, referring only to the precedent of 'ancient custom', but a comparative assessment of the *Concordia* within its immediate context suggests that Maurice's ideas were shaped in part by local context and necessity, but also by norms and customs from outside of Burgos.

It is extremely difficult to assess what was original about the *Concordia Mauriciana* and what Maurice recycled from elsewhere, on account of the scarcity of comparative texts, both within and beyond the Iberian Peninsula. Three cathedral constitutions pre-date Maurice's own in Castile and León: the constitution of León, dated to 1224, that of Astorga from 1228, and finally, the only Castilian comparison, a constitution from Toledo dated to 1229. However, all three are different to the *Concordia* in one important regard: they were all bestowed upon the cathedrals in question by papal representatives. The Spanish Cardinal Pelayo Gaitán wrote the constitution of León for the see's beleaguered bishop in 1224 and had it approved by Honorius III, whilst the texts from Astorga and Toledo were both written by none other than the papal legate, John of Abbeville. As we shall see, comparison with these three constitutions nonetheless reveals some important parallels with the *Concordia*.

It is clear that another key point of comparison for the *Concordia* will be the papal reform agenda, as set out in the Fourth Lateran Council of 1215, and represented in Castile by the same papal legate, John of Abbeville, Cardinal of Sabina, during his visit to the Peninsula in 1228. John had much to do with Maurice and Burgos during his trip. He visited the cathedral at least once, and wrote Maurice a letter after his departure, outlining the changes he wished to see in Burgos cathedral. He also held a general synod at Valladolid in 1228, at which Maurice was likely present. When compared to the various documents produced by the legate, it is clear that the *Concordia* owed not a little to his influence.

⁶⁴ Isabelle Cochelin, 'Customaries as Inspirational Sources', in C. Marino Malone and C. Maines, *Consuetudines et Regulae: Sources for Monastic Life in the Middle Ages and the Early Modern Period* (Turnhout: Brepols Publishers, 2014), 27–72.

In what follows, we shall explore the practical implications of the *Concordia Mauriciana* within Burgos cathedral. Though Maurice claimed he was reforming both ‘the sacraments and the office’, as we shall see, the order he goes on to set out is mainly concerned with the office, and particularly, the performance of the liturgy, as well as the lives and conduct of the canons of Burgos and the financial arrangements of the cathedral. We shall then try to trace the precedents for this text and possible influences over Maurice’s choice of norms, as far as the evidence permits. The various texts produced by the papal legate in the two years immediately preceding the composition of the *Concordia* will provide the closest point of comparison, but we will also consider the constitutions of León, Astorga, and Toledo, as well as the only two synods celebrated in Castile in these years, that of Segovia, held in 1216, and that of Calahorra, from 1240.⁶⁵ It is only when assessed within this immediate ecclesiastical and legislative context that the *Concordia*, and Maurice’s intentions in producing it, can start to be understood.

The order of the *Concordia*

The *Concordia Mauriciana* contains a detailed account of the ‘ordo’ that Maurice sought to impose. The cathedral was to be administered by three different groups of men: canons, that is, those of highest status and paid the most; *portionari maiori*, that is, prebendary priests and deacons that were not of full canonical status but were nonetheless resident and endowed with an income;⁶⁶ and *portionari elemosinaris*, or alms prebendaries, on the smallest incomes (although as we shall see, Maurice paid particular attention to these).⁶⁷ Maurice does not establish

⁶⁵ The synod held by the bishop of Segovia in 1216, deliberately modelled on the canons of the Fourth Lateran Council, and the synod of Calahorra, held in 1240, and based on the decrees of John of Abbeville. For the text of the Segovia synod, see Garcia y Garcia, *Synodicon Hispanium*, vol. VI, 246–58. For Calahorra, see *Synodicon*, vol. VIII, 9–18.

⁶⁶ See I. Sanz Sancho, *La iglesia de Córdoba (1236–1454): Una diócesis de la provincia eclesiástica de Toledo en la Baja Edad Media* (Madrid: Fundación Ramón Areces, 2006), 190–1. Sanz Sancho suggests that, in 13th-century Córdoba, *portionari* were supposed to ‘cooperate with the chapter of canons in the administration of the tasks entrusted to the latter and to contribute to the splendour of worship in the cathedral’. Richard Fletcher, commenting on the cathedral of León, suggests that *portionari* ‘look like minor canons’; Fletcher, *The Episcopate in the Kingdom of León in the Twelfth Century*, 147. The figure proscribed in the *Concordia* indicate that Burgos cathedral chapter was probably a similar size to that of the nearby cathedral of León, which supported some seventy-five clerics, although notably smaller than Toledo, where the chapter contained more than ninety members. For León, Quintana Prieto, ‘Constituciones capitulares’, 495–8. Indeed, in Toledo, measures were taken in 1229 to reduce to number of clerics to ninety; see CT, Doc. 428.

⁶⁷ CM: ‘minor, qui dicitur elemosinarius’, that is to say, ‘alms prebendaries’. Menéndez Pidal defined ‘elemosinaria’ simply as alms: Ramón Menéndez Pidal, *Léxico hispánico primitivo (siglos VII–XII)* (Madrid: Espasa Calpe, 2004), 212–13. However, Fort Cañellas defines ‘almonero/elemosinero’ as being the cleric charged with almsgiving; M. R. Fort Cañellas, *Léxico Romance en documentos medievales aragoneses s.XI–XII* (Zaragoza: Gobierno de Aragón, Departamento de Educación y Cultura, 1994), 156. An idea of their relative status can be obtained from legislation from Burgos in 1252, according to which canons should be paid 80 morabetinos a year, whilst *portionari* were to receive 40, and those in minor benefices 20. See Mansilla, *Iglesia Castellano-Leonesa*, 359–69.

a figure for either the number of canons or *portionari maiori*, but he does order that there should be twenty of the most minor prebendaries in the chapter.⁶⁸ The *Concordia* refers to those who were termed ‘*de loco*’, possessing prebends from Burgos itself, in apparent contrast with others who were present in the chapter but whose prebend was supported elsewhere in the diocese.

The positioning of the canons and other clergy in the choir was central to Maurice’s vision of rightful order. All canons, as well as all prebendary priests and deacons *de loco* were to sit in the upper choir.⁶⁹ Should there be too many men to fit in the upper choir, those with the smallest benefices should be first to relocate to the lower choir.⁷⁰ Hierarchies determined by status were crucial to this, and priests were above all to retain a place in the upper choir, on account of ‘the honour of the rank of priest.’⁷¹ Subdeacons, and all other holders of minor benefices, were to be seated in the lower choir. The positions established here were also to be preserved in all activities undertaken by the choir, not only when seated in the chapter, but also during processions, and ‘each one is to maintain his place as in the time it was received.’⁷²

At the top of this hierarchy, and closest to the bishop, were placed a small group of thirteen dignitaries, namely, the canons of highest rank and abbots of important monasteries around the diocese.⁷³ These are the only figures in the *Concordia* for whom individual places are specifically named. To Maurice’s right were to sit the dean, the cantor, the archdeacons of Valpuesta and Treviño, the sacristan of Burgos, the abbot of Foncea, and the abbot of Cervatos.⁷⁴ On his left were placed the archdeacon of Burgos, the archdeacons of Briviesca, Lara, and

⁶⁸ It is important to state this because Serrano mistranscribed a word as ‘trigenta’, and henceforth established the custom that there were traditionally thirty canons in Burgos. Whilst the number would be a reasonable one, there is no mention of any figure in the text.

⁶⁹ CM: ‘Omnes sacerdotes et diaconi portionarii qui dicuntur de loco’. On these ecclesiastical positions, see A. Agustí, ‘Ordnes Sagradas’, in Q. Aldea Vaquero, T. Marín Martínez, and J. Vives Gatell, eds, *Diccionario de Historia Eclesiástica de España*, 5 vols (Madrid, 1972–87), vol. 3, 1820–31. See also a very useful discussion of the various roles in the chapter of Córdoba cathedral at this time, in Sanz Sancho, *La iglesia de Córdoba*, 186–91.

⁷⁰ CM, see [Appendix V](#).

⁷¹ CM. Jennifer Harris has suggested that observing strict order in clerical ranks at Cluny ‘symbolised the sacred nature of the community itself’; see Jennifer A. Harris, ‘Building Heaven on Earth: Cluny as *locus sanctissimus* in the Eleventh Century’, in S. Boyton and I. Cochelin, eds, *From Dead of Night to End of Day: The Medieval Customs of Cluny* (Turnhout: Brepols, 2005), 131–51, at 148; and Isabelle Cochelin, ‘Études sur les hiérarchies monastiques: le prestige de l’ancieneté et son éclipse à Cluny au XIe siècle’, *Revue Mabillon*, 11 (2000), 5–37.

⁷² CM.

⁷³ See Garcia y Garcia, *Synodicon Hispanum*, vol. 7, 7, for more details on these collegiate-abbeyes. See also Francisco Javier Hernández, *Las rentas del rey: sociedad y fisco en el reino castellano del s.XIII* (Madrid: Fundación Ramón Areces, 1993), 61–119.

⁷⁴ The ‘cantor’ was an administrative as well as musical position, being in charge of the performance of the liturgy and central to the chapter’s proceedings, as is illustrated by his high rank in the choir (see Sanz Sancho, *La iglesia de Córdoba*, 188). Fort Cañellas describes the cantor as leading the responses, hymns, and all other songs, in choir and in processions, and claims that he would be obeyed by the rest of the chapter; *Léxico Romance*, 157.

Palenzuela, then the abbot of Salas de Bureba and the abbot of San Quirce. The bishop was thus positioned, quite literally, in the centre of not only his chapter but also his diocese, a physical manifestation of the role of the bishop as the spiritual and material lord of his diocese.

As we have seen already, Maurice had spent much of the first decade of his episcopate establishing his personal and episcopal power across the diocese, and his decision to seat next to him the abbots of the four monasteries of Cervatos, Salas, San Quirce, and Foncea had a strategic importance. There is no way of knowing whether these abbots held such a position in the chapter before 1230, but at least two of them seem to be newcomers to the power dynamics of the diocese, namely the abbots of Foncea and Salas, who only feature in the archives of the cathedral under Maurice's episcopacy. As we saw in [Chapter 3](#), Foncea had been entirely absent from the cathedral until Maurice's cultivation of the monastery and his appointment of his supporter and assistant, Hylario, as abbot from 1218. The abbot of Salas also appears in Burgalés documentation for the first time during Maurice's lifetime, and particularly often between 1228 and 1234, when the abbot, Gonzalo Petrez, was frequently on hand in Burgos, although it should be noted that he had been abbot from at least 1209.⁷⁵ Contrarily, there are no references to the abbots of Cervatos or San Quirce from the documents during or preceding Maurice's episcopate.

The *Concordia* also provides some detailed information about the specific roles and duties of some of these dignitaries. Most notable is the role of the cantor, whose importance within the chapter hierarchy is clear. Under Maurice, this post had been assigned to one Pedro Díaz, who had been appointed (undoubtedly by the bishop) by March 1216, and who died in the same year that the *Concordia* was composed, 1230.⁷⁶ The cantor had control over who was allowed into the choir, and, with his assistant, the succentor, was in charge of the performance of the office: 'no one is to oppose the cantor or the succentor in singing or psalming, indeed the whole choir is to follow him'.⁷⁷ It was also the cantor's job to collect any punitive fines from the canons and to distribute them to the poor. The succentor, on the other hand, was responsible for assigning names to a list of canons who were to have particular roles in the celebration of the office on feast days. An important point to note, however, is the existence of what appears to be a separate group of singers, the *cantores*, who led the choir on feast days, and wore silk cappas when they sang. Quite how these cantores interacted with the traditional choir-masters, the cantor and succentor, is unclear, but as we shall see in [Chapter 5](#), there

⁷⁵ It should also be noted that around the year 1222, the cathedral prior, Martín Andres, was briefly listed as abbot of Salas – but subsequently returned to being prior and Gonzalvo returned to the post of abbot. As abbot, Gonzalvo also played a significant role in the chapter in the years c. 1228–34.

⁷⁶ See [Chapter 5](#) for more on Pedro Díaz. The next mention of a cantor in Burgos cathedral, however, is not until 1243 (i.e., after Maurice's death).

⁷⁷ *CM*.

is evidence to suggest that Maurice introduced new, French-style polyphonic singing into Burgos, and if this was the case, a group of specialised, and quite possibly separate, singers would be likely candidates to perform this. The other senior canon to receive direct duties in the *Concordia* was the sacristan, who was not seated among the cathedral dignitaries, and who was to be responsible for supplying and training the altar boys.⁷⁸

The *Concordia* then moves on to a set of extremely precise regulations concerning clerical dress and appearance. All members of the chapter must wear the cappa (the cape worn as the outermost layer of the clerical habit) when in the choir, and it was to be well-fitted ('at least to the ankles').⁷⁹ Maurice also stipulates the colour and material of this garment.⁸⁰ Two different types of footwear are banned from the choir: galoshes and *patini*, shoes with metal or wooden soles.⁸¹ On feast days, the canons are to wear cappas of silk both in the office and during processions.⁸²

Shaving rules are also ordained for the canons whose turn it is to celebrate the mass. 'The priests, as well as the deacon and subdeacon, are to have shaved their beards and crowns at the start of their week and are to have proper tonsure.'⁸³ Maurice lists a number of ceremonies and festivals on which 'all of the canons and all other clergy ought to have shaved beards and crowns', which would have assured a shave perhaps once a month on average.⁸⁴ The punishment for failing to comply with this was the loss of the daily income.⁸⁵

As well as regulating canonical appearance, the *Concordia* also addressed clerical conduct within the chapter and, in particular, the question of absenteeism. All members of the chapter were to serve in their own persons (that is, they could not deputise their duties without a valid excuse), and failure to do so was to result in a fine: five solidi for priests, and three solidi for deacons and subdeacons. Likewise, they were to be deprived of their daily ration if they did not fulfil all duties incumbent on them. To ensure the correct fulfilment of duties on solemn feast days (when, presumably, they would have been most onerous), the succentor was instructed to draw up a list of singers and readers for each office, failure to adhere to which resulted once again in a loss of daily income.⁸⁶

⁷⁸ The sacristan in 1225, was Magister Aparicio, brother of Juan Peregrino. Yet by 1229, it is someone called Magister Domingo, and by 1233, it is Martín Besugo.

⁷⁹ On the cappa and other clerical vestments, see Miller, *Clothing the Clergy*, 248.

⁸⁰ *CM*. See note 140 below for details on the colour and type of cloth.

⁸¹ *CM*.

⁸² *CM*. These festivals are listed as: the birth of the Lord, the feast of the Purification, Easter, Pentecost, the Assumption, and All Saints.

⁸³ *CM*.

⁸⁴ These festivals are listed as: the first Sunday of Advent, the nativity of the Saviour, the Epiphany, the Purification, Ash Wednesday, the Passover of the Lord, the feast of the Ascension, the feast of Pentecost, the birth of St John the Baptist, the Assumption of the Holy Mary, the birth of the Holy Mary, the feast of St Michael, and the feast of All Saints.

⁸⁵ *CM*.

⁸⁶ *CM*.

Additionally, Maurice made substantial changes to the financial arrangements of the chapter, on the grounds that ‘participants in the work and service of the church rites ought to rejoice in the consolation of the things of this temporary world’. Most notable is the expansion of the income of the minor *portionari*, the twenty clerics holding the smallest benefices. Their daily portion is increased from two denarii to five, a dramatic rise in salary. This was to be funded partially by the chapter (which was to pay one additional denarius per day) and partially by the bishop himself, who grants his own income from the church of St Stephen, worth 115 maravedís *per annum*, to pay for an additional two denarii every day, bringing the total income attached to these positions to five denarii. He also assigned half of his episcopal income from the city (specifically, from customs duties and the courts) to the provision of funds to support these same clerics.⁸⁷ Maurice’s use of the singular first-person pronoun, ‘ego’, here clarifies the contribution specifically from his own income, in contrast to that from the chapter’s revenue. The monthly ration of wheat was increased too.⁸⁸ An important caveat to this expansion of these wages is Maurice’s statement that these benefices ‘shall not be given to scholars studying outside the city’, according to ‘ancient custom.’⁸⁹

Precedents and models: the context of Lateran reform

A text of such detail and precision, albeit a normative one, permits a quite unprecedented glimpse into the ecclesiastical world of Maurice and the heavenly order that he devised for his cathedral. It also begs the question of originality: where did these ideas and norms come from? Anne Duggan has recently commented that most 13th-century constitutional texts provided ‘a *mélange* of recent ecclesiastical legislation’; however, identifying the sources that lay behind the *Concordia* presents a significant challenge.⁹⁰ Maurice provides little clue as to what influenced him, beyond references to ‘ancient custom’, and as there is no extant legislation from Burgos cathedral that pre-dates the *Concordia*, it is extremely difficult to assess the influence of local tradition and practices internal to the cathedral.

⁸⁷ For more on trade in and around Burgos city walls, see Teófilo Ruiz, ‘The Economic Structure of the Area of Burgos, 1200–1350’, in Ruiz, *The City and the Realm*, 1–12.

⁸⁸ From one ‘almud’ and a third, to one and a half; *CM*. ‘Tritico’ translates as wheat, from *triticum sativum* (see Fort Cañellas, *Léxico Romance*, 60). There is some uncertainty about what precisely constitutes an *almud*. Alonso, *Diccionario Medieval Español*, vol. 1, 257, claims that ‘almud’ comes from Arabic *al-mudd*, a 12th- to 15th-century term for the measure of grains and cereals. This should be compared with Fort Cañellas’s suggestion that it could be an arabisation of the Latin *modius* (Fort Cañellas, *Léxico Romance*, 60). On the ‘tercia’ more generally, see Linehan, *Spanish Church and the Papacy*, 111–12.

⁸⁹ *CM*.

⁹⁰ Duggan, ‘Conciliar Law 1123–1215’, 355. Serrano simply suggested that the *Concordia* was likely to represent ‘contemporary norms’.

As G. R. Galbraith pointed out in the 1925, ‘startling innovations are not as a rule introduced in already established bodies’, and it is to be expected that many aspects of the *Concordia* were a legislative representation of pre-existing practices rather than liturgical innovations on the part of Maurice.⁹¹ Nonetheless, a close textual analysis reveals some far more recent influences over the text, and by reading the *Concordia* critically and comparatively, we can achieve a much clearer idea of how it related to its immediate context, both within and beyond the kingdom of Castile. Although Maurice makes no reference to it, the ecclesiastical precedent of the most importance by far was the Fourth Lateran Council of 1215, or more precisely, the articulation of the same in Spain by the papal legate, John of Abbeville, who was in Burgos just two years before Maurice wrote the *Concordia*. It is to this subject that we shall now turn.

Maurice was present at the Lateran Council of 1215, one of around four hundred bishops and eight hundred abbots and priors from across the Latin world to travel to Rome at the summons of Pope Innocent III for one of the largest and most influential papal councils of the Middle Ages.⁹² The Council marked the pinnacle of Innocent’s ambitions as reformer as well as the culmination of centuries of legislative and legal evolution within the Latin Church.⁹³ Not only was Maurice there, but as we saw in [Chapter 3](#), he travelled to Rome early, in order to pursue his case against Melendo of Osma at the papal curia. He was one of a strong showing of bishops from the Iberian Peninsula: a total of twenty-seven attended, of the forty-two existing dioceses, a rate of attendance from the Peninsula that was far higher than at any other papal council.⁹⁴ Moreover, each bishop was accompanied by an entourage of canonical assistants (although those who travelled with the bishop of Burgos are not recorded), and so the number of clerics from the Iberian Peninsula who had had a direct experience of the Council was very high. Among Maurice’s immediate peers from Castile were the bishops of Toledo, Ávila, Cuenca, Osma, and Segovia, and it is quite likely that the bishops of Palencia and Plasencia were also present, or at least represented.⁹⁵

⁹¹ G. R. Galbraith, *The Constitutions of the Dominican Order, 1216 to 1360* (Manchester: Manchester University Press, 1925), 8. On the relationship between written legislation and custom, see Gert Melville, ‘Action, Text and Validity: On Re-examining Cluny’s *Consuetudines* and Statutes’, in S. Boyton and I. Cocheli, eds, *From Dead of Night to End of Day: The Medieval Customs of Cluny* (Brepols: Turnhout, 2005), 67–83.

⁹² On Maurice’s presence at the Council, see Garcia y Garcia, ‘El concilio IV Lateranense (1215) y la Península Ibérica’, 358. Also S. Kuttner and A. Garcia y Garcia, ‘A New Eyewitness Account of the Fourth Lateran Council’, *Traditio*, 20 (1964), 115–78, at 136–8; and Duggan, ‘Conciliar Law’, 341.

⁹³ Duggan, ‘Conciliar Law’, 341–2. The pope’s aims, in his own well-known words, were ‘to extirpate vices and plant virtues, correct abuses and reform morals, suppress heresies and strengthen faith, pacify discords and strengthen peace, repress oppression and support liberty, to induce Christian princes and peoples to support the Holy Land with the financial aid of clerks and laymen, and many other questions’. There is a huge literature on the Fourth Lateran Council; for a useful summary see Jeffrey Wayno, ‘Rethinking the Fourth Lateran Council of 1215’, *Speculum*, 93:3 (2018), 611–37.

⁹⁴ Garcia, ‘Legislación de los concilios y sínodos’, 97.

⁹⁵ Garcia y Garcia, ‘El concilio IV Lateranense (1215)’.

Despite this, however, the Council appears to have had little immediate impact in the Christian kingdoms of Iberia. As Peter Linehan has comprehensively demonstrated, when Honorius III despatched a papal legate to the Peninsula in 1228 with the aim of enforcing the canons of 1215, that legate arrived to find scant traces of compliance.⁹⁶ Only one Castilian bishop, the Italian Giraldo of Segovia, had attempted to bring the papal reforms into his diocese, holding a synod in 1216 the text of which was largely, and self-consciously, based on the canons of the Council.⁹⁷ However, the clergy of Segovia revolted, Giraldo was retired to Rome on the grounds of insanity, and Archbishop Rodrigo nullified his synodal decrees in 1220.⁹⁸ There is no evidence of any similar attempts by other Castilian prelates, and no manuscripts pertaining to the Council have been found in Castilian archives. Notwithstanding this, some echoes of Lateran legislation can be uncovered in Maurice's own career: indeed, as we saw in [Chapter 3](#), Maurice himself was clearly aware of the recent legislation concerning the judicial process of *inquisitio*, reflecting canon eight of the Council. Similarly, at some point before 1217, he had complained to Pope Honorius III that the Jews of Burgos were not abiding by stipulations of the Council to dress distinctively and to pay the tithe (both in reference to canon sixty-eight).⁹⁹ Nevertheless, if the bishops of Castile had an awareness of the papal agenda, they widely chose not to act on it.

The papal legate, the Frenchman John of Abbeville, Cardinal of Sabina, was aware of what Linehan once famously described as 'the torpid contentment of the Spanish Church'.¹⁰⁰ He arrived sometime in May or early June of 1228, and spent the following months on a whirlwind tour of the Peninsula; Linehan, who has traced his progress, estimates that he must have travelled an average of thirteen miles a day on a journey that covered all of Christian Spain, and the *Chronica Latina* describes him as 'running' through the kingdom.¹⁰¹ John of Abbeville's

⁹⁶ Linehan, 'Councils and Synods'; Linehan, *Spanish Church and the Papacy*, 4–19; J. F. O'Callaghan, 'Innocent III and the Kingdoms of Castile and Leon', in John C. Moore, ed., *Pope Innocent III and His World* (Aldershot: Ashgate, 1999), 317–35. See also Mansilla, *La Iglesia Castellano-Leonesa*.

⁹⁷ Antonio García y García, 'Primeros reflejos del Concilio 4 Lateranense en Castilla', in García y García, *Iglesia, Sociedad y Derecho*, vol. 2, 209–35. Giraldo referred openly to the 'statutum pape' ('servetur constitutio domini pape'). See also José Sánchez Herrero, 'Los concilios provinciales y los sínodos diocesanos españoles 1215–1550', *Quaderni Catanesi*, 3 (1981), 113–77; and 4 (1982), 111–97.

⁹⁸ For the decrees and more details, see Garcia, *Synodicon VI*, 247–58; and for details on Giraldo, see also Garcia, 'El Concilio IV Laterense', 364–71; Linehan, *Spanish Church and the Papacy*, 20–6, and Linehan, 'Councils and Synods', 101.

⁹⁹ As reported by Honorius III in a letter to Bishop Tello of Palencia in 1217. Maurice's original complaint does not survive. See *Honorio*, Doc. 26: 'iudei commorantes in diocesi et civitate Burgensi nec se a christianis per habitus qualitatem distinguere nec pro decimis et oblationibus supradictis satisfactionem curant ecclesiis exhibere, sicut venerabilis fratris nostril Burgensis episcopi oblata nobis petitio patefecit.'

¹⁰⁰ Linehan, *Spanish Church and the Papacy*, 20.

¹⁰¹ Peter Linehan, 'A Papal Legation and Its Aftermath. Cardinal John of Abbeville in Spain and Portugal, 1228–1229', in Linehan, *Historical Memory and Clerical Activity in Medieval Spain and Portugal* (Farnham: Ashgate Publishing, 2012), Part I; and Linehan, *Spanish Church and the Papacy*, 20–6. Abbeville's visit is recorded in Rodrigo's *De Rebus Hispanie*, IX.7: 'in comitatu Pontivi, Sabinensis episcopus cardinalis, vir bonus, sapiens, litteratus, qui celebratis in singulis regnis conciliis.'

visit brought the Lateran agenda into the backyards of the bishops of the Iberian Peninsula.¹⁰² He imposed a new bishop in the diocese of Ávila, wrote a constitution for the cathedral of Astorga in León, and, doubling back into Castile in 1229, composed a constitution for none other than the cathedral of Toledo.¹⁰³ Most importantly, however, John of Abbeville also summoned all clergy to attend a general synod, which, for the clergy of Castile, was held at Valladolid in 1228.¹⁰⁴ The acts of this council, preserved solely through a 15th-century translation into Romance held in the archives of the cathedral of León, provide an insight into John's mission; to enforce the decrees of the Fourth Lateran Council and to punish those who acted against it.¹⁰⁵ These acts illustrate a strict interpretation of the Lateran agenda, and the legate's particular concerns were the morality of the clergy, clerical concubines, the subdivision of benefices (pluralism), absentee clerics, and the education of the clergy.¹⁰⁶ The acts also frankly recognise the lack of enthusiasm for the 1215 Council and require two synods a year to be held after the legate's departure, an instruction that appears to have been widely ignored by the churches he came to reform. He was, in the words of Antonio García y García, 'more like an aseptic academic than like an expert ecclesiastical leader.'¹⁰⁷

Maurice undoubtedly came into direct contact with the legate on a number of occasions. It is extremely likely that he was at the council at Valladolid, although the archival documentation for Burgos is particularly sparse for 1228,

¹⁰² García, 'Legislación de los concilios', 101. On the movements of Abbeville in Castile, as reconstructed by Peter Linehan, 'A Papal Legation', Appendix I, 249–51: Calahorra, Burgos, San Pedro de Cardena (dioc. Burgos) (8 June 1228), Segovia (16 July 1228), Avila, Cardena (8 August 1228) [unknown venue], Valladolid, Carrión de los Condes (dioc. Palencia) (20 August), and then into León. Return to Castile: Talamanca (dioc. Toledo) (20 February 1229); then Toledo, Ocana (dioc. Toledo) (3 June 1229), Sotos (dioc. Cuenca) (14 June 1229), San Lorenzo de la Parrilla (dioc. Cuenca) (22 June 1229), Sigüenza (17 July 1229), into León (6 August), Lerma (dioc. Burgos) (17 August 1229), and then into Aragon. Return to Rome after 26 September 1229.

¹⁰³ For Astorga, see Quintana Prieto, 'Constituciones capitulares', Doc. 2, 498–500. For Toledo: *CT*, Doc. 428.

¹⁰⁴ The others were Lérida (March 1229) and Salamanca (1229). There is a Latin text for the Lérida synod; see Linehan, 'A Papal Legation', and Linehan, *Spanish Church and the Papacy*, 28. For a modern edition of the canons of the synod at Valladolid, see Antonio García y García, 'Legislación de los concilios y sínodos del Reino Leonés', in *El reino de León en la alta edad media, II: Ordenamiento jurídico del reino* (Leon: Centro de Estudios e Investigación San Isidoro, 1992), 105–14.

¹⁰⁵ See the Constitutions of Valladolid (1228), in García y García, 'Legislación de los concilios', 216–17. Linehan argues that these constitutions may be incomplete, and also raises the likelihood of two other councils, one at Salamanca and one at Lérida, which may have had a marked affinity with that of Valladolid; see Linehan, *Spanish Church and the Papacy*, 28; and Duggan, 'Conciliar Law', 361–2. Although closely based on the constitutions of Lateran IV, there are several occasions on which John revealed a more disciplinarian approach, notably in his punishments for clergy with concubines, who were faced with excommunication, loss of benefice, suspension from saying mass, and the burial of their consorts 'en la sepultura de las bestias'.

¹⁰⁶ See Duggan, who has demonstrated the close dependence of the Acts from the Lérida council in 1229 on Lateran IV; Duggan, 'Conciliar Law', 361.

¹⁰⁷ García y García, 'El Concilio IV Lateranense', 365; and Linehan, 'A Papal Legation', 237. J. F. O'Callaghan has suggested that conflict arose amongst the clergy as a result of the visit; see *The Latin Chronicle of the Kings of Castile*, 108–9.

making Maurice's movements difficult to trace. Perhaps more importantly, John of Abbeville also visited Burgos, at least once and possibly twice, between May and June of 1228, that is, very early on in his legation.¹⁰⁸ In a letter to Maurice, written from his next port of call, the abbey of San Pedro de Cardeña, on 8 June 1228, the legate praised the 'many good and praiseworthy things' he had found at the cathedral, commenting that Burgos was 'distinguished in its good standing, special daughter of the Roman Church, and should be a model and example of total integrity for the other churches of the kingdom of Castile'.¹⁰⁹ John was also quick to point out that his warm words did not excuse the canons from absenteeism, which, the legate estimated, was prevalent in Burgos, as all over Castile.

The *Concordia Mauriciana* was written no more than a year after John's departure, and contains clear traces of the legate's influence. One of John's foremost concerns was the issue of absenteeism, and the need to link the daily payment of the 'ration' with daily attendance at the office. As we have seen, he issued legislation concerning the matter in Valladolid in 1228. The constitutions he issued for both Toledo and Astorga also take a hard line on this, commanding fines and deprivation of the ration for all clerics who did not attend the office, or who were late, or who could be counted 'absent' on any other grounds. Peter Linehan has demonstrated that John of Abbeville pressed this point home in the Catalan diocese of Vic too, where, in the immediate aftermath of the legate's visit, the clerics issued a detailed list of questions to their local archbishop about what precisely constituted a permissible absence, and under what circumstances the ration would still be paid.¹¹⁰ John's letter to Maurice made clear his displeasure that the Buralés canons were receiving payment for non-attendance. There were canons in Burgos, the legate informed Maurice, who, despite living 'healthy and unharmed in the city', did not enter the cathedral day or night to celebrate any of the offices, and yet were permitted to receive the daily distributions granted by the chapter for anniversaries and memorials. Nor did they ever attend vigils or masses for the dead. As a consequence, the legate ordered that

no canon or beneficiary living healthy and unharmed in the city [of Burgos] should receive the daily portion unless he has personally been to matins and has undertaken to be present at least at the main mass of the day or vespers. Also regarding the distributions which are made on the anniversaries or memorials of the dead, no

¹⁰⁸ Linehan, 'A Papal Legation', 249–50.

¹⁰⁹ ACB v. 73, f. 30: 'Precipue cum ecclesia vestra per Dei gratiam bonis insignita personis, et ecclesie Romane specialis filia, ceteris ecclesiis regni Castella esse totius honestatis formam debeat et exemplum'. An edition of this of published in Serrano, *Don Mauricio*, Appendix X, 140–1. It is notable that Burgos – and not the metropolitan see of Toledo – is being singled out as the 'model' for Castile by the legate.

¹¹⁰ The archbishop of Tarragona replied, informing them that absence due to tiredness was not legitimate, but that they could self-certify as being too ill to attend, and were to be believed unless later spotted on horseback by their fellow canons; Linehan, 'A Papal Legation', 244.

one should receive a portion unless they were present at either the vigil or the mass for the dead.¹¹¹

In addition to financial punishment, the legate instructed Maurice that the cathedral cantor should write a list every week of the names of those reading in the mass, and also, on feast days, those who were due to read or sing in matins as well as the mass.¹¹²

And Maurice did take heed of the legate's order. As we have seen, absenteeism features prominently in the *Concordia*, and attendance is made a requisite for the daily payment of the portion. All canons and *portionari* are to serve at the altar in person 'unless they have a proper excuse' (although Maurice makes no reference as to what might constitute such an excuse), and 'if anyone should go against this, he will be punished a previously determined penalty; that is to say, punishment for priests is five *solidi*, punishment for both deacons and subdeacons is three *solidi*'. Even more strikingly, the *Concordia* reiterates Abbeville's instruction that a list should be drawn up within the chapter. There are some slight variations: the succentor (rather than the cantor) was responsible, and the list was only to be deployed for ceremonies on the solemn feast days, and not every week as the legate had demanded. Nonetheless, the parallels between the legate's letter and the text of the *Concordia* are clear:

By the vigil immediately preceding any of the solemn feasts listed, the succentor should write in a list the names of those who ought to sing or read at the first vespers and at matins and the mass and at the second vespers; and the list should be read out in the chapter at the same vigil, and afterwards should be placed in a suitable place and should remain there until after the great mass has been sung. And the penalty for those not singing or reading as has been written, either in person or by another, if he should have offered a reasonable excuse, should be the loss of the whole portion of his provisions.¹¹³

Significantly, these instructions also appear in John of Abbeville's constitutions for Astorga, written in September 1228, just a few months after he had been in Burgos.¹¹⁴ There, the legate stipulated that 'the cantor should make a list every day,' and failure to comply was to result in the deprivation of the portion for the day.¹¹⁵

¹¹¹ Serrano, *Don Mauricio*, Appendix X, 140–1: 'Statuimus ut nullus canonicus aut beneficiatus existens in civitate sanus et incolumis, cothidianas porciones percipiat nisi matutinis personaliter interfuerit et saltem in die ad maiorem missam vel verperas curaverit interesse. In distributionibus quoque que fiunt in aniversariis vel memoriis defunctorum, nisi vel vigiliis vel misse pro defunctis interfuerint nullam percipiant porcionem.'

¹¹² Serrano, *Don Mauricio*, Appendix X, 140–1: 'Quare duximus statuendum ut in ecclesia vestra a cantore in matricula de cetero scribantur eorum nomina qui de missa et de evangelio et epistola facere debent ebdomadam; necnon et illorum qui in festis novem lectionum in matutinis lectiones vel responsoria et in missis graduale vel tractum vel alleluia cantaturi sunt vel lecturi.'

¹¹³ *CM*.

¹¹⁴ Quintana Prieto, 'Constituciones capitulares', 499.

¹¹⁵ Quintana Prieto, 'Constituciones capitulares', 499.

Equally, the punishment for non-attendance was a fine of five *solidi* paid to the cantor.¹¹⁶

Maurice's instructions regarding confession also appear to be a reference to the Lateran reform agenda, as distilled by John of Abbeville. The Fourth Lateran Council was the culmination of a movement towards the greater prominence of lay confession on a regular basis. Canons twenty-one and ten contained the order for the laity to attend confession once a year, and the appointment of suitable clerics to hear lay confessions.¹¹⁷ John of Abbeville reflected this when he ordered that 'clergy in the mass should exhort the people to confess, upholding the constitution of the General Council'.¹¹⁸ The legate specified that in cathedrals, two clerics should be designated 'to hear confessions generally', that is, the confessions of the laity.¹¹⁹ And this is reflected in the *Concordia Mauriciana* too. Despite being a document almost entirely dedicated to the internal affairs of the chapter, there is just one reference to pastoral care for the laity, and that lies in Maurice's command that a deacon and subdeacon should assist a priest in hearing confessions during the main mass, the time when the laity are most likely to have been in the cathedral. Maurice orders that the deacon and subdeacon should 'go out of the vestry together with the priest', and after the mass, 'return with him to the vestry', indicating that these confessions were heard outside the chapter, and thus outside the canonical community.¹²⁰ Importantly, this team of confessors were to be shaved and to have their tonsures tidied in preparation for their task, which seems to have been allotted on a weekly basis, part of Maurice's broader effort to ensure that clergy were clearly distinguishable from their lay congregants, an issue that was most important at moments of direct interaction such as confession.

¹¹⁶ Quintana Prieto, 'Constitutiones capitulares', 499. There are other similarities between the *Concordia* and the constitution for Astorga written by John of Abbeville. Both texts follow a very similar structure, and the arrangements that the legate sought to impose in Astorga bear some notable similarities to those envisioned by Maurice. Priests, deacons and canons who were *portionarii* should sit in the 'superior' part of the choir, whilst subdeacons were relegated to the 'secundus gradus'. The legate also orders that each should retain his place in the order according to the time of his reception of it: 'et in utroque gradu post personas secundum ordinem suum et tempus receptionis sue unusquisque de cetero obtineat locum'; Quintana Prieto, 'Constitutiones capitulares', 499. Compare *CM*: 'et unusquisque defendat locum secundum tempus receptionis sue'.

¹¹⁷ As Murray has pointed out, this was not the first time that the Church had promoted lay confession, but the Lateran canons made the practice central to pastoral care; see Alexander Murray, *Conscience and Authority in the Medieval Church* (Oxford: Oxford University Press, 2015), 17–48. On confession and the Lateran Council, see William Campbell, *The Landscape of Pastoral Care in 13th-Century England* (Cambridge: Cambridge University Press, 2017), 140–67; Alexander Murray, 'Confession Before 1215', *Transactions of the Royal Historical Society*, 6.3 (1993), 51–81; also Rob Meens, 'The Frequency and Nature of Early Medieval Penance', in Peter Biller and A. J. Minnis, eds, *Handling Sin: Confession in the Middle Ages* (Rochester: York Medieval Press, 1998), 35–61.

¹¹⁸ Canon VII; Garcia, 'Legislación de los concilios', 109.

¹¹⁹ Canon II; Garcia, 'Legislación de los concilios', 106.

¹²⁰ See Appendix V.

Maurice's instructions concerning clerical dress and appearance also appear to be inspired by the papal reform agenda. As Cordelia Warr has pointed out, 1215 was the first time a papal council had included specific, detailed dress requirements, an effort not only to reflect a clerical vocation through humble attire, but perhaps more importantly, to distinguish the clergy from the laity and also to allow a distinction to be drawn between the growing number of clerical, monastic, and, by the early 13th century, mendicant orders.¹²¹ Canon sixteen of the Council decreed that all clergy were to be clearly distinguished from the rest of society by maintaining a 'becoming crown and tonsure'. They were also to wear garments that were well-fitted ('neither too short nor too long'), and were to shun red or green cloth and long sleeves, as well as decorated shoes ('with embroidery or pointed toes'), 'or anything else indicative of superfluity', such as buckles or jewellery.¹²² These instructions were echoed in John of Abbeville's decrees made in Valladolid in 1228, where he forbade superfluity in garments, and commanded that clergy should have appropriate tonsure ('neither very large nor very small'), clothes that were well-fitting ('neither very long nor very short'), and should avoid red or green vestments and shoes made 'with cords' or 'beak-like' (seemingly embroidered or pointed shoes, in line with canon sixteen). The legate also seems to have been concerned with the need to distinguish the Jewish population of Castile from the clergy, accusing Jews of wearing 'cappas cerradas like the clergy wear', something that Maurice had shown himself to be concerned about in 1217, as we have seen.¹²³

Maurice's instructions concerning dress and appearance in the *Concordia* are the most detailed such commands amongst the peninsular constitutions by some way, and they echo some of this language. Both the cappa and the tunic 'must fit appropriately and respectably', 'at least to the ankles'. The *Concordia* also commands 'respectable footwear' amongst all members of the chapter, although the canons of Burgos seem to have been rather inclined towards practicality than luxury, since it is shoes with iron or wooden soles that are prohibited. As we have seen regarding confession, proper tonsure was also a concern, especially when the

¹²¹ Cordelia Warr, 'De indumentis: The Importance of Religious Dress During the Papacy of Innocent III', in *Urbs et Orbis*, 489–502; and Warr, 'Religious Habits and Visual Propaganda: The Vision of Blessed Reginald of Orléans', *Journal of Medieval History*, 28 (2002) 43–72. See also Miller, *Clothing the Clergy*, 189–91, who points out that tonsure and a 'long, dark, closed cloak' were key distinguishing features between laity and clergy.

¹²² Tanner, *Decrees of the Ecumenical Councils*, vol. 1, 243. The Council also called for bishops to wear garments of linen when in public, and for all clergy to keep their mantles closed in public. It should be noted that red and green cloth was not only a marker of luxury but of hierarchy and status, being worn by popes; see Miller, *Clothing the Clergy*, 187–94, who points out that legislation regulating clerical vestments could 'reinforce and clarify hierarchies within the clergy, and ... make claims for the elevated status of the entire clerical estate'.

¹²³ Valladolid, Canon IX; Garcia, 'Legislación de los Concilios', 110.

clergy of Burgos were to interact with the laity.¹²⁴ Maurice specifies the shaving of beards and tonsure on a number of major festivals, occasions on which the canons would have been processing through the cathedral and indeed the city, and so would have been visible to wider society. The *Concordia* is unique in the attention paid to the clerical tonsure; the only other comparable reference to this is found in the doomed synod of Bishop Giraldo of Segovia, a cleric who declared himself to be implementing the Lateran canons and whose very first decree simply ordered that all canons must be tonsured.¹²⁵

When determining the specifics of clerical dress in Burgos, however, Maurice did not follow the papal model to the letter. He ordered that all clergy in the choir must wear ‘a dark brown cappa,’ made either of sackcloth (*sayo*), or of wool dyed in oak apples, cloth marked out as low quality and associated with rustics and labourers in later medieval Castilian culture.¹²⁶ Maurice was thus complying with the broader sense that clerical garments should be both humble and distinctive. By contrast, both Bishop Giraldo of Segovia, in his synod of 1216, and Bishop Aznar of Calahorra, in 1240, reproduced Innocent III’s ban on red, green, and striped cloth, and both referred explicitly to the Lateran Council (and, in Calahorra, to the legatine visit) as their model.¹²⁷ Maurice’s choice of cloth, like so many other aspects of the *Concordia*, is most likely to make sense only in the context of the ‘ancient customs’ of medieval Burgos – or indeed, Castile more widely – practised in the years prior to 1230, of which we have no trace.

In an important article, Jeffrey Wayno has pointed out that the choices of individual bishops across the Latin West – and their very ability to pick and choose – meant that the future of the Fourth Lateran Council was entirely in their hands.¹²⁸ It is thus only through detailed studies of local constitutions and synods within churches and cathedrals across the 13th century that the impact of Innocent III’s ideas can be gauged. The *Concordia Mauriciana* reveals that Maurice, whilst undoubtedly acquainted with the papal agenda, was highly selective in implementing aspects of it in Burgos. Indeed, it should be pointed out that, whilst on the questions of absenteeism, confession, and, to some extent, clerical appearance, Maurice followed the guidelines of the papal legate, these represent just a fraction of the reforms that John of Abbeville had sought to implement in Castile. Pluralism, cathedral education, concubines, the morality and conduct of the clergy, and, most importantly of all, the spiritual instruction of the laity

¹²⁴ For more on hair symbolism, see Ian Wood, ‘Hair and Beards in the Early Medieval West’, *Al-Masāq*, 30:1 (2018), 107–16; Robert Bartlett, ‘Symbolic Meanings of Hair in the Middle Ages’, *Transactions of the Royal Historical Society*, 4 (1994), 43–60; Louis Trichet, *La Tonsure* (Paris: Cerf, 1990).

¹²⁵ García, *Synodicon*, Vol VI, 233. Canon 1.

¹²⁶ See [Appendix V](#), notes 9, 10, and 11. *Sayo* from *sayal*: coarse cloth, sackcloth, used to distinguish peasants and labourers by the Spanish Golden Age. See Charlotte Stern, ‘*Sayago* and *Sayagués* in Spanish History and Literature’, *Hispanic Review*, 29:3 (1961), 217–37, at 225, note 21.

¹²⁷ For Segovia, see García, *Synodicon* VI, 231 (Canons 2 and 3). For Calahorra, see García, *Synodicon* VIII, 14.

¹²⁸ Wayno, ‘Rethinking the Fourth Lateran Council’, 611–37.

were central to the legate's decrees at the Council of Valladolid, and the canons of 1215 – yet none of these is mentioned in the *Concordia*.

The *Concordia* in fact contradicts John of Abbeville's decrees on the issue of clerical education. The 1228 acts of Valladolid called for the suitable education for the clergy: all should read and speak in Latin and further study was to be encouraged. The legate chose the *studium* of Palencia as the optimal place for those who wished to become masters of arts or theology, and ordered that any cleric from across Castile who wished to study in Palencia should be provided with a financial incentive to do so: 'those who wish to become masters there and read any of the sciences, and all those who wish to hear theology there, should surely and fully receive their benefices for five years.'¹²⁹ The school of Palencia, a royal foundation that had been renowned as a centre for the study of theology and the arts (including natural philosophy) under the direction of Bishop Tello, had also benefitted from papal patronage and protection too, in 1220, 1221, and 1225.¹³⁰ However, the *Concordia* does not seem to recognise its special status, and with reference to the scholars from Burgos cathedral, Maurice decreed that they should not receive prebendary payments from the cathedral if they studied anywhere outside Burgos itself – an indication, perhaps, that he was keen not to lose the more promising of his canons to his colleague Tello.¹³¹

In the *Concordia*, we witness Maurice making choices over how to run his cathedral. Though he makes no reference to the General Council or to the visit of the papal legate, their influence can be clearly, if subtly, felt. Or, to put it another way, whilst it is difficult to be sure about the variety of influences that shaped Maurice's constitution for his cathedral, it is clear that some of the canons of the Lateran Council, distilled by the papal legate in 1228, were knitted in amongst other, less easily identifiable influences. What these other models might have been for the *Concordia* is extremely hard to ascertain in the absence of comparative legislation from Castile, but it is clear that the long-standing practices in Burgos must also have played a large part.

Voices of authority in the *Concordia*

Wherever the ideas behind the *Concordia* may have come from, the text itself makes very clear where the impetus to reorder the cathedral originated: with the bishop himself. He describes the process of consulting his chapter:

¹²⁹ Garcia, 'Legislación de los concilios', 107. For the link between Valladolid and the *studium* at Palencia, see Simon Barton, 'The Count, the Bishop and the Abbot: Armengol VI of Urgel and the Abbey of Valladolid', *The English Historical Review*, 111: 440 (1996), 88.

¹³⁰ See Abajo Martín, *Documentación de la catedral de Palencia*, 282–5. On the *studium*, see Rucquoi, 'La double vie de l'université de Palencia 1180–1250', 723–48; and Peter Linehan, *Spain 1157–1300: A Partible Inheritance* (Oxford: Blackwell, 2008), 46–52.

¹³¹ *CM*.

Considering these things, I, Maurice, wishing to restore to definite order certain things in our church that seemed to be less orderly ... proceeded in this way. First, I, the bishop, and our most senior clergy, in lengthy consultation, diligently discussed that which was to be ordained, and that which was to be established in certainty. After this, the words were written down and presented to the whole chapter.¹³²

And his conclusions were supported by the authority of antiquity, 'in accordance with the ancient customs of the church', as he stated on three occasions.¹³³

The rhetoric with which Maurice couches his constitutions is more notable once it is compared to that of the other constitutions of these years. The *Concordia* was surprisingly unique in being written by the bishop of the cathedral himself. Bishop Rodrigo of León had been forced to accept the constitution bestowed upon that cathedral in 1224 by Cardinal Pelayo Gaitán, having clashed with Honorius III the year before.¹³⁴ He was also suspended from collecting benefices for two years and was accused of being 'negligent, tepid and remiss' by the pontiff. Similarly, in Astorga in 1228, John of Abbeville wrote of 'correcting and reforming' the church when he issued his constitution there.¹³⁵ Closer to home, the legate's constitution for Toledo cathedral, the metropolitan see, in 1229 was perhaps even more noteworthy. The legate addressed his text to 'my dear sons the dean and chapter of Toledo', and Archbishop Rodrigo is mentioned only once, at the end of the text.¹³⁶ Instead, the constitution confirms some legislation issued by Archbishop Martín, Rodrigo's predecessor. The legate chides the canons of Toledo for acting 'against the statute of Martín of good memory, once archbishop of Toledo' in allowing an extravagant number of canons and declares his desire to rectify the situation by issuing his own laws for the cathedral, 'by our authority as legate'. It was a visit full of corrections for Toledo, and it is surprising that Rodrigo himself is only referred to at the close, as being the figure 'who now presides' and who will enforce the legislation of the legate.

Another point of local comparison is the cathedral of Palencia. Bishop Tello had written to Honorius III twice to request permission to make changes to his

¹³² *CM*.

¹³³ See *CM*, Appendix V. Of course, reference to ancient custom was also a good defence against any hint of *novitas*. The diocese had only been in Burgos since 1075, so 'ancient' is something of an exaggeration.

¹³⁴ See Linehan, *Spanish Church and Papacy*, 290–2. Also see Maria João Branco, 'Portuguese Ecclesiastics and Portuguese Affairs near the Spanish Cardinals in the Roman Curia (1213–1254)', in A. Jorge, H. Vilar, and M. Branco, *Carreiras eclesiásticas no ocidente cristão: séc. XII–XIV / Ecclesiastical careers in Western Christianity: 12th–14th C.* (Lisbon: Universidade Católica Portuguesa, 2007), 79–102, at 96.

¹³⁵ See Quintana Prieto, 'Constituciones capitulares', 498.

¹³⁶ *CT*, Doc. 428.

chapter, as responses from the pope in 1223 and 1225 make clear.¹³⁷ Honorius acknowledges that Tello had ‘suppllicated humbly’ in order that ‘by our permission you may be able to order the same church [of Palencia]’, permission that Honorius granted.¹³⁸

In this context, the rhetoric of episcopal authority in the *Concordia Mauriciana* stands out. There is no mention of any external influence over the text, not even when such an influence is in evidence, as we saw above. And indeed, a text of this nature had a value that was as much symbolic as it was practical. The drawing up of such legislation was ‘l’œuvre capitale d’un évêque’.¹³⁹ It was what bishops were supposed to do, and a uniquely episcopal responsibility, that is, when they had the authority to do so – and evidently, not all those in Maurice’s immediate surroundings did. We have seen in [Chapter 3](#) how Maurice fought to retain the power and independence of the bishopric of Burgos, and this independence of ecclesiastical power is on display in the *Concordia* too. As the opening lines of the *Concordia* point out, it is the wise man who knows the value of order, in the ‘sensible world’ as much as in the heavens. This sensible world was the world of Burgos cathedral, its canons, customs, and all the other details we have discussed above. Maurice was indisputably the ‘wise man’ at the centre of this, establishing divine order where ‘doubtfulness’ had crept in.

We are afforded a further insight into Maurice’s understanding of his own episcopal role in another document that he wrote in the very same month as the *Concordia*, November 1230. This was Maurice’s will, which we discussed in [Chapter 1](#). The text opens with a statement of the duties and responsibilities of the bishop:

Just as the apex of pontifical glory shines in honour, so it is all the more greatly burdened by the weight of negligence. While *the high priest is raised up from men and ordained for them in those things that pertain to God*, yet, beset by weakness, he does not fulfil his holy ministry in a manner worthy of God, being distracted by the care of temporal things, and weighed down even more *by earthly habitation troubling the mind that ponders many things*.¹⁴⁰

We are reminded at once of the opening lines of the *Concordia*. From his place at the apex of cathedral hierarchy, as bishop it is his responsibility to arrange the ‘temporal things’ – and surely this is just what he described himself as doing in the drawing up a constitution for his cathedral.

¹³⁷ Abajo Martín, *Documentación de Palencia*, Docs 152 and 165.

¹³⁸ Abajo Martín, *Documentación de Palencia*, Doc. 165.

¹³⁹ Cited in Linehan, ‘Councils and Synods’, 105. See André Artonne, ‘Le livre synodal de Lodève’, *Bibliothèque de l’école des chartes*, 108 (1950), 36–74, at 70–2.

¹⁴⁰ ACB Capellanes del Número, caja 6, fol. 45 (formerly fol. 40); see [Appendix IV](#).

Conclusions

Clearly, Maurice felt keenly his responsibilities as bishop. The *Concordia Mauriciana* is a text that brings together the Toledan intellectual that we saw in [Chapter 2](#), with the authoritarian figure of episcopal power from [Chapter 3](#). Both the contents and context of the *Concordia* make this clear. He was, in his own words, the ‘vir sapiens’ who recognised the value of order, and at the same time, the ‘pontifex’ whose job it was to implement this order. It is a text that thus provides us with a glimpse into what could be described as Maurice’s ‘episcopal theology’; his understanding of what it meant to be a bishop and how this office should be manifest in the Castile of the early 13th century.

The paucity of comparative texts in Castile limits our ability to see the *Concordia* clearly within its context. Yet the comparisons that we do have suggest that the *Concordia* was quite unique; in its articulation of episcopal authority, in its reception of aspects of the Fourth Lateran Council, and in the way in which all of this was framed within the language of mystical theological hierarchies. Not all of Maurice’s ideas of ecclesiastical reform can be identified, and there must surely have been much in the text that was an expression in legislation, probably for the first time, of local customs and norms. However, by incorporating some of the instructions of John of Abbeville, the *Concordia Mauriciana* reveals the papal legation of 1228 to have left immediate traces in the cathedral’s ecclesiastical legislation. Maurice does not seem to have been interested in propagating the Lateran agenda *per se*, with its emphasis on pastoral care and on the deeper understanding of the faith by both clergy and laity; these aspects of papal reform find little by way of parallel in the *Concordia*. But his selections from it suggest that it nonetheless provided a model from which he could pluck aspects as they fitted his own agenda – quite in contrast to the other constitutions we see issued in Iberian Peninsula at this time.

For Maurice, ecclesiastical and divine order went hand-in-hand, and by imposing the former, he was aligning himself with the latter. His statements to this effect reveal another side to Maurice’s intellectual engagement with the Toledan milieu, and also, more speculatively, a wider context of ideas influenced by texts from Paris and the monastery of Saint-Victor. Maurice’s involvement in the intellectual debates that must have taken place in Toledo did not cease on his removal to Burgos, and seventeen years later, these were still evidently important to him, and of use within his practical ambitions for the cathedral. The text was Maurice’s statement of how he wanted his cathedral to be, in ideological and practical terms. As we shall see in [Chapter 5](#), this was a vision that was not confined to the text of the *Concordia*, but would be applied to the whole cathedral, both the building itself and the variety of practices that took place within it.

Apex sublimitatis: The Gothic Cathedral of Burgos

Without question, the most celebrated moment of Maurice's career was his foundation, on 20 July 1221, of the Gothic cathedral of Burgos.¹ This was the first entirely Gothic cathedral to be constructed in Castile, and is a building of unique importance in the architectural and cultural history of Spain.² The first half of the 13th century has been seen as the moment at which French Gothic architecture arrived in the Peninsula, the *opus francigenum* prefigured in buildings such as the Cistercian monastery of Las Huelgas and whose epitome was reached in the impressive constructions in Burgos, Toledo, and, later, León, Osma, Palencia, and many others.³

The cathedral's architectural development had been the subject of relatively little scholarship across the 20th century until the comprehensive monograph of Henrik Karge, *La catedral de Burgos*, published in 1995.⁴ Karge's analysis has revealed a highly complex and, in many senses, groundbreaking structure, combining influences from a number of French models across the chevet, transept, nave, and towers, and occupying a 'decisively intermediary position between French and Spanish art in the thirteenth century'.⁵

¹ ACB *Kalendarario Antiguo*, Codex 27 and 28; also Serna Serna, *Obituarios de Burgos*, 480–1.

² For the most important studies of Burgos cathedral, see Karge, *La catedral de Burgos y la arquitectura del siglo XIII en Francia y España*; and M. Martínez y Sanz, *Historia del templo catedral de Burgos* (Burgos, 1866; reprint, Burgos: Institución Fernán González, 1983); E. Lambert, *L'art gothique en Espagne au XII et XIII siècles* (Paris: Laurens, 1931), 218–38; T. López Mata, *La catedral de Burgos* (Burgos: Hijos de Santiago Rodríguez, 1950); Emilio Rodríguez Pajares, ed., *El arte gótico en el territorio burgalés* (Burgos: Universidad de Burgos, 2006); and J. González Romero, *El secreto del gótico radiante. La figuración de la Civitas Dei en la etapa rayonnant: Burgos, León y Saint-Denis* (Gijón: Trea, 2012), 83–121.

³ See also Nickson, *Toledo Cathedral*; P. Abella, 'Opus francigenum en el *Iter francorum*: el fecundo siglo XIII y la nueva arquitectura de Castilla', *Portium, Revista d'Estudis Medievals*, 1 (2011), 69–104; John Harvey, *The Cathedrals of Spain* (London: Batsford, 1957). Also, for medieval cathedrals more generally, see Jean Gimpel, *The Cathedral Builders*, trans. T. Waugh (Salisbury: Michael Russell, 1983).

⁴ The only significant works on the cathedral preceding Karge are those of Elie Lambert and Teófilo López Mata (see note 2 above).

⁵ Karge, *La catedral de Burgos*, 15 and throughout.

However, little attention has been paid to the precise historical context and circumstances in which this undoubtedly different and foreign-looking cathedral was constructed in Burgos. For Luciano Serrano, Maurice's foundation of a new cathedral was simply a practical solution to a logistical problem: the old Romanesque building was too 'timid and modest' to contain the growing congregation of the city, and so a new one was built in the most recent style available.⁶ Similarly, whilst there have been many excellent studies assessing how Gothic architecture developed in Castile, there has been little discussion of the cultural significance behind the various reproductions of and innovations upon French models.⁷ Rocio Sánchez Ameijeiras, writing about the sculpture of Burgos cathedral, has put her finger on a wider problem when she points out that the architectural developments of 13th-century Castile have too often been seen as no more than 'the result of the passive reception of an exotic and foreign new style'.⁸

One reason for this is that the architectural developments of cathedral buildings themselves have often been discussed in isolation from the figures who populated and perhaps even more importantly, commissioned them.⁹ As Tom Nickson has recently demonstrated with regard to Toledo cathedral, the cultural horizons and priorities of the founding-archbishop, Rodrigo Jiménez de Rada, played a pivotal role in the development of his cathedral from 1226, and was for him a way of 'writing history by other means'.¹⁰ The cultural and intellectual identities, connections, and interests of the bishops who introduced cultural change into Castile must, clearly, be central to any understanding of the introduction of Gothic architecture.

New and nuanced questions about the 'frame of cultural reference' within which medieval buildings were constructed have also been raised in the recent work of Lindy Grant, Paul Binski, Paul Crossley, Jerrilynn Dodds, and many others.¹¹ As Margot Fassler has pointed out in her analysis of Chartres cathedral,

⁶ Serrano, *Don Mauricio*, 57.

⁷ See for example, Abella, 'Opus francigenum en el Iter francorum'; J. Ávila Jalvo, 'La explosión gótica: del origen de su lenguaje constructivo', in Pajares, *El arte gótico en el territorio burgalés*, 47–59; R. Suckale, 'La théorie de l'architecture au temps des cathédrales', in R. Recht, ed., *Les bâtisseurs des cathédrales gothiques* (Strasbourg: Editions Musées de la ville de Strasbourg, 1989), 41–50.

⁸ Rocio Sánchez Ameijeiras, 'La portada del Sarmental de la catedral de Burgos: Fuentes y fortuna', *Materia: Revista internacional d'Art*, 1 (2001), 161–98, at 161.

⁹ Nickson, *Toledo Cathedral*, 8.

¹⁰ Nickson, *Toledo Cathedral*, 4.

¹¹ Grant, *Architecture and Society in Normandy, 1120–1270*, 232. Some of the most important recent works on medieval architectural culture include Binski, *Becket's Crown*; S. Murray, *Notre-Dame: Cathedral of Amiens: The Power of Change in Gothic* (Cambridge: Cambridge University Press, 1996); C. Radding and W. Clark, *Medieval Architecture, Medieval Learning: Builders and Masters in the Age of Romanesque and Gothic* (New Haven and London: Yale University Press, 1992); Paul Binski, 'Working by Words Alone: The Architect, Scholasticism and Rhetoric in Thirteenth-Century France', in M. Carruthers, ed., *Rhetoric Beyond Words: Delight and Persuasion in the Arts of the Middle Ages* (Cambridge: Cambridge University Press, 2010), 14–51; Eric Fernie and Paul Crossley, eds, *Medieval Architecture and Its Intellectual Context: Studies in Honour of Peter Kidson* (London and Ronceverte: Hambledon Continuum, 1990); and J. Dodds, *Architecture and Ideology in Early Medieval Spain* (University Park: Pennsylvania State University Press, 1990).

medieval patrons, clergy, and laypeople did not necessarily view their churches in the same way as modern historians.¹² Gifts and endowments, for example, would often link the 'opus' of the cathedral fabric with the celebration of the cult, and the two often developed and changed in parallel. An understanding of the ways in which the internal life and ceremony of the cathedral functioned and developed is crucial in interpreting changes to the structure itself.

When we turn our attention from the fabric of the cathedral to the life of the community that inhabited it, it becomes clear that the introduction of Gothic architecture under Maurice was accompanied by a range of changes to the celebration of the cult in Burgos. There was nothing passive about Maurice's choice of architecture, nor about the changes he imposed in his cathedral. The 1220s and 1230s were a period when he actively, and in some ways, radically, reshaped the cathedral of Burgos and the worship that took place there. In this chapter, we shall first assess the architectural and structural developments that took place under Maurice's auspices, and then the changes in ecclesiastical culture that accompanied them, as Maurice introduced new liturgy, music, books, ideas, and personnel into his cathedral over these decades. These changes can also be seen to be reflected in the sculptural programme of the Puerta del Sarmental, the southern portal completed over the course of the 1230s under Maurice's direction, and it is to this liminal space, between the outside world and inner life of the cathedral, that we shall turn for the final manifestation of Maurice's ecclesiastical vision.¹³

The new building

The *opus francigenum* in Burgos

The date of the new cathedral's foundation, 20 July 1221, is recorded in the 13th-century calendar and obituary of Burgos cathedral, the *Kalendarium Antiquo*: on this day, the feast of St Margaret, Maurice 'began the construction of the church of Burgos'.¹⁴ A contemporary narrative account, Lucas of Tuy's *Chronicon Mundi*,

¹² Margot Fassler, *The Virgin of Chartres: Making History through Liturgy and the Arts* (New Haven and London: Yale University Press, 2010), 190–1. See also Dominique Iogna-Prat for his ideas about 'ecclesia', and the connection between community and building; Iogna-Prat, *La Maison de Dieu: Une histoire monumentale de l'Église au Moyen Âge (v. 800–v. 1200)* (Paris: Éditions du Seuil, 2006).

¹³ Some ideas within this chapter have already been discussed by the author in Teresa Witcombe, 'Building Heaven on Earth: Bishop Maurice and the *novam fabricam* of Burgos Cathedral', *Bulletin for Spanish and Portuguese Historical Studies*, 42:1 (2017), 46–60.

¹⁴ ACB Codices 27 and 28 (20 July): 'Festo beato margarite incipit dominus Mauricius episcopus burgen-sis fabricam ecclesie burgen-sis'. There are two codices of this *Kalendarium*, both of which supply the same date in AD and in Spanish Era. See Serna Serna, *Obituarios de Burgos*, 480–1. It appears however that the entry in Codex 28 has been corrected by a later hand: for a full discussion of this, see Karge, *La catedral de Burgos*, 40. It is worth noting, however, that the date of 1221 has been widely accepted by scholars.

also mentions the new cathedral in Burgos. Writing in the late 1230s, Lucas informs us that ‘the most wise bishop Maurice built the church of Burgos to be beautiful and strong’.¹⁵ News of the building had also spread as far as Rome by 1223, in which year Pope Honorius III granted forty days of indulgence to all who contributed to funding the building, in order that it should be built ‘nobly and indeed sumptuously’.¹⁶

It is more of a challenge to identify precisely how far the building project had progressed by the time of Maurice’s death in 1238, that is, the ‘strong and beautiful’ cathedral that Lucas had described by the end of the same decade. This is important, as in attempting to probe Maurice’s relationship with his new cathedral, we can, of course, only take into account what he himself would have been responsible for commissioning.

The nucleus of the Gothic cathedral was constructed between 1221 and the end of the 1270s, by which point the ground plan and basic structure of nave, transept, and chevet were complete, as has been demonstrated by Henrik Karge’s comprehensive architectural history.¹⁷ The first stage of the building campaign was very rapid, as the chevet, a crown of chapels (although not the crown in existence today), and the eastern walls of the transept, as well as at least one rectangular chapel at the corner with the transept (the chapel of St Nicholas) appear to have been completed by 1230 (see [Figure 5.1](#)).¹⁸ The magnificent southern portal, the Puerta del Sarmental, was underway and most likely complete by the end of the decade. The sculpture of this portal has also been dated to the 1230s, and work on the great rose window above it was underway during the following decades.¹⁹ The bishop’s palace, of which little survives, seems to have pre-existed the Gothic structure, although it was possibly rebuilt or altered at the start of the 13th century.²⁰ It lay to the south of the new cathedral, accessible from the Puerta del Sarmental.

The chevet was finished by the time of Maurice’s death. Although the work continued to the west, and some sort of temporary wall probably protected the chevet from the work of dismantling the old Romanesque structure, the canons were

¹⁵ *Chronicon Mundi*, IV.95: ‘Prudentissimus Mauricius episcopus Burgensis ecclesiam Burgensem fortiter et pulchre construxit’.

¹⁶ *Honorio*, Doc. 461: ‘Structura nobili et adeo sumptuosa consurgat’. The pope also pointed out that ‘vestram opus tan pium et sanctum valeat feliciter consumari’.

¹⁷ Karge, *La catedral de Burgos*, 39–53 and throughout.

¹⁸ Karge, *La catedral de Burgos*, 39–43.

¹⁹ For the two key studies of the Puerta del Sarmental, see F. Deknatel, ‘The Thirteenth Century Gothic Sculpture of the Cathedrals of Burgos and Leon’, *The Art Bulletin*, 17:3 (1935), 243–389; and Sánchez Ameijeiras, ‘La portada del Sarmental’, 161–98. With regard to the rose window in the southern portal, see M. P. Alonso Abad, ‘Recuperación de algunas de las más notables vidrieras de la catedral de Burgos’, *Boletín de la Institución Fernán González, Burgos*, 85:233 (2006), 341–71; and M. P. Alonso Abad, *Las vidrieras de la catedral de Burgos* (Madrid: CSIC, 2016), 52–69.

²⁰ See Karge, *La catedral de Burgos*, 24. Several documents from Maurice’s life are recorded as being signed here, for example, a charter from October 1222 was signed ‘in palatio domini episcopi, iuxta claustrum’ (DCB, Doc. 543). For more on episcopal palaces more generally, see Maureen C. Miller, *The Bishop’s Palace: Architecture and Authority in Medieval Italy* (Ithaca: Cornell University Press, 2000).

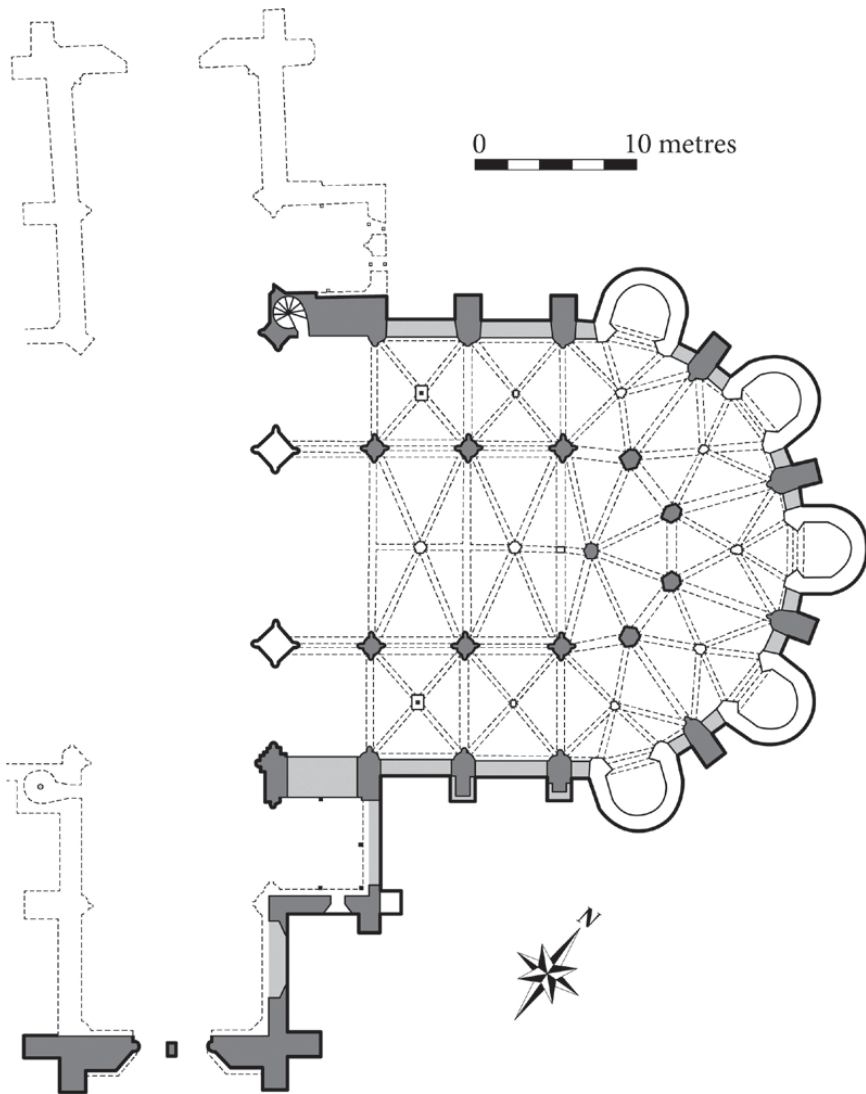


Figure 5.1 The ground plan of Burgos cathedral c. 1230 (adapted from Karge, *La catedral de Burgos*, 'Plan 2')

almost certainly able to celebrate mass in the new Gothic space.²¹ The new choir was flanked by arcades and an ambulatory, in which there were six-ribbed vaults. Off this ambulatory were isolated, semi-circular radial chapels dotted between the buttresses, which were replaced in the 1260s once the basic structure of the whole

²¹ Karge, *La catedral de Burgos*, 42.

cathedral was near completion.²² Given the rapidity of this early construction, it is possible that work had begun before the official laying of the foundation stone – although, as we shall see later, it is unlikely to have begun before 1219.

This east end was the work of a French master mason, and most likely a team of French builders, who used the measurement system known as the ‘Parisian foot’ for both the floor plan and the elevation.²³ Moreover, it seems clear that these masons and their workshops must have arrived in Burgos from the French city of Bourges, since the Burgos chevet, as Karge has demonstrated, appears to be modelled on the cathedral of Bourges, one of the most spectacular cathedrals of early 13th-century French Gothic.²⁴ Although Burgos is considerably smaller and has three naves instead of Bourges’s grandiose five, the heights of the arcades, the triforia, the clerestory, and the total height are proportionally nearly identical to those of the lateral naves of the Bourges east end. The forms of elevation of the Burgos choir are also extremely similar; there are, for example, three different forms of pillar used in Burgos, which are prefigured only in the lateral naves and ambulatories of Bourges and are not observed elsewhere. Similarly, the bases of columns, the design of the triforia, profiles of the arcade, and other structural links have led Karge to his conclusion that the early work on the cathedral was an attempt to reproduce the grandeur of the cathedral of Bourges, and he suggests that ‘no Gothic building has been so greatly influenced by the French cathedral of Bourges than the Castilian one of Burgos.’²⁵ Subtle variations in the design have led Karge to suggest that the master mason of the Burgos chancel was in fact attempting to solve problems that he had encountered in the construction of Bourges.²⁶ It is important to point out that the transept and nave diverge from this model and were clearly influenced by other major French cathedrals, suggesting that after Maurice’s death, the plans for the rest of the building developed in a slightly different direction to the chevet, a conclusion also supported by the redesign of the radial chapels just thirty years after the original chapels were built.²⁷

There are few references to the ongoing building works in the cathedral archive during the period of Maurice’s life, and almost no mention of any of the masons, carpenters, or sculptors who must have inhabited Burgos at this time. The earliest

²² Karge, *La catedral de Burgos*, 103.

²³ Karge, *La catedral de Burgos*, 71–4. There is no reference to a master mason in the cathedral until 1277, that is, Master Enrique, who was also the mason of Leon cathedral. However, he would have been too young (if alive) in 1221 to have led work on Burgos from its foundation. Rocío Sánchez Ameijeiras has warned against the ‘distorting prism’ of seeking a particular named mason; see Sánchez Ameijeiras, ‘La portada del Sarmetal’, 165. It should be noted that Harvey, *The Cathedrals of Spain*, 46, 94, and 241, mentions a ‘Ricardo of Burgos’ as an English master mason in Castile in the late 12th century and attributes Burgos cathedral to him, although I have found no documentary evidence to support this theory.

²⁴ Karge, *La catedral de Burgos*, 71–97 and 131–9.

²⁵ Karge, *La catedral de Burgos*, 131.

²⁶ Karge, *La catedral de Burgos*, 133.

²⁷ Karge, *La catedral de Burgos*, 71–3.

surviving reference to any canonical support for the building project is found in the will of canon Juan Peregrini from 1225, in which he leaves fifty gold coins for the 'fabric' of the building.²⁸ Not long afterwards, in 1230, the cantor Pedro Díaz de Villahoz left money to the *maestro de obra*, although without naming him, and in 1246 Maurice's successor, Bishop Juan, granted the princely sum of 4,000 maravedís to the building project.²⁹

However, it is possible to extrapolate some indications about the progress of the building work from the archival documents. The chevet must have been complete, or at least complete enough for use, by 1230, the year in which Maurice wrote his constitution for the cathedral, the *Concordia Mauriciana*, in which the movements of the canons within this very space are determined.³⁰ Thus, for a period of about nine years, the old Romanesque cathedral remained in use: not only did the royal wedding of Fernando III and Beatrice of Hohenstaufen take place there in November 1219, but also that of King John of Jerusalem to Berenguela, Fernando III's sister, in 1224.³¹

The next indication of progress in the construction is found in the will of the cantor, Pedro Díaz. Writing in 1230, he founded the chapel of St Nicholas, a chapel still extant on the northern corner of the transept, and ordered that his body should be buried there.³² He must have been on his death bed when he wrote this will, as there is indeed a corresponding gravestone in this chapel, still extant and dated to 1230, on which Pedro Díaz is commemorated.

Work on the chapels continued up to and beyond Maurice's death. Maurice himself founded two chaplaincies within a chapel dedicated to St Peter for the commemoration of his own death and those of his parents, relatives, and patrons, in November 1230.³³ Two more chaplaincies were founded by Master Aparicio, archdeacon of Treviño, in February 1239 to attend to the altar in the chapel of St John the Evangelist.³⁴ Aparicio's will further gives a sense of the interior furnishings at this stage; in particular, he describes a lack of altar vestments, and makes provisions of vestments for the altar of St John. A suggestion that his tomb might need to be displaced in the future indicates a rapidly changing and expanding church interior. Finally, in 1242, a donation signed 'in the chapel of the altar

²⁸ ACB v. 40, f. 209: 'relinquo fabricae burgensis ecclesie L. aureos'.

²⁹ For the will of Pedro Díaz, see Karge, *La catedral de Burgos*, 42. For the will of Bishop Juan, see ACB v. 25, f. 351.

³⁰ Karge agrees that 1230 was the date by which the chevet was in use; see *La catedral de Burgos*, 42.

³¹ For Fernando and Beatrice, see *Fernando III*, Doc. 93: 'in cathedrali ecclesia Burgensis duxi sollempniter in uxorem'. This must have taken place in the cathedral itself, since it is recorded as happening in *ecclesia burgensis* (and thus not in the monastery of Las Huelgas, the only possible alternative). For John and Berenguela, see [Chapter 2](#).

³² Karge, *La catedral de Burgos*, 42–3.

³³ ACB Capellanes del Número, caja 6, fol. 45 (formerly fol. 40). A transcription of this document can be found in [Appendix IV](#).

³⁴ ACB v. 18, f. 224. Aparicio appears to be the brother of Juan Peregrini, and nephew of the third member of the cathedral chapter.

of St Michael' points to a construction of yet another chapel in the late 1230s.³⁵ These three chapels belonged to the original crown of radial chapels, constructed in the first wave of building, which were subsequently demolished and rebuilt in the 1260s.³⁶

This, as such, was the new building for which Maurice was responsible, although just how directly responsible remains to be seen. The chevet must have been constructed at a remarkable pace over the 1220s to have been ready for use in 1230. Indeed, a bull of Innocent IV granted indulgences for the cathedral's consecration in 1243, which would have required an astonishingly rapid level of construction over the 1230s, but ultimately, the consecration was deferred until 1260.³⁷

French connections

What prompted this choice to start building an ostensibly French-looking cathedral in Burgos? And why did Maurice select masons who could reuse elements of the architectural imagery of Bourges? To begin to answer these questions, it is worth considering Maurice's movements in the years before 1221.

We have seen at various points throughout this book that Maurice had travelled outside Castile on a number of occasions. He had gone to Rome in 1211 and 1215, may have accompanied a recruitment drive to France in 1211, and is also very likely, as we have seen, to have spent some time studying in Paris and/or Bologna before he left any mark in the historical record. However, one journey in particular is worth considering as a more direct precedent to his foundation of Burgos cathedral; this is his ambassadorial mission to the court of the Holy Roman Emperor in 1219. Sometime at the start of this year, he was sent as an ambassador to Suabia on behalf of King Fernando III, in order to propose marriage to Beatrice, daughter of King Philip of Hohenstaufen.³⁸ We know very little about this mission and Maurice's precise route. Archbishop Rodrigo's *De Rebus Hispanie* contains the longest description of the journey:

The ambassadors who went to request her, *Bishop Maurice of Burgos, a praiseworthy and wise man*; Pedro, abbot of San Pedro de Arlanza; Rodrigo, abbot of Rioseco; and Pedro Odoario, prior of the Hospital, went to Germany before Frederick, king of the

³⁵ ACB v. 26, f. 316.

³⁶ Karge, *La catedral de Burgos*, 103.

³⁷ Serrano, *Don Mauricio*, 66, and Deknatel, 'Thirteenth Century Gothic Sculpture', 253.

³⁸ Bruno Meyer has seen this as an expression of the growing proximity between Castile and the Holy Roman Empire. See Bruno Berthold Meyer, *Kastilien, die Staufer und das Imperium. Ein Jahrhundert politischer Kontrakte im Zeichen des Kaisertums* (Husum: Matthiesen, 2002), esp. 72–83. See also J. Valdeón, K. Herbers, and K. Rudolf, eds, *España y el 'Sacro Imperio'. Procesos de cambios, influencias y acciones recíprocas en la época de la 'europeización' (siglos XI–XIII)* (Valladolid: Universidad de Valladolid, 2002); and M. Caballero Kroschel, *Reconquista und Kaiseridee. Die Iberische Halbinsel und Europa von der Eroberung Toledos (1085) bis zum Tod Alfonsos X. (1284)* (Hamburg: Kramer, 2008).

Romans, who then had custody of the young lady, and were honourably welcomed by the king. And after explaining the motive of their mission as had been ordered of them, the aforesaid king and his princes delayed the response for some time, and the aforesaid ambassadors waited for almost four months. Finally, King Frederick, emperor elect, sent his niece Beatrice, a noble, elegant, beautiful, and wise young lady, to King Fernando with the above-mentioned ambassadors and with a splendid bridal party. And when they arrived in Paris, the king of the French, called Philip who then governed over Gaul, received them wonderfully, conceding them a guard of honour through his land, and so they arrived happily to the kingdom of Castile.³⁹

Corresponding evidence of the embassy comes from the Lorraine area. Richer's *Deeds of the Church of Senones*, written by the 1260s, records a group of Spanish ambassadors passing through in 1219, whose mission was to request the hand of Beatrice.⁴⁰ On his way back through Paris, where he was received by King Philip II (Augustus), Maurice must surely have visited Blanche of Castile, Philip II's daughter-in-law and wife of Prince Louis, as well as aunt of Fernando III. Blanche, who stayed in close contact with her Castilian family, was a powerful figure at the French court and often supported Castilians in Paris; she would undoubtedly have been keen to meet any senior figures from the kingdom of Castile who were passing through Paris.⁴¹ We have no evidence of how long Maurice spent in France on this leg of his mission, but, accompanied through France by a guard of honour, he reached Castile by November 1219, quite possibly visiting the abbey of Fontevraud *en route*.⁴²

One way or another, the embassy would have permitted Maurice to observe the *opus francigenum* of the Ile de France, and very probably that of Bourges itself, which lay on one of the major pilgrimage routes up from the Peninsula along which Maurice would have travelled. Moreover, passing Bourges in 1219 would have revealed a particularly impressive sight. By that year, the east end of Bourges cathedral was finished and, furthermore, its bishop-founder, William of Bourges, had just been canonised (in May 1218).⁴³ His body was transferred into the new cathedral choir, set in a gold and silver chest, and raised up on columns behind the great altar at his canonisation.⁴⁴ This shrine was *in situ* a year later, in 1219, when

³⁹ *De Rebus Hispaniae*, IX.10.

⁴⁰ *Richeri Gesta Senoniensis Ecclesiae*, ed. in *Monumenta Germaniae Historica, Scriptores*, vol. 25 (Hannover, 1880), 249–345, at 292.

⁴¹ Blanca/Blanche was the daughter of Alfonso VIII and Eleanor of England, and sister to Berenguela (Fernando's mother). For more on Blanche, see Grant, *Blanche of Castile*, 149–82. See [Chapter 1](#) for more evidence of a connection of sorts between Maurice and Blanche.

⁴² M. Alvira, 'Dilecta consanguinea mea: Fernando III's Donation to a Nun of Fontevraud', in Edward Holt and Teresa Witcombe, eds, *The Sword and the Cross: Castile-León in the Era of Fernando III* (Leiden: Brill, 2020), 105–39.

⁴³ Also known as St William of Donjon (c. 1155–1209). See O. Nauleau, 'Saint Guillaume du Donjon, archevêque de Bourges (1200–1209)', *Cahiers d'archéologie et d'histoire du Berry*, 105 (1991), 3–8.

⁴⁴ A. Boinet, *La cathédral de Bourges* (Paris: Champion, 1912), 12.

Maurice passed through.⁴⁵ It is thus tempting to see Maurice's journey in 1219 as the impetus for his own project in Burgos. Not only did the *opus francigenum* make an impression on the Castilian bishop, it appears that he also met masons and perhaps recruited a team and master mason to come to Burgos just two years later.

A new order in Burgos

We have thus an immediate context for the foundation of the cathedral in Burgos in 1221, and a suggestion of why Bourges, one of the most impressive and awe-inspiring examples of the new Gothic style from this period, might have been selected as a model for this endeavour. However, there is reason to consider that, far from being simply an aesthetic decision, the foundation of the new building may have had a more theological significance to Maurice too.

The role of founder-bishops has received increasing scholarly attention in recent years, although it is rare to uncover evidence of how medieval individuals understood and interpreted the buildings they commissioned.⁴⁶ One of the best-known exceptions is Abbot Suger and his written account of the building of the basilica at Saint-Denis, whilst Henry of Avranches's description of the architectural symbolism of Lincoln cathedral is another.⁴⁷ In 1951, Erwin Panofsky famously suggested a connection between the architectural and intellectual developments of the 12th century, linking the form and architectural design of Saint-Denis with the scholarly interests and theological intentions of its abbot.⁴⁸ Much subsequent scholarship has checked this contention, but the question of how to understand medieval architectural developments within their cultural and intellectual context has remained pressing for historians and art historians.⁴⁹

However, we are not totally in the dark when it comes to penetrating something of Maurice's goals in founding his new cathedral. Although there remain many gaps in our knowledge of the early construction of Burgos cathedral, we can get closer to Maurice's own ideas about his new building by returning to his words on the matter: the *Concordia Mauriciana*, the constitution he composed

⁴⁵ Indeed it remained so until the 16th century.

⁴⁶ Grant, *Architecture and Society*, 232 and Dodds, *Architecture and Ideology*, 1. For a selection of key works, see above, note 11.

⁴⁷ Grant, *Architecture and Society*, 2; also Miller, 'The Building Program'. For Henri of Avranches's description of Lincoln cathedral, see Charles Garton, ed., *The Metrical Life of Saint Hugh of Lincoln* (Lincoln: Honeywood Press, 1986), 53–61.

⁴⁸ Erwin Panofsky, *Gothic Architecture and Scholasticism* (Philadelphia: University of Pennsylvania, 1951).

⁴⁹ Peter Kidson, 'Panofsky, Suger and St Denis', *Journal of the Warburg and Courtauld Institutes*, 50 (1987), 1–17. For a summary of the most important critiques of Panofsky, see A. Speer, 'Is There a Theology of the Gothic Cathedral? A Re-reading of Abbot Suger's Writings on the Abbey Church of St. Denis', in Jeffrey F. Hamburger and Anne-Marie Bouché, eds, *The Mind's Eye: Art and Theological Argument in the Middle Ages* (Princeton: Princeton University Press, 2006), 65–72.

in 1230 on the inauguration of the chapter into the new chevet. As we have seen in [Chapter 4](#), the *Concordia* is a text that establishes an order for the day-to-day celebrations of Burgos cathedral, arranging the life of the chapter so that it should be a ‘likeness’ (*similitudo*) to the divine order of the heavens. Written in 1230, just as the new Gothic chevet became usable for the mass, this text is primarily concerned with the liturgy. However, the new building was by no means incidental to Maurice’s wider vision. He links this conceptual order to the newly laid stones of the building, since, as he wrote in the opening lines of the *Concordia*, the restoration of ‘definite order ... in our church’ was taking place alongside ‘our translation to new fabric’ (*nostrae translationis ad novam fabricam*).⁵⁰

The building’s ‘translation’, that is, the literal reordering of the stones of the cathedral itself, was thus another manifestation of the state of heavenly order that Maurice sought to impose ‘in lasting perpetuity’ in Burgos. The new building thus had an allegorical meaning alongside its very obviously practical one; it symbolised, magnificently, the new order that Maurice was imposing on his surroundings, reshaping the ‘sensible world’ in an attempt to match ‘the invisible things which are more worthy’ – language and imagery that, as discussed in [Chapter 4](#), draw explicitly on the Celestial and Ecclesiastical Hierarchies of the 6th-century theologian Pseudo-Dionysius, as well as on his later interpreters. The erection of the ‘new fabric’ was inherently bound up in his efforts to bring this *similitudo* between earth and heavens about.

An important paper by Paul Binski has suggested a link between architectural allegory and the language of divine order, seen through the vocabulary that was coming into use in the Parisian schools.⁵¹ He suggests that, as the works of Aristotle, particularly his *Physics* and *Logic*, reached the syllabus in Paris, as we know they did from the censorship of 1210 and 1215, architectural terminology came to be used by intellectuals as a means of discussing causality. Aristotle’s Primary Cause was symbolised as an architect: the *auctor* who was able to order others. The outcome of this process was *ordinatio*, the correct ordering of society, and this had a moral significance – rightful order was quite literally ‘edifying’.⁵² These ideas are expressed most clearly by Thomas Aquinas, whose *Summa Contra Gentiles* draws on St Paul’s first letter to the Corinthians to explain how ‘it is the function of the wise man to order’.⁵³ Aquinas combines this with the Aristotelian imagery of the architect and the mason – the architect is the ‘wise man’, and has the ability and indeed duty to impose rightful order on others. This rhetoric, Binski points out, provides us with a link between the intellectual processes of

⁵⁰ See [Appendix V](#).

⁵¹ Binski, ‘Working by Words Alone’, 14–51.

⁵² Binski, ‘Working by Words Alone’, esp. 21–7 and 36–41.

⁵³ Binski, ‘Working by Words Alone’, 25.

the Parisian schools in the early 13th century and the ongoing Gothic building projects of the same time.⁵⁴

It is also a rhetoric reflected in the words of Maurice as he oversaw the radical reconstruction of the cathedral of Burgos as a Gothic building. As we have seen, he was very much aware of these same ideas concerning the *ordinatio* of his world. The *Concordia* opens with a phrase from St Paul's first letter to the Corinthians, an exhortation to order: 'let all things be done decently, and according to order among you', and the words *ordo* and *ordinatio* are repeated nine times in the opening lines of the text.⁵⁵ Likewise, Maurice too drew on the idea of the 'wise man' as responsible for the correct order of the material world, for, of course, 'the wise man (*vir sapiens*) does not ignore the great value of order'.⁵⁶ As *auctor* of the new building in Burgos, Maurice was putting this theology into practice.

And so, through the words of the *Concordia Mauriciana* and the corresponding 'translation' of stone in Burgos, we are afforded something of a glimpse into the mindset of Maurice as a patron and cathedral founder. His was an ideological commitment to order – the divine reordering of his church, and this included, most magnificently, the body of the cathedral itself. His new foundation in Burgos was nothing less than a statement of his cultural and theological priorities, and thus one that goes some way towards challenging what Jerrilynn Dodds has described as the 'deterministic and geocentric view of medieval architecture as an evolutive juggernaut lumbering towards Gothic'.⁵⁷ For Maurice, the physical church on earth was nothing less than a reflection of heaven – and in Burgos, heaven was to look very much like the splendid cathedrals of the *opus francigenum*.

Cathedral life

Lights and liturgy

As the structure of the cathedral was literally re-formed, it was matched by efforts to regulate the conduct and liturgical celebrations of the canons within. Indeed, new legislation would have been a necessary accompaniment to the new

⁵⁴ Other manifestations of 'ordinatio' are also mentioned in the article such as the layout of manuscripts from the early 13th century; compare Malcolm Parkes, 'The Influence of the Concepts of 'ordinatio' and 'compilatio' on the Development of the Book', in Jonathan Alexander and Margaret Gibson, eds, *Medieval Literature and Learning: Essays Presented to Richard William Hunt* (Oxford: Clarendon Press, 1976), 115–41. On the idea of conceptual copying, see Christiania Whitehead, *Castles of the Mind: A Study of Medieval Architectural Allegory* (Cardiff: University of Wales Press, 2003).

⁵⁵ I Cor. 14.40; quoted in the *Concordia Mauriciana* as 'Omnia honeste et secundum ordinem fiant in vobis' – compared to the Vulgate's 'Omnia autem honeste, et secundum ordinem fiant'.

⁵⁶ *CM*, see [Appendix V](#).

⁵⁷ Dodds, *Architecture and Ideology*, 3.

chevet.⁵⁸ The most obvious example of such change is, of course, the *Concordia Mauricana* itself, which would have accompanied the earliest usage of the new Gothic chevet in 1230. It is a document that represents what Maurice considered to be ‘best practice’ in his new cathedral. As we saw in [Chapter 4](#), the *Concordia* regulates the daily practices of the canons and subcanons of Burgos cathedral: what they wore, how they should wear their hair, where they should sit and stand, how they should sing, when they should attend the office or mass, how much they should be paid, and what sort of interactions they might have with the lay world. It stipulated how they should physically arrange themselves in the new choir, with ordained members sitting in more prominent places and the most senior arrayed around the bishop’s throne, and how this order should be translated into the highly choreographed liturgical processions that marked special feast days. Members of his cathedral chapter must look and sound and navigate the new space in a way that was to complement the huge material and spiritual ambition of the building itself. Maurice’s instructions to the lowliest individuals in the *Concordia*, two altar boys, point to his wider goal – ‘to increase the honour of the church.’⁵⁹ Incense, candles, and the correct robes, including silk, are all included in these regulations, and at some considerable expense.

The new altars were also likely dressed in splendour. In his will, Maurice mentions commissioning a new missel for one of the radial chapels – the chapel of St Peter – in 1230.⁶⁰ Not long after his death, the cathedral owned purple priests’ robes, a silver altar vessel, and an item of Limoges enamel work, probably a liturgical utensil not unlike the 13th-century pyx of copper and enamel preserved in the cathedral museum.⁶¹ The cathedral canons also connected the expansion of the new building with liturgical renewal and contributed to these ends. As we have seen, in 1225, canon Juan Peregrini left money to the construction work – however, his brother, Aparicio, archdeacon of Treviño, made contributions to the *opus* of equipping the cathedral instead.⁶² His will, dated to 1239, founded two chaplaincies to tend to the altar of St John the Evangelist, the dedicatee of one of the radial chapels completed by 1230. The new chaplains were to serve the cathedral ‘day and night’, and two candles were to burn at the altar of St John daily during the mass.⁶³ Aparicio established an annual payment of six gold coins to fund this,

⁵⁸ On liturgical space in Gothic churches, see Eric Fernie, ‘La fonction liturgique des piliers cantonnés dans la nef de la cathédrale de Laon’, *Bulletin Monumental*, 145:3 (1987), 257–66. Also E. Carrero Santamaría, ‘Architecture and Liturgical Space in the Cathedral of Santiago de Compostela. The *Libro de la Coronación de los Reyes de Castilla*’, *Hispanic Research Journal*, 13:5 (2012), 468–88.

⁵⁹ *CM*, [Appendix V](#).

⁶⁰ *CM*, [Appendix V](#).

⁶¹ As recorded in the will of Bishop Juan, Maurice’s successor in 1246; ACB v. 25, f. 351.

⁶² ACB v. 18, f. 224.

⁶³ ACB v. 18, f. 224: ‘serviat choro de die et de nocte, sicut unus de beneficiates ecclesie.’

and to supply the chapel with altar garments and vestments from scratch.⁶⁴ It is difficult to know what proportion of cathedral income was to be spent on liturgical magnificence under Maurice, but we can form some idea of what he expected from the churches in his diocese: in November 1236, he commanded the council of Santa María de Almonúñez to spend a third of their income on the ‘books, vestments, bells and lighting’ of their local church.⁶⁵

Likewise, the fitting celebration of major feast days was integral to the honour of the new cathedral. Maurice lists six feasts to be honoured with the greatest solemnity in Burgos: Christmas, the Feast of Purification, Easter, Pentecost, the Assumption of Mary, and All Saints. On these days, the canons should wear silk cloaks for their liturgical processions. They should, additionally, tidy up their tonsures and facial hair for these and other solemn feasts, namely the first Sunday of Advent, the Epiphany, the first Sunday of Lent, the Ascension, the birth of St John the Baptist, the birth of the Virgin Mary, and the feast of St Michael (Michaelmas). This final feast day would certainly have involved a procession to the new chapel of St Michael, an example of the building and the practices that took place within it developing in tandem. Such processions were carefully choreographed, and would have involved clergy from beyond the cathedral too, as an agreement made between Maurice and the monastery of San Juan de Burgos, on the edge of the medieval city, illustrates:

if the bishop processes outside the city of Burgos, the chaplain or chaplains from San Lesmes should attend the procession with a cross and their parishioners. Once the sermon is finished and the office completed, they should return or be guided to the monastery of San Juan. However, before the bishop and the procession have entered the church of Burgos [the cathedral], the monks must not ring bells nor sing the divine office unless in the case of sudden danger ...⁶⁶

Such instructions give us some indication of the sorts of liturgical practices that were taking place in Burgos under Maurice, and the extent of his detailed efforts to regulate them.

Curiously, Maurice’s concern for the correct celebration of liturgical feasts was not confined to his own cathedral of Burgos. We saw in [Chapter 1](#) how heavily he invested in the work of lighting (the *opus luminarium*) of Toledo cathedral whilst he was an archdeacon there, in 1213. As in the *Concordia*, Maurice’s language

⁶⁴ ACB v. 18, f. 224: ‘Volo enim quod primo loco defectus vestimentorum altaris suppleatur’.

⁶⁵ ACB v. 25, f. 313.

⁶⁶ ACB v. 41, p. 1, f. 522: ‘Si episcopus processionem facerit extra civitatem Burgensem, capellanus vel capellani Sancti Adelesmi debent venire ad processionem cum cruce et parrochianis suis et, finito sermonen et officio consummato, revertatur vel revertantur ad monasterium Sancti Iohannis; sed ante quam episcopus cum processione intret ecclesiam Burgensem, monachi non debent pulsare campanas ad missam nec divinum officium incorare, excepto etiam si aliquo periculo emergente’. The agreement was drawn up between Maurice and the monastery’s prior concerning the duties of the church of San Lesmes, which pertained to the monastery and was adjacent to it. The document was confirmed by Bishop Juan in 1243, since Maurice had died before he could finalise it (or in the charter’s prosaic terms, ‘morte proventus efectivi eam non potuit mancipare’). The chaplains of San Lesmes were exempt from the obligation to process with the cathedral on most feast days.

in the Toledan context was bound up with notions of ecclesiastical honour – he invested the huge sum of 1,000 maravedís to the lighting of Toledo out of ‘attention to our honour and that of our church.’⁶⁷ And in 1213, as we have seen, his goal was to designate as major feasts, with twelve candles (compared to the two used for daily masses), the solemnities of Easter, Pentecost, the feast of St Peter, the Assumption of the Virgin, All Saints, Christmas, the birth of the Virgin, and Saints Eugene and Ildefonsus.⁶⁸ Rather extraordinarily, however, Maurice intervened once again in the *opus luminarium* of Toledo cathedral in 1227. This was just one year after Archbishop Rodrigo had founded his own Gothic cathedral, following on from Maurice’s lead in Burgos. In a charter made in Brihuega on 9 February 1227, Maurice added three new feasts as major festivals in Toledo: the Ascension, the Purification of the Virgin, and the Annunciation, which he says ‘should be much better described as the feast of the Incarnation of our lord.’⁶⁹ He also greatly increased the number of candles to be used on these major feasts, from twelve to eighteen, with a further twelve being placed on the altar of the Virgin.⁷⁰ Maurice’s additions to Toledan liturgy in 1227 are puzzling. The combined effect of his stipulations was to elevate the four major Marian feasts to the highest liturgical honour, something that one would perhaps expect to already be in place in a cathedral dedicated to the Virgin, as Toledo was – this too may be reflected in the additional dozen candles before the Virgin. However, his timing also seems to be significant. By intervening to ‘correct’ the lighting of Toledo cathedral in 1227, he was arranging the liturgical celebrations of a church that, like his own, was being rebuilt to new architectural standards. Unlike Burgos, the Gothic building of Toledo would not have been usable when Maurice issued his liturgical ‘corrections’, but their symbolic value remained.

Liturgical propriety, as well as its accompanying accoutrements, was clearly of considerable importance to Maurice. The regulation of the liturgy of Burgos was taking place as the new structure itself was under construction; the correct reordering of the one complemented that of the other. Nor was this confined to Burgos, but seems to have informed Maurice’s intervention in the *opus luminarium* of Toledo too. In both cases, Maurice’s language, equating the honour of the new church with ‘proper’ liturgy, indicates an attempt to ensure that the internal life of his new cathedral matched the splendour of its Gothic exterior.

⁶⁷ ACB v. 41, p. 1, f. 522: ‘cura honorem nostrum et ecclesie nostre.’ The same point is made twice: ‘apud nos die et noctuque institit ut iamdicte ecclesie nostre curaremus in luminaribus honorifice providere.’

⁶⁸ ACT A.11.A.1.4: ‘In praecipuis octo sollempnitatibus, scilicet Pasca, Pentecoste, festo Sancti Petri, Assumptione beate Virginis Marie, festo omnium sanctorum, Natali Domini nostri Ihesu Christi, festo Sancti Ildefonsi et passione Sancti Eugenii et insuper in nativitate beatae Virginis Mariae fiant XII cerei, quorum quilibet habeat duas libras et dimidiam de pura cera, et isti XII cerei accendantur in principio vespere in vigilia ipsius festi et ponantur in loco competenti et ardeant per totas vespere et per totas matutinas et dum cantatur missa de tertia et per totas vespere eiusdem festi.’

⁶⁹ ACT A.11.A.1.4b; for a transcription and translation, see [Appendix III](#). I am grateful to Tom Nickson for drawing my attention to this document, which does not appear in Hernández’s catalogue.

⁷⁰ ACT A.11.A.1.4b.

Music in organo: polyphony in Burgos

From 1222, there is also evidence of another change taking place in Burgos cathedral. In October of that year, a document in the cathedral archive records Maurice arbitrating a case between Bishop Juan of Calahorra and the abbot of the monastery of Nájera.⁷¹ The deed is witnessed by many members of the cathedral chapter, including one *P. Leonis, burgensis magister in organo*. The same figure reappears in March 1223.⁷² This is the first such reference in the archives to any musician in the chapter other than the cantor, whom we know to have been Pedro Díaz de Villahoz until 1230, and the succentor, or subcantor, who, in 1229, was a canon named Gundissalinus.⁷³ No subsequent cantor is named in the witness lists in the years after Pedro's death, but by May 1242, a Master Juan Matteo has been appointed 'capiscol'.⁷⁴

The *magister in organo* seems to have been a musician of a rather different calibre to the cantor and succentor. This was a term that denoted a specific form of polyphonic liturgical music that emerged in Paris over the later 12th century, involving complex harmonies of at least three or four voices.⁷⁵ Performance of the office 'in organo' in Notre-Dame was reserved for specialist, skilled singers, and performed generally on major feasts, according to the decretals of Eudes de Sully in 1198.⁷⁶ Guillaume Gross has suggested that liturgical music of this complexity was 'at the heart of the intellectual developments that came about in Paris during the transitional period from the end of the twelfth and first half of the thirteenth centuries'.⁷⁷ The early 13th century saw this elite Parisian form of liturgical music spread from Notre-Dame to other French cathedrals, to the papal courts in Rome and, later, Avignon, to England, and also to Toledo cathedral in Castile.

David Catalunya has illustrated that this new, Parisian form of liturgical music was being performed in Castile in the early 13th century.⁷⁸ There are records of

⁷¹ DCB, Doc. 543. For more on this, see Chapter 3.

⁷² Serrano, *Don Mauricio*, 136–9.

⁷³ For Pedro Díaz, see above ('San Domingo de Silos'). Pedro Díaz even had his own seal; DCB, Doc. 517.

⁷⁴ ACB v. 25, f. 323. For more on musical education in Castilian cathedrals more generally, see Bernabé Bartolomé Martínez, 'Los niños del coro en las catedrales españolas, siglos XII–XVIII', *Burguense*, 29:1 (1988), 139–93.

⁷⁵ David Catalunya, 'Thirteenth-Century *Organistae* in Castile', *Orgelpark Research Reports*, 4 (2017), 105–40; C. Wright, *Music and Ceremony at Notre-Dame de Paris 500–1500* (Cambridge: Cambridge University Press, 1989), 258–67.

⁷⁶ Gross suggests that it was an art 'reserved for the most skilled singers'; G. Gross, 'L'organum aux XIIe et XIIIe siècles: le discours musical comme stratégie de communication ou la légitimation implicite de l'autorité épiscopale', *Revue Historique*, 313 (2011), 487–510, at 490–1; G. Gross, 'L'organum, un art de cathédrale? Musiques autour de saint Guillaume', *Cahiers de recherches médiévales et humanistes*, 26 (2013), 35–55, at 36. Also, R. Baltzer, 'The Geography of the Liturgy at Notre-Dame of Paris', in T. Kelly, ed., *Plain-song in the Age of Polyphony* (Cambridge: Cambridge University Press, 1992), 45–64.

⁷⁷ 'Au cœur des mutations intellectuelles qui s'opèrent à Paris dans la période charnière de la fin du XIIe siècle et de la première moitié du XIIIe siècle'; Gross, 'L'organum, un art de cathédrale?', 50.

⁷⁸ For Catalunya's important conclusions regarding the introduction of *organum* into Castile, and particularly Toledo and Burgos, see, 'Thirteenth-Century *Organistae* in Castile', 105–40.

three different ‘organistas’ in Toledo. As Catalunya has pointed out, the dates for these instances are uncertain, but a ‘Master Stephen *organista*’ was certainly in Toledo cathedral in 1234. Catalunya suggests that

the presence of *organistae* and polyphonic activity in the Toledo Cathedral during the initial decades of the thirteenth century should be viewed in relation to one of the most notable figures of the political and ecclesiastical scene of that time: Rodrigo Jiménez de Rada. His patronage must therefore have played a crucial role in the introduction of French polyphonic music at the Toledo Cathedral.⁷⁹

The appearance of P. Leonis, master in this same style of French polyphony, suggests that a similar development had taken place in Burgos, under the auspices of another major figure of the 13th-century Castilian Church – Maurice of Burgos. By 1222, this new musical form was to be found in Burgos cathedral, perhaps before it could be heard anywhere else in the kingdom of Castile. And although we have no further evidence about P. Leonis himself, we are at once reminded of the group of ‘cantores’ referred to in the *Concordia*; singers who were deployed on feast days, when they wore silk cappas, and who were notably separate from the body of the choir. The position of musician *in organo* was institutionalised in Burgos cathedral later in the century, when, in 1254, the ‘doctor in organo’ was assigned a fixed income.⁸⁰ This crystallisation of the position of the *organista* within the chapter was a later recognition of a form of liturgical music that was evidently being performed in Burgos cathedral from the 1220s.

Catalunya has suggested that the *magister in organo* was a bipartite role, consisting of vocal instruction of a group of singers to perform distinctive polyphonic harmonies over plainchant melodies (in Notre-Dame, this involved three or four singers or groups of singers), and also playing the organ as a form of liturgical accompaniment.⁸¹ And in fact, we not only see reference to a master of the organ in the documents, but in the sculpture of the cathedral too. The Puerta del Sarmental, the magnificent southern portal of the cathedral, was, as we have mentioned, complete or near completion by the end of Maurice’s life. The sculptural programme has a complex iconography, discussed below, but noteworthy at this juncture are the three archivolts, which are bedecked with angels, elders of the Apocalypse, and representations of the Liberal Arts. Amongst these latter are two separate representations of music – one depicted as a seated figure and child striking bells, and the second, a figure playing a portable organ, with a child working the bellows (see [Figure 5.2](#)).

⁷⁹ Catalunya, ‘Thirteenth-Century *Organistae* in Castile’, 109.

⁸⁰ Catalunya, ‘Thirteenth-Century *Organistae* in Castile’, 113, and Mansilla, *La Iglesia castellano-leonesa*, 358–69.

⁸¹ Gross, ‘Lorganum, un art de cathédrale?’, 35–43.



Figure 5.2 The organist on the Puerta del Sarmental

This organ, a multi-piped free-standing instrument on a four-legged stand, is unusual. It does not feature in the standard repertoire of instruments, for example, those that decorate the Pórtico de la Gloria in Santiago de Compostela, famously covered in musical elders.⁸² Catalunya, who has studied these instruments, has suggested that this ‘depiction of the organ shows details of such realism that we may presume that the Burgos cathedral had a similar instrument around 1230–40’.⁸³ This *voussoir*, then, was not just symbolic of musical performance, but realistic in displaying the sort of instrument that the *magister in organo* would have played within the cathedral. Another such organ is depicted on the cathedral of León, carved in around 1270, in a portal that largely copies the decoration of the Puerta del Sarmental – but this organ at Burgos is a uniquely early indication of the

⁸² See Laura Cleaver, *Education in Twelfth-Century Art and Architecture: Images of Learning in Europe, c. 1100–1220* (Woodbridge: Boydell Press, 2016), 130–54.

⁸³ As Rocio Sánchez Ameijeiras has pointed out, ‘todo indica que el estilo gótico llegó a España acompañado de una importante renovación de la música polifónica en los coros catedralicio’. See Sánchez, ‘Puerta del Sarmental’, 180.

sort of instrument that the early *organistas* of Castile were using.⁸⁴ It seems very likely that this was the sort of instrument played by specialist musicians such as by P. Leonis.

Moreover, it is important to note Gross's recent suggestion that the cathedral of Bourges was one of the earliest cathedrals outside of Paris to adopt music *in organo* within the liturgy. There were close links between Bourges and Paris, not least the fact that William, the sainted archbishop of Bourges, had been a canon at Notre-Dame sometime before the 1180s.⁸⁵ Gross points out that Eudes of Sully, bishop of Paris between 1197 and 1208 and promoter of this new form of polyphony, had previously been the cantor at Bourges, and his article draws many other intellectual and cultural links between the two cities in the late 12th and early 13th century.⁸⁶ Indeed, from 1218, William was to become one of the patron saints of the university of Paris, and his feast day was celebrated using this elite form of liturgical music, along with those of the principal saints of Paris: Denis, Stephen, Germain, Andrew, and Nicholas.⁸⁷ It seems most probable that the chapter of the cathedral of Bourges – reputed to be founded by the saint – also performed this form of liturgy for St William after his canonisation.⁸⁸

The connection with Bourges may thus be one route by which a *magister in organo* appeared in Burgos in 1222. It was certainly an art with considerable prestige and requiring both training and skill. For Gross, the music's complexity and its specific connections to late 12th-century Paris brought a rather intellectual prestige to the cathedral in which it was sung, and specifically to the bishop who was responsible for it, since it was 'reserved for a clerical elite steeped in the culture of the cathedral-schools of the twelfth century'.⁸⁹ Whether or not Maurice was motivated by such considerations, there can be no doubt that this new, Parisian music was also held in high esteem in Castile, as testified by its introduction in Burgos, Toledo, and, later, in other cathedrals across the Peninsula.

⁸⁴ Catalunya points out that by the start of the 14th century, larger, fixed organs seem to have been introduced, including in Burgos; 'Thirteenth-Century *Organistae* in Castile'. It should be noted that an organist, playing a similar-looking instrument, is depicted in the stained-glass window of León cathedral too, constructed in the 1270s. This glass depiction appears alongside a lute player and a violist and the words 'Dialéctica – Gramática – Aritmética', leading Nieto Alcaide to suggest that they formed part of a depiction of the Liberal Arts; see V. Nieto Alcaide, *La vidriera española: ocho siglos de luz* (Madrid: Nerea, 1998), 62–3.

⁸⁵ Gross, 'Lorganum, un art de cathédrale?', 36; also Nauleau, 'Saint Guillaume du Donjon, archevêque de Bourges (1200–1209)'.

⁸⁶ Gross, 'Lorganum, un art de cathédrale?', 37. Also John W. Baldwin, *Paris 1200* (Stanford: Stanford University Press, 2010), 215–16.

⁸⁷ Gross, 'Lorganum, un art de cathédrale?', 44; see also Wright, *Music and Ceremony*, 242–3.

⁸⁸ Much of the archive of Bourges was lost in a fire; however, a *Vita* of St Guillaume dated to c. 1225 survives, and does mention singing – but does not conclusively prove the existence of organum. Gross, 'Lorganum, un art de cathédrale?', 39–42.

⁸⁹ Gross, 'Lorganum, un art de cathédrale?', 50: 'Réservé à une élite de clercs imprégnés de la culture des écoles-cathédrales du XIIe siècle'.

Writing history: the *Kalendario Antiguo*

Maurice's project for the transformation of Burgos cathedral also included its textual production, and most particularly, the cathedral's great obituary-calendar, the *Kalendario Antiguo*. As texts with both liturgical and administrative functions, obituaries often defy simple categorisation, combining necrologies with a liturgical calendar and often other texts too: the Burgos *Kalendario* has been referred to by historians as an obituary, a martyrology, and a *Liber Capituli*, as well as an 'Old Calendar'.⁹⁰ Such texts situated local historical events within the ancient cycles of Christian liturgical tradition, structuring the daily prayers and commemorations performed by the cathedral canons, and also often recording their rights and payments for the celebration of anniversary masses. They are, as such, texts of extraordinary value in understanding medieval cathedral chapters and liturgical culture.⁹¹ What is more, they were also 'living books', in use over centuries and designed to be added to and updated over time, and acting as important compendiums of local as well as liturgical information.

The *Kalendario Antiguo* of Burgos is one such compound text. It consists of a martyrology, in the central column of the page, very closely based on the two principal martyrologies of the Middle Ages, the 9th-century works of Usuard and Ado, and surrounded by two different forms of local obituary notices in the narrower columns to either side. These were, on the left, the obits, in which the dead and their commemoration ceremonies are recorded, and on the right, a memorial or anniversary section, in which far more detail is supplied about the deceased, including the resources left behind to be spent on prayers for the dead. Some additional notices can also be found in this column, such as events of local importance, with a notable example being the foundation of the cathedral itself in 1221, recorded on 20 June, St Margaret's day. Information in this section is also more likely to be dated, although most entries have no date.

The text of the *Kalendario* itself survives in two manuscripts, codices 27 and 28, of which the two texts are almost entirely identical. Nonetheless,

⁹⁰ Sonia Serna Serna, 'Obituarios y libros de Regla: Entre la administración y la devoción', in J. Munita Loinaz and J. Lema Pueyo, eds, *La escritura de la memoria: libros para la administración* (Bilbao: Universidad del País Vasco, 2012), 139–62, at 146. The only recent study devoted to this text is Serna Serna, *Obituarios de Burgos*. For more general reading on this sort of record-keeping, see also J.-L. Lemaître, *Répertoire des documents nécrologiques français* (Paris: Recueil des historiens de la France, 1980), 17–35 and 48–53; Baudoin de Gaiffier, 'De l'usage et de la lecture du martyrologie: témoignages antérieurs au XIe siècle', *Analecta Bollandiana*, 78 (1960), 40–59; and Arno Borst, *The Ordering of Time: From the Ancient Computus to the Modern Computer* (Chicago: University of Chicago Press, 1993).

⁹¹ Fassler, *Virgin of Chartres*, 97, who adds some more 'functions' of obituaries. Also Margot Fassler, 'The Liturgical Framework of Time and the Representation of History', in R. Maxwell, ed., *Representing History, 900–1300: Art, Music, History* (University Park: Pennsylvania State University Press, 2010), 163–4; and Serna Serna, *Obituarios de Burgos*, 31–60.

Demetrio Mansilla's catalogue of the cathedral archive has listed codex 27 as the *Martirologium Romanum*, whilst codex 28 is entitled *Martirologio o Kalendario Antiguo*, and he estimated that they were produced concurrently at the end of the 13th century for use by the cathedral chapter.⁹² However, the text has been reassessed by the recent scholarship of Sonia Serna Serna, whose recent monograph analysing the palaeography and codicology of the *Kalendario*, which she renames the 'obituary' of Burgos, has radically reshaped our understanding of these codices.⁹³ Based on her detailed palaeographical analysis of both manuscripts, Serna Serna has concluded that codex 27 in fact pre-dates codex 28, and should be dated to the second quarter of the 13th century.⁹⁴ According to her assessment, the martyrology and the earliest obituary and memorial notices were completed in this period, and the text continued to be added to and revised until approximately 1350, when codex 28 was begun. At this point, Serna Serna suggests, the entire text of the codex 27 was copied into codex 28, which was then used and updated exclusively for an unknown period. At some point in the 14th century, codex 27 was resurrected and the new data from codex 28 was added, whilst later on, perhaps in the 15th century, several pages of codex 27 were replaced.⁹⁵ From the mid-14th century, Serna suggests that both codices were used concurrently, with new entries being added until the 16th century, when the *Kalendario* moved from being a 'living text' to becoming a dead one.

This then brings the initiation of the composition of the *Kalendario* to within the period of Maurice's life and the context of ongoing change in the cathedral. In codicological terms, there is also a notable difference between the two codices of the text: codex 27 is a deluxe manuscript, Serna points out, written on very high-quality parchment with few imperfections, unlike 28, the parchment of which is both rougher and more damaged by use.⁹⁶ Care was also taken, she suggests, in the replacing of a number of folios in codex 27, which appear in a different and later hand, but still on parchment of similar quality.⁹⁷

As we have mentioned, the 9th-century martyrologies of Usuard and Ado provided the basis for the martyrology that is central to the *Kalendario*, although Serna Serna's painstaking analysis has also traced some other, older sources. Whilst it is beyond the scope of this study to address the issue of sources for the martyrology in any greater detail, closer investigation of its contents is nonetheless of use in

⁹² Mansilla, *Catálogo de los códices*, 102–3.

⁹³ Serna Serna, *Obituarios de Burgos*.

⁹⁴ Serna Serna, *Obituarios de Burgos*, 86–7.

⁹⁵ Serna Serna, *Obituarios de Burgos*, 63–5.

⁹⁶ Serna Serna, *Obituarios de Burgos*, 90. Codex 27 consists of 112 folios, of which ff. 5–96 verso contain the *Kalendario*. Ff. 85–96v have been replaced (most likely sometime in the 15th century). See Serna Serna, *Obituarios de Burgos*, 91.

⁹⁷ That is, ff. 80 and 81, 85–96. See Serna Serna, *Obituarios de Burgos*, 90.

further supporting Serna's palaeographical dating of the *Kalendario* codex 27 to within the life of Maurice, and indeed, to his patronage.

As Victor Leroquais pointed out in 1934, the dating of a liturgical text by its contents (and not its palaeography) is dependent on the addition of the most recent saints' feasts or other changes to the liturgical calendar by Popes Innocent III, Honorius III, and Gregory IX.⁹⁸ The martyrology section of the *Kalendario* in codex 27 was written by the same hand, and along with the earliest obit references, was the first part of the text to be written. As such, the feast days included in this martyrology are themselves indications of the period in which this text was produced.

The inclusion of the feast of St William of Bourges on 10 January provides a clear *terminus post quem*.⁹⁹ As mentioned earlier, St William died in 1209 and the cathedral of Bourges pressed for his canonisation over the course of 1216–17. He was recognised as a saint in 1218 by Honorius III, and in her important article on the appearance of new saints in the Parisian liturgy, Rebecca Baltzer argues that his feast was being celebrated in Paris by the 1220s.¹⁰⁰ Bourges cathedral would have been more prompt in instigating celebrations.¹⁰¹ As we know, Burgos cathedral had a number of links with Bourges, and it seems thus very probable that the cathedral chapter may have known about and incorporated the feast of the saintly archbishop as quickly as the canons of Notre-Dame de Paris.¹⁰²

Another indication of the date of composition is the fact that the feast of St Francis of Assisi appears in the *Kalendario*, but not in the martyrology. Intriguingly, a memorial notice, to the right-hand side, adds the feast after the martyrology text was finished, noting that St Francis should be celebrated on 4 October with 'IV capas', that is, the highest dignity.¹⁰³ It is impossible to know when this memorial notice was added, but it is clear that the scribe who wrote the martyrology did not know about the feast of St Francis. The saint was canonised in 1228 and began to appear in the liturgical calendars across the Latin church very quickly, not least because of the spread of the Franciscan order.¹⁰⁴ The feast was celebrated in Paris from the early 1230s, where it was immediately accorded a rank of nine lessons, that is, the equivalent of the IV capas in Burgos.¹⁰⁵ There was a community of

⁹⁸ Victor Leroquais, *Les bréviaires manuscrits des bibliothèques publiques de France*, 5 vols (Paris, 1934), vol. I, LXXXV–XCIV. He is supported by R. Baltzer, 'The Sources and the Sanctoriale', in Benjamin Brand and David J. Rothenberg, eds, *Music and Culture in the Middle Ages and Beyond: Liturgy, Sources, Symbolism* (Cambridge: Cambridge University Press), 111–41.

⁹⁹ Serna Serna, *Obituarios de Burgos*, 90.

¹⁰⁰ Baltzer, 'The Sources and the Sanctoriale'.

¹⁰¹ See Gross, 'Lorganum, un art de cathédrale?', 35–55.

¹⁰² Baltzer, 'The Sources and the Sanctoriale', 135.

¹⁰³ Serna Serna, *Obituarios de Burgos*, 565.

¹⁰⁴ J. Moorman, *Medieval Franciscan Houses* (New York: Franciscan Institute, 1983).

¹⁰⁵ Baltzer, 'The Sources and the Sanctoriale', 126. She has pointed out that the pope fixed the feast as 4 October, which is where it appears in Parisian calendars from the 1230s, but due to clashes with the Parisian St Aurea, it ended up being moved to 3 October in Parisian sanctoriales.

Franciscans in the city, and according to J. Moorman, Burgos was the site of one of the earliest Franciscan foundations in Castile, from 1214, founded by St Francis himself, at least according to legend.¹⁰⁶ Indeed, the saint himself is represented on the Puerta de la Corona, the north transept door of Burgos cathedral, which was completed by the end of the 1240s, in a scene that has been widely interpreted to show St Francis, St Dominic, and a bishop, suspected to be Maurice, entering heaven.¹⁰⁷ In this instance, then, the failure to record the feast in the martyrology and its subsequent addition do seem to suggest that the main text was written between 1218 and the end of the 1220s.

The appearance in the *Kalendario*'s martyrology of the feast of St Thomas Becket on 29 December also has some relevance to the date of the text. The cult of the English saint had grown enormously since his murder in 1170 and canonisation just three years later. He was certainly known in Burgos, and an altar to him was founded in the Romanesque building in approximately 1202.¹⁰⁸ A chapel was dedicated to the saint in the second crown of chapels too, in 1259.¹⁰⁹ Burgos cathedral also possesses a magnificent silver and jewel-encrusted arm-reliquary for the saint, dated to the 13th or 14th centuries. Chapels were also dedicated to St Thomas in Toledo; one in the old Toledo cathedral in 1177, and again in the new Gothic building in 1249.¹¹⁰ However, intriguingly, St Thomas's martyrdom is the only feast celebrated in the *Kalendario*. There is no mention of the feast of his translation, which took place on 7 July 1220, and became a major feast day for the veneration of the saint, being added to the Paris sanctorale by the 1240s at the latest.¹¹¹ Of course, arguments from silence are of limited value, but given the apparent interest in the cult of St Thomas in Castile, and indeed in Burgos, it does seem clear that the news of the translation feast on 7 July had not reached the cathedral by the time the *Kalendario* was composed.

Other later additions to the *Kalendario*, either amongst the obits or the memorials, confirm the early dating of the text's composition. One is a memorial notice recording the addition of the feast of the Conception of the Virgin on 8 December, a feast that was instigated in the 1280s.¹¹² Similarly, St Thecla has been added into the obit column on 23 September, the standard feast day for the saint, having been left out of the martyrology (although, curiously, there is an entry for her in the martyrology on 21 December).¹¹³ As St Thecla has a long-standing recognition

¹⁰⁶ Moorman, *Medieval Franciscan House*, 96.

¹⁰⁷ See Deknatel, 'Thirteenth Century Gothic Sculpture', 280–1.

¹⁰⁸ DCB, Doc. 363. Also J. M. Cerda, 'Leonor Plantagenet and the Cult of Thomas Becket in Castile', in P. Webster and M.-P. Gelin, eds, *The Cult of St Thomas Becket in the Plantagenet World, c. 1170–c. 1220* (Woodbridge: Boydell Press, 2016), 133–47, at 143.

¹⁰⁹ See Karge, *La catedral de Burgos*, 53.

¹¹⁰ See Nickson, *Toledo Cathedral*, 38, for the Romanesque altar, and 236 for 13th-century foundation.

¹¹¹ See Baltzer, 'Sources and Sanctorale', 113–14.

¹¹² Baltzer, 'Sources and Sanctorale', 123.

¹¹³ Serna Serna thinks this might be a local saint; *Obituarios de Burgos*, 646.

in the Latin tradition, it is not clear why the saint was left out, although intriguingly, Margot Fassler reports that this same feast was added in the martyrology of Chartres cathedral at some point during the 13th century.¹¹⁴ Finally, the feast of St Casilda, an 11th-century Toledan saint, was also added to the *Kalendario* on 9 April, but this is a much later addition from perhaps the 15th or 16th century.¹¹⁵

There are surprisingly few local saints listed: indeed, the only one is St Dominic of Silos, on 20 December, an 11th-century saint who was venerated locally from just after his death in 1073, and whose monastery had become a point of pilgrimage within the diocese of Burgos (the control of which had become a matter of considerable tension for Maurice).¹¹⁶ There are some notable absences from the *Kalendario* that complement a dating of the text to the late 1220s. Most interesting are the absences of both Iberian saints to be canonised in the 1230s: St Dominic of Guzman, founder of the Dominican Order, who was from the region of Burgos and may indeed have been personally known to the bishops of Castile in this period, who died in 1221 and was canonised in 1234; and also, St Anthony of Padua, the Portuguese Franciscan, who died in 1231 and was canonised a year later by Gregory IX.¹¹⁷ Indeed, St William of Bourges is the most recent saint to be added into the martyrology of the *Kalendario*, and there is no mention of Hugh of Lincoln (c. 1220), William of York (c. 1226), Elizabeth of Thuringia (c. 1235), or Edmund of Canterbury, whose canonisation in 1247 was overseen by Blanche of Castile.¹¹⁸

These entries thus consolidate Serna Serna's palaeographical dating of the martyrology to the early 13th century, and, indeed, seem to indicate a date of composition towards the end of the 1220s or possibly the early 1230s, that is, during the life of Maurice and at a time when many other changes were taking place in the cathedral of Burgos. The feast days mentioned, as well as notable omissions and important later additions, provide a rough indication of the sorts of information available in Burgos cathedral when the *Kalendario* was begun. The appearance of St William of Bourges is particularly noticeable, given the absence of many of his sainted contemporaries, but hardly surprising considering the close links with Bourges reflected in the design of the cathedral itself; not only would the artisans employed from Bourges have been a source of information about him, but furthermore, Maurice's passage through France in 1219 would most likely have

¹¹⁴ Fassler, *Virgin of Chartres*, 380–1. This is not a change that is visible in the Roman or Parisian records (according to the work of Baltzer).

¹¹⁵ Serna Serna, *Obituarios de Burgos*, 382. It is also worth mentioning that the feast of St Clair on 4 November was moved to the following day, 5 November, in the Parisian calendars of the 1250s, but the *Kalendario* lists the feast on 4 November. It is not clear whether the Roman breviary also changed or whether this was a change specific to Paris.

¹¹⁶ See [Chapter 3](#).

¹¹⁷ André Vauchez, *Sainthood in the Middle Ages*, trans. J. Birrell (Cambridge: Cambridge University Press, 1988), 252–3.

¹¹⁸ Baltzer, 'The Sources and the Sanctoreale'.

brought him into contact with that cathedral and its chapter very shortly after the canonisation. Moreover, the saintly archbishop had been dead since 1209, and his tomb had been the subject of veneration from at least 1213.¹¹⁹ An early effort for his canonisation was presented at the Lateran Council in 1215, at which Maurice was present.¹²⁰

The *Kalendario Antiguo* thus represents a version of the 'standardised' Roman martyrologies used across Latin Europe, updated to around the 1220s. It seems to have been the first such martyrology-obituary produced in Burgos; there are no records of any earlier texts of this nature in the cathedral, although as a functioning community it is certain to have had some sort of list of the dead. Indeed, in her assessment of obituary documents from this period, Sonia Serna Serna has claimed that only two other similar texts pre-date the Burgos *Kalendario* from across the Iberian Peninsula: the *Liber Capituli* of the monastery of San Isidoro of León, dated to the late 12th century, and the *Obituaries* or *Liber Capituli* of León cathedral, of which the earliest manuscript has been dated to the turn of the century.¹²¹ A *Libro de Regla*, consisting of a calendar, martyrology, obituary, copy of the Augustinian rule, and lectionary, was also produced in the 1220s or 1230s in Oviedo, thus providing a direct parallel with Burgos.¹²²

And indeed, capitular guides to the Roman liturgical year were of particular significance in early 13th-century Castile. Although the Roman liturgy and accompanying calendar of saints were widespread across much of Latin Europe from the 10th century, this rite was not adopted in Castile until much later, being formally accepted in 1080 at the Council of Burgos under the auspices of King Alfonso VI. The replacement of the practices that had pertained to the Visigothic church, known also as the Mozarabic or Old Hispanic rite, by the Roman rite and its accompanying liturgical customs, music, and festivals shaped the development of Castilian church culture for much of the 12th century (with the exception of a handful of 'Mozarabic' parishes in Toledo that were exempted from the new rules).¹²³ This cultural shift had wide-reaching effects on every aspect of the Castilian church, and not least, as Susan Boynton has pointed out, on its book culture, as churches and cathedrals not only had to learn new liturgical forms but also had to replace and rewrite the liturgical books that accompanied them.¹²⁴ The composition of the *Kalendario Antiguo*, a high-quality edition of the Roman

¹¹⁹ Archives du chapitre métropolitain de St-Etienne de Bourges, 8G350 and 8G351.

¹²⁰ Vauchez, *Sainthood in the Middle Ages*, 67.

¹²¹ Serna Serna 'Obituarios y Libros de Regla', 150–5.

¹²² Serna Serna 'Obituarios y Libros de Regla', 156–7.

¹²³ Susan Boynton, 'Writing History with Liturgy' in R. A. Maxwell, ed., *Representing History, 900–1300: Art, Music, History* (University Park: Pennsylvania State University Press, 2010), 187–200, 188–93. See also Walker, *Views of Transition*; A. Castro Correa, 'Visigothic Script Versus Caroline Minuscule: The Collision of Two Cultural Worlds in Twelfth-Century Galicia', *Mediaeval Studies*, 78 (2016), 203–42.

¹²⁴ Boynton, 'Writing History with Liturgy', 193.

liturgical calendar, including the most recent additions, must thus be understood within this context. Its significance for Maurice's new cathedral lay not only in being a splendid and functional codex for the chapter to use, but also as a symbol of the broader theological change that had taken place in Castile over the last century. The dead of Burgos were commemorated alongside the saints of the Roman rite, and their names would be read out in the office of Prime each day, in line with the custom of churches throughout the rest of Latin Christendom.

The obituary references in the *Kalendario* are also of course of great importance. Maurice himself is commemorated eleven times throughout the liturgical year, and his name is almost always the first to be listed in the obits on the day on which he is commemorated – usually around the 12th of the month.¹²⁵ The entry for 12 October informs us that this was the day he died in the year 1238. The *Kalendario* is also our source for the anniversary of his parents, Rodrigo and Orosabia, and his brother Pedro Rodriguez, and we learn of at least one 'alumnus' of Maurice's too.¹²⁶ Members of the cathedral chapter under Maurice also appear, although the frequent absence of dates means they are often very hard to identify. One example is the entry for Pedro Díaz the cantor, on 9 March, who is recorded as 'Petrus Didaci, precentor', and whose death is dated to 1230, which matches his bequest to the chapel of St Nicholas.¹²⁷ The entry informs us that he also left a sizeable grant to the chapter for his memorial.

The obit notices however do not begin in the 1220s; there are dated entries that stretch back into the 10th century. Some examples, taken from the first two weeks of August, include the following obit notices: on 1 August, 'Cid presbiter', who died in 1087; on 7 August, 'Nicholaus archidiaconus' who died in 1052; on 10 August, a laywoman, Maria Iohannis, who died in 1014. On 11 November we also find 'Iacobus, filius Garsie Molenarii', whose death is dated to 991. This is particularly interesting when we consider that the see of Burgos had been established in 1075, not long before the famous council of 1080. These notices must have been copied from much older lists of the dead that were collected from the original church in Oca, before the seat of Burgos was founded, and perhaps from other local churches around the city of Burgos.¹²⁸ These would have had no practical value to Burgos cathedral in the 1220s; no memorial donations are listed, nor would any bequests hold any meaning in a different diocese over 200 years later.

However, they may have had a value in reminding the reader of the *Kalendario* of the importance and historical grandeur of Burgos cathedral – even if some of it

¹²⁵ Memorials for Maurice are recorded on: 12 February, 15 March, 13 April, 15 May, 13 June, 14 July, 13 August, 13 September, 12 October, 13 November, and 11 December.

¹²⁶ Rodrigo and Orosabia are recorded on 10 December; Pedro is on 6 February; and the alumnus is on 25 July. For more on Maurice's family, see [Chapter 1](#).

¹²⁷ Serna Serna, *Obituarios de Burgos*, 350.

¹²⁸ Serna Serna, *Obituarios de Burgos*, 48–51.

was acquired elsewhere. Indeed, texts of this nature were ‘a major facet in the history-making enterprise’, combining history and liturgy in one text, as local events (deaths and memorials) were registered within the wider story of the Roman liturgical year.¹²⁹ The recent scholarship of H  l  ne Sirantoine and Patrick Henri  t has suggested that the production of grand codices could be ‘just as much of a monument as the building or ornaments of the cathedral.’¹³⁰ They have, moreover, identified a process of ‘cartularisation’ – that is, the compiling of cartularies – across Spain over the course of the 12th century, as demonstrated by the cartularies in Toledo (compiled, Sirantoine has argued, by Archbishop Rodrigo) and Le  n, dated to the early 13th century, and a *Liber Testamentorum* from Oviedo, made in the 12th century. These have been seen by Sirantoine and Henri  t as a conscious statement by the bishops who commissioned them, aimed to ‘coincide with the affirmation of the identity of the great ecclesiastical centres.’¹³¹ The production of such a codex was an active means of creating and consolidating the history and identity of a cathedral, whilst at the same time providing a visible statement of its grandeur.¹³²

Indeed, history and liturgy were inextricably entwined in such compilations, not least, as Margot Fassler has pointed out, because those in charge of the performance of the liturgy were also responsible for the production of the cathedral’s historical and institutional documents: that is, the ‘cantor-historian’ and his assistant, the succentor.¹³³ We have no evidence concerning the production of texts in Burgos, or the existence of a scriptorium – although there must have been one – but we do have one reference to Maurice himself ordering the succentor to produce a text. This is the instruction in the *Concordia Mauriciana* that the succentor should write a list of canons responsible for the liturgical celebrations every week: ‘By the vigil immediately preceding any of the solemn feasts listed, the succentor should write in a list the names of those who ought to sing or read ... and the list should be read out in the chapter at the same vigil, and afterwards should be placed in a suitable place.’¹³⁴ Was it this same man, seemingly

¹²⁹ Fassler, ‘The Liturgical Framework of Time’, 149–73.

¹³⁰ P. Henri  t and H. Sirantoine, ‘L’  glise et le roi: Remarques sur les cartulaires ib  riques enlumin  s (XIIe s.), avec une attention particuli  re au Liber Testamentorum de P  lage d’Oviedo’, in H. Sirantoine and J. Escalona, eds, *Chartes et cartulaires comme instruments de pouvoir* (Toulouse: Le Mirail, 2013), 165–88, at 185.

¹³¹ Henri  t and Sirantoine, ‘L’  glise et le roi’, 167.

¹³² J. Escalona and H. Sirantoine, ‘Produit culturel et instrument de pouvoir: les vies de l’act  ’, in Sirantoine and J. Escalona, eds, *Chartes et cartulaires comme instruments*, 21. Of particular relevance for this study is Sirantoine’s suggestion that Archbishop Rodrigo of Toledo, Maurice’s direct contemporary, commissioned the creation of the deluxe 13th-century cartularies of Toledo cathedral as a weapon in his quest to prove the primacy of the archiepiscopacy of Toledo.

¹³³ Fassler, ‘Representing History’, 169; Fassler, *Virgin of Chartres*, 97: necrologies were generally ‘compiled by cantors or their assistants’. See also M. Fassler, ‘The Office of the Cantor in Early Western Monastic Rules and Customaries: A Preliminary Investigation’, *Early Music History*, 5 (1985), 29–51.

¹³⁴ *CM*, see [Appendix V](#).

a canon named Gundissalinus (as we have mentioned), who wrote the earliest entries of the *Kalendario*? Of course, this question must remain unanswered. Nonetheless, the production of the *Kalendario Antiguo* in the chapter of Burgos during the 1220s was clearly another way in which Maurice wished to add to the grandeur of his new cathedral, ensuring that the history of Burgos and indeed even its distant dead were commemorated in the most up-to-date Roman liturgical calendar possible.

Living stones: the cathedral canons

The changes that were taking place in the cathedral of Burgos had a direct impact on the lives of the chapter and the ways in which the canons practised their daily liturgy. These individuals are crucial, if rarely accessible, components in understanding the developments that took place within Burgos cathedral under Maurice. Indeed, it could be said that the identities of the canons were both part of the cause and the results of the cultural changes led by Maurice. A close look at the identities of those who filled the stalls of the cathedral – as far as they can be known, which is often to a limited degree – suggests that the make-up of the chapter did change under Maurice, and in particular from the 1220s onwards.

We have already seen evidence to suggest that Maurice was actively appointing individuals to his cathedral chapter. The first example is that of Hylario, his assistant and chaplain from Toledo, who, as we saw in [Chapter 3](#), became an important player in Maurice's diocesan networks as abbot of Foncea from 1217 onwards. In August of that same year, Maurice also appointed a relative of his, 'G', to the cathedral, which, as we saw in [Chapter 1](#), led to scandal amongst many of the canons. It is, then, to Maurice's influence that we look to account for the notable rise in the number of canons who bore the title of Master, or *magister*, in the cathedral chapter of Burgos from the start of the 1220s.

The term *magister* is a complex and nebulous one, and difficult to quantify, as we have discussed elsewhere, but it was, by all accounts, a term of distinction amongst the clergy of 13th-century Castile.¹³⁵ As we saw in [Chapter 1](#), Maurice was quite unusual in being designated with this title during his archidiaconal career in Toledo, and nor were there many *magistri* in Burgos in the same period: we find mention of just one in the years 1200 to 1213.¹³⁶ This seems to have changed quite dramatically after Maurice's appointment to the episcopate. In April 1214, a canon named Master Helias began to appear on witness lists.¹³⁷ It is unclear if this is the

¹³⁵ For a full discussion of this term, see [Chapter 1](#). See also Guijarro González, *Maestros, escuelas y libros*, 77–90; and Vicente Beltrán de Heredia, 'La formación intelectual del clero en España durante los siglos XII, XIII y XIV', *Revista española de Teología*, 5 (1946), 313–57.

¹³⁶ A Master Rodrigo: DCB, Docs 477–85.

¹³⁷ DCB, Doc. 471.

same as the ‘Helias de Limoges’ who appears as a witness in 1216.¹³⁸ Master Martín joined the chapter in December 1214, reappearing four times until March 1218.¹³⁹ In June 1217, at the same time as the arrival of Hylario from Toledo, we also encounter Master Aparicio, who became sacristan in May 1221 and prior just a month later, and who would ultimately end up becoming bishop of Burgos in 1246.¹⁴⁰

From 1221, after Maurice had returned from his journey to Suabia and founded the cathedral, the number of such appointments began to grow markedly. Master Marino, archdeacon, had taken office by May 1221,¹⁴¹ and by the end of the year he had been joined in the chapter by four other masters, Vela, Martín, Pedro, and Rodrigo.¹⁴² The post of cathedral dean went to Master Arnaldo in April 1222, whilst a certain Master Pedro went on to become sacristan in June 1222 (taking over from Aparicio), illustrating what seems to be Maurice’s preference for ‘masters’ in the more senior canonical positions.¹⁴³ By 1225, a new archdeacon of Palenzuela, Master Fernando, was in place.¹⁴⁴ The archdeacon of Treviño was also Master Aparicio in this year, whilst by November 1229, Master Domingo was promoted to sacrist, where he remained until 1234.¹⁴⁵ By the final decade of Maurice’s life, more and more of the canonical witnesses signing their names on the documents of Burgos cathedral bore this title. The witness list to an agreement between the bishop and the monastery of Oña in August 1236 is just one example, listing Masters Pedro the dean, Martín archdeacon, Domingo archdeacon, Juan Maté abbot of San Millán (a resident dignitary in Burgos cathedral), and Fernando.¹⁴⁶

Clearly, something of a shift had taken place in the make-up of the cathedral chapter of Burgos. It is important to point out that not all canons in senior office held the title, and some examples remain of non-magisterial individuals in high office.¹⁴⁷ As we saw in [Chapter 1](#), of Maurice’s colleagues who bore the title, most

¹³⁸ *DCB*, Doc. 494.

¹³⁹ *DCB*, Doc. 485 (December 1214); Doc. 493 (May 1216); Doc. 496 (May 1216); Doc. 500 (December 1216); Doc. 513 (March 1218).

¹⁴⁰ Master Aparicio: *DCB*, Doc. 508 (June 1217); Doc. 530 (May 1221); Doc. 533 (December 1221); as prior, Doc. 541 (December 1222); Doc. 545 (December 1222). He became bishop in 1246, after Maurice’s successor Juan had died, and remained bishop until 1257.

¹⁴¹ Master Marino, archdeacon; *DCB*, Docs 530 and 541.

¹⁴² Master Vela de Lara, from December 1221 to December 1222 (*DCB*, Docs 533, 536, 541, and 545); Master Martín, archdeacon of Palenzuela, from December 1221 to December 1222 (*DCB*, Docs 533, 537, 541, and 545); Master Pedro, from sometime in 1221 until December 1222 (*DCB*, Docs 536, 537, and 545); and Master Rodrigo, 1221 until December 1222 (*DCB*, Docs 536 and 545). Martín can also be seen in the post of archdeacon of Lara in August 1225; see del Alamo, *Colección diplomática de San Salvador de Oña*, Doc. 439.

¹⁴³ *DCB*, Doc. 539. Dean Master Arnaldo is also referred to as judge in September 1227; see Menéndez Pidal, Doc. 178.

¹⁴⁴ *ACB* v. 40, f. 209 (23 April 1225) For Master Fernando, see Alamo, *Colección diplomática*, Doc. 439.

¹⁴⁵ See *ACB* v. 37, f. 5 (November 1229); *ACB* v. 27 f. 18 (December 1229); *ACB* v. 25, f. 320 (1234) and Alamo, *Colección diplomática*, Doc. 439.

¹⁴⁶ *ACB* v. 25, f. 348 (August 1236).

¹⁴⁷ Such as the archdeacon of Valpuesta in November 1236; see *ACB* v. 25, f. 313.

can be identified as having received a high level of education, generally abroad, with the two most frequent destinations being Paris and Bologna.¹⁴⁸ We lack any sort of background information for almost all of the canons mentioned above in Burgos, but there is one who can be identified: the Master Juan of November 1236, a reference to Maurice's nephew, Juan de Medina de Pomar. As we saw in [Chapter 1](#), there is clear evidence that Juan *did* study in Paris in these years – but whether he was representative of any of the others is impossible to say.¹⁴⁹

However the term *magister* is to be precisely interpreted in this context, the rapid and marked increase in its use is notable under Maurice. Whether these *magistri* came to Burgos of their own accord, or whether Maurice appointed them deliberately is hard to assess. As we have demonstrated, Maurice was perfectly capable of bringing canons into the cathedral, even when this was to the displeasure of the existing members. Moreover, the appearance of these figures in the upper echelons of the chapter clearly indicates that they were promoted to these posts – which suggests that whether Maurice actively brought these individuals to Burgos or not, he valued their presence in his chapter. We should remember that the offices of archdeacon, dean, and sacrist were the most important in the cathedral, and those that worked most closely with the bishop himself; indeed, that even sat next to him in the chapter, as the *Concordia Mauriciana* indicates. Maurice, it seems, was ambitious, not just for the appearance of the building, but also with regard to the canons that staffed it.

These, then, were the canons who served in the cathedral under Maurice, who were on the receiving end of his regulations and liturgical innovations, and who populated the new Gothic cathedral. There is also evidence that the cathedral drew visitors to Burgos from further afield. We have already discussed the figure of P. Leonis, *magister in organo*, who was in the cathedral in 1222 and 1223. Moreover, in October 1222, we also encounter a signature by Master Odo, canon of Palencia.¹⁵⁰ This was in fact none other than Master Odo of Cheriton, the fabulist and biblical commentator from Kent, who spent time studying and teaching in Paris from 1200.¹⁵¹ A. C. Friend has pointed out that he is referred to by the title of 'Magister' by 1210, and suggests that he lived in Paris until 1219, meeting, among others, Cardinal Robert of Courson, whom Odo describes as one

¹⁴⁸ Guijarro suggests that there was 'una colonia de hispanos compuesta basicamente de maestros' in Bologna in the 12th century, and many notable Spanish individuals there in the 13th century; Guijarro González, *Maestros, escuelas y libros*, 86–7.

¹⁴⁹ As Guijarro points out, 'en general, es difícil valorar si los casos expuestos de estudiantes castellanos en universidades francas son la punta del iceberg de un fenómeno más frecuente de lo que registra la documentación o son una expresión de lo minoritario de esta opción'; Guijarro González, *Maestros, escuelas y libros*, 90.

¹⁵⁰ DCB, Doc. 543.

¹⁵¹ A. C. Friend, 'Master Odo of Cheriton', *Speculum*, 23 (1948), 641–58, at 645–7.

of his acquaintances.¹⁵² At some point around 1220, he travelled to southern France and then on into Spain, a move reflected in references to experiences in the Peninsula and to various Spanish cities in his sermons, as Friend points out.¹⁵³ There are additionally, two manuscripts attributed to Odo and found in 14th-century copies in Spain, one in Osma, signed ‘O. de Ceritonia’, and one in Madrid.¹⁵⁴ Indeed, a recent study by Enzo Franchini has suggested that not only did Odo travel to Spain, but that he spent most of the 1220s in Castile and was summoned there to join the cathedral chapter of Palencia and to teach in the city’s famous *studium* in 1220, as one of the foreign masters of theology referred to in the *De Rebus Hispanie*, thus explaining his epithet ‘of Palencia’.¹⁵⁵ A ‘Master Odo’ appears on a witness list in Palencia in April 1223, and Ferreiro Alemparte agrees that ‘this refers, without doubt, to Odo of Cheriton, the famous medieval fabulist’.¹⁵⁶

What brought Odo of Cheriton to Burgos? Masters and scholars were often itinerant in this period, with the mixture of foreign and local scholars travelling to Toledo providing the supreme example of this. However, although Toledo was the best-known centre for translations and new learning in the 12th and early 13th centuries, it was not the only destination where scholarship was encouraged in the Peninsula, particularly not by the second decade of the 13th century. Palencia was a *studium* of considerable importance for scholars, attracting the attention of Archbishop Rodrigo as well as the interest of ‘masters in theology and the arts’ from abroad, and other cities such as Osma, Salamanca, and Zamora were also starting to emerge as centres of learning and culture in early 13th-century Castile.¹⁵⁷

Maurice’s efforts to recruit artisans, musicians, sculptors, and of course architects and masons from the cutting edges of their practices, including from outside Castile, and the notable growth in the number of masters in the cathedral during

¹⁵² Friend, ‘Master Odo of Cheriton’, 647.

¹⁵³ Friend, ‘Master Odo of Cheriton’, 654–5. E. Franchini has also illustrated through textual analysis that Odo spent a number of years in the Iberian Peninsula; see Enzo Franchini, ‘Magister Odo De Chérítón, Profesor de las universidades de Palencia y Salamanca?’, *Revista de poética medieval*, 2 (1998), 79–114.

¹⁵⁴ J. Ferreiro Alemparte, ‘Hermann el Alemán, traductor des siglo XIII’, *Hispania Sacra*, 35 (1983), 9–56, at 31; see also J. Jacobs, *The Fables of Odo of Cheriton* (New York: Syracuse University Press, 1985).

¹⁵⁵ Franchini, ‘Magister Odo De Chérítón’, 86–9. He points out that the term ‘of Palencia’ was only used by Odo from 1220–3, at which point he moved to Salamanca. See Franchini, ‘Magister Odo De Chérítón’, 105–7.

¹⁵⁶ Ferreiro Alemparte, ‘Hermann el Alemán, traductor des siglo XIII’.

¹⁵⁷ See Adeline Rucquoi, *Dominicus Hispanus: Ochocientos años de la orden de predicadores* (Valladolid: Junta de Castilla y León, 2016); Linehan, ‘An Impugned Chirograph, and the Juristic Culture of Early 13th Century Zamora’; A. Iglesia Ferreiros, ‘Escuela, estudio y maestros’, *Historia: Instituciones, Documentos*, 25 (1998), 313–26; Guijarro González, *Maestros, escuelas y libros*, 77–90; and Beltrán de Heredia, ‘La formación intelectual del clero en España durante los siglos XII, XIII y XIV’.

his lifetime suggest that he had similar ambitions for Burgos.¹⁵⁸ Nor were Odo and P. Leonis the only foreign scholars to have visited the city in this period. The translator and philosopher Hermannus Alemannus spent some years in Burgos, where he can be seen for the first time from around 1240 – that is, just after Maurice's death.¹⁵⁹ He stayed in the city until 1246, during which time he continued working on a Latin translation of Avicenna's *Kitāb al-Shifā'*, a work that is generally understood to be a continuation of the efforts of translators in Toledo since the late 12th century.¹⁶⁰ This translation was in fact dedicated to Maurice's immediate successor, Bishop Juan of Burgos, who was in office from 1241 until 1246.¹⁶¹ There also seems to be a connection between Hermannus and the cathedral of Palencia, and Ferreiro Alemparte suggests that he was a canon at that cathedral in the 1230s as well as one of the 'foreign masters' at the *studium*, pointing out that the translator's will leaves donations to the Palencian chapter.¹⁶² That Hermannus should have moved to Burgos at some point in the late 1230s or early 1240s suggests that there was an interest in his translations and potential patronage available to him – once again, an indication that, under Maurice, the cathedral of Burgos was starting to become a centre of cultural and intellectual significance in Castile more broadly.¹⁶³

The Puerta del Sarmental

Having discussed the new cathedral building and the development of its interior under Maurice, let us finally turn to the point at which these two intersected: the Puerta del Sarmental, the southern portal of the cathedral (see [Figure 5.3](#)). This

¹⁵⁸ It should also be noted that in 1246, the will of Bishop Juan leaves money in thanks to 'the men of Master Martín Glazaron who come and go to Paris: Garcia Juanes, Martín Domingo and Martín Esteban'; ACB v. 25, f. 351.

¹⁵⁹ Marie-Thérèse d'Alverny, 'Notes sur les traductions médiévales d'Avicenne', *Archives d'histoire doctrinale et littéraire du Moyen Âge*, 19 (1952), 337–58; also Burnett, *Arabic into Latin in the Middle Ages*, 370–404.

¹⁶⁰ d'Alverny, 'Notes sur les traductions', 340; Ferreiro Alemparte, 'Hermann el Alemán, traductor des siglo XIII', 35, suggests that Hermann held a residency at Palencia from 1231 until 1240.

¹⁶¹ Juan was himself previously bishop of Osma, it should be pointed out, and also chancellor to Fernando III and author of the *Chronica Latina*. See the [Introduction](#) to this book.

¹⁶² Ferreiro Alemparte, 'Hermann el Alemán'.

¹⁶³ Indeed, Ferreiro Alemparte suggests that Hermann's link with Castile may well have been as part of Beatrice of Hohenstaufen's retinue (which was of course led by Maurice) or alternatively, that he may have been linked with the Master of the Teutonic Order, who was in Silos in 1231. It should be pointed out that Guijarro González, *Maestros, escuelas, libros*, 86–7, and Iluminado Sanz Sancho, 'Prosopografía de los componentes del cabildo catedralicio de la catedral de Córdoba en la edad media (1238–1450): aportaciones a la historia social y cultural', in A. Jorge, H. Vilar and M. Branco, eds, *Carreiras eclesiásticas no ocidente cristão: séc. XII–XIV / Ecclesiastical Careers in Western Christianity: 12th–14th C.* (Lisbon: Universidade Católica Portuguesa, 2007), 31–62, at 60, have both identified Burgos cathedral as having the highest proportion of canons studying in Paris and Bologna by the start of the 14th century.

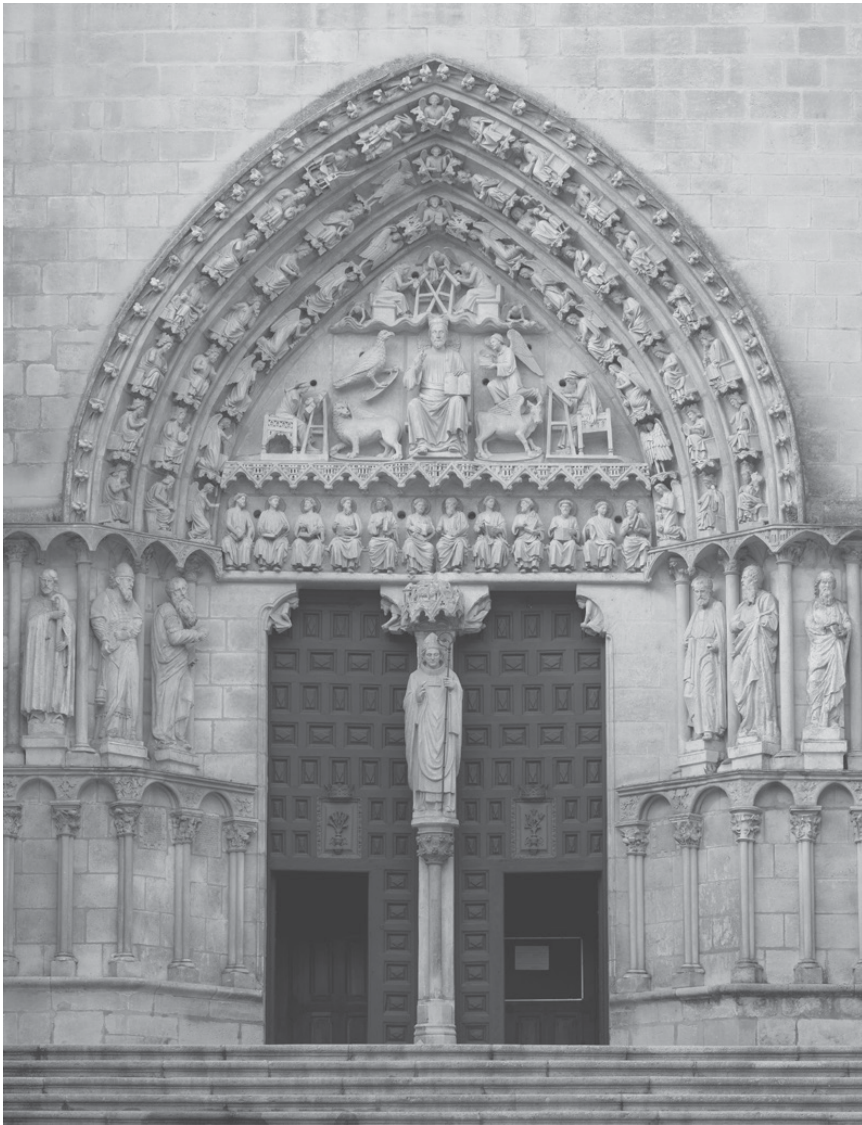


Figure 5.3 The Puerta del Sarmental

was the only portal constructed before Maurice's death, and would therefore have been the exclusive entry to the chevet from 1230 until the end of his life. It was also the only major sculptural project with which he was involved. Frederick Deknatel, whose study of the portal in 1935 remains a major point of reference today, has suggested that this portal and its sculpture were complete by the early 1230s,

although more recent assessments by Rocio Sánchez Ameijeiras and Henrik Karge have concluded that whilst the lower blind arch was probably finished by 1230, the upper part of the door and its sculpture was most likely completed by the end of the decade.¹⁶⁴

The tympanum depicts what would typically be described as an Apocalypse scene: that is, a Christ in Majesty surrounded by evangelists. The figure of Christ is seated at the centre of the tympanum, and has both crown and nimbus, with his right hand raised in what seems to be a blessing and a book in his left hand. At his head, and cutting through his crown and nimbus, is a thick cloud, and he is immediately surrounded by the familiar symbols of the four evangelists, arranged (in clockwise order from the top right) as Matthew, Luke, Mark, and John. Further out, to the side and above these symbols, are four more depictions of the evangelists, this time as men, writing at desks, with their heads bent and quills in hand. The two in the lower part of the tympanum are seated on ornate chairs, whilst the two crammed in above Christ, seated on the cloud, are on simpler benches. In the lintel sit twelve apostles holding books and conversing with each other; the various lengths of beard and appearance of four clean-shaven apostles suggests varying ages.¹⁶⁵ There are three archivolt above the tympanum; the inner row staffed by angels and the two outer rows filled by elders of the Apocalypse, many playing musical instruments, as well as six voussoirs that Rocio Sánchez Ameijeiras has recently demonstrated to be representations of the Liberal Arts.¹⁶⁶ One voussoir in the central archivolt appears to be missing, and a much later angel in darker stone has been used to fill the gap, although it is not clear whether this space should contain a Liberal Art or an elder.¹⁶⁷ The lower jamb figures are not contemporary with the rest of the portal, and seem to have been added in the 17th or 18th centuries.¹⁶⁸ The carved corbels supporting the lintel are from the 1230s, however, as is the large statue of a bishop standing in the trumeau, wearing a mitre and holding

¹⁶⁴ Deknatel, 'Thirteenth Century Gothic Sculpture'; Sánchez Ameijeiras, 'La portada del Sarmental'; and Karge, *La catedral de Burgos*, 43. For more on the sculpture of Burgos cathedral in the 1240s and 1250s, see J. Gardener, 'Stone Saints: Commemoration and Likeness in Thirteenth-Century Italy, France and Spain', *Gesta*, 46 (2007), 121–34; H. Karge, 'From Naumburg to Burgos: European Sculpture and Dynastic Politics in the Thirteenth Century', *Hispanic Research Journal*, 13:5 (2012), 434–48; and F. Hernández, 'Two Weddings and a Funeral: Alfonso X's Monuments in Burgos', *Hispanic Research Journal*, 13:5 (2012), 407–33.

¹⁶⁵ Rocio Sánchez sees this as being a representation of Maurice's instructions to shave regularly ('La portada del Sarmental'). However, other 12th-century depictions of the Apostles also feature these variations, for example, the Apostles on the tomb of St Dominic of Silos.

¹⁶⁶ Deknatel comments on them but does not conclusively identify them, 'Thirteenth Century Gothic Sculpture', 259.

¹⁶⁷ Of course, a seventh Liberal Art is a tempting hypothesis.

¹⁶⁸ Deknatel, 'Thirteenth Century Gothic Sculpture', 259. Martínez y Sanz dates them to the 19th century; *Historia del templo catedral de Burgos*, 31.

a crosier in his left hand, whilst his right hand blesses those who enter through the door below.¹⁶⁹

Although some precursory examples of Gothic sculpture do exist in the Peninsula, for example, at Santiago de Compostela and Tuy, as Deknatel has noted, this portal is the earliest full series of Gothic tympanum art in the Peninsula. Like the new chevet to which it gave access, the *Puerta del Sarmental* was the work of expert artisans from France. These sculptors were not only familiar with the work of contemporary Gothic portals, but according to Deknatel's analysis, 'unquestionably came to Burgos from Amiens'.¹⁷⁰ In particular, the Christ at the centre of the *Sarmental* tympanum shows remarkable technical similarity to the 'Beau Dieu' of Amiens, the carving of Christ in Majesty that bedecks the central tympanum of Amiens western façade. Deknatel points out that even the imitation attempts elsewhere on the façade at Amiens were unable to reproduce the effects that we see in the Burgos Christ, indicating that this particular master must have carved the tympanum Christ himself. The same sculptor also produced the writing evangelists, whilst the apostles of the lintel and the great statue of the bishop seem to have been produced by a second master, equally demonstrated by Deknatel to have come from the Amiens workshop. So great is the similarity in sculptural style, Deknatel suggests that these two masters must have come to Burgos straight after finishing Amiens – sometime in the late 1220s – and as he points out, it is unlikely that the two most senior sculptors from such a project would drift all the way to Spain in search of subsequent work. His hypothesis is that 'in the case of the Amiens masters, it is more reasonable to suppose that the journey to Spain was the result of negotiations on the part of Burgos authorities'.¹⁷¹ Rocio Sánchez Amejnerias agrees that the sculptors must have come from Amiens, although she adds that they also knew the sculptural style of the cathedral of Reims.¹⁷² Clearly the sculptors who decorated the *Puerta del Sarmental* were using the most contemporary and advanced techniques, and were wholly competent in producing the latest French fashions in their sculptures.

Unlike the chevet, however, the sculpture of this tympanum does not appear to recreate any particular model, and in fact its iconography is strikingly different from that of Amiens or any other contemporary Gothic portal. For Deknatel, the design of *Sarmental* is overwhelmingly 'archaic' and 'old-fashioned', and can be most closely compared with the central portal of the west façade of Chartres, carved over one hundred years previously, which depicts a Christ in Majesty surrounded

¹⁶⁹ It must be noted that the statue currently in place is a copy made in 1948; the original medieval statue can be found in the cloister. See Sánchez, 'La portada', 164. There is considerable debate as to the identity of this statue; see below in this section.

¹⁷⁰ Deknatel, 'Thirteenth Century Gothic Sculpture', 260.

¹⁷¹ Deknatel, 'Thirteenth Century Gothic Sculpture', 270–3.

¹⁷² Sánchez, 'La portada', 165.

by the four symbols (although in a different order to that of Sarmental).¹⁷³ His suggested explanation is that

this clothing of old ideas in the most advanced style of the time indicates that the iconography must have been determined by someone other than the man who executed the sculpture ... The determination of the iconography was probably done by local ecclesiastics who were either ignorant of the decoration of the portals of the cathedrals which were then being built in France, or who, while aware of new work going on, still clung to old formulas.¹⁷⁴

The Puerta del Sarmental was the southern portal, the connection between the bishop's residence (and most likely the *vestiarium* or sacristy) and the chevet. This means it would have been intended for use primarily by the bishop and chapter, and was a comparatively private portal, whose iconographical message was directed not at the general masses but at the cathedral clergy. The patron whose unusual choices influenced the iconography of this portal was without doubt Bishop Maurice. Not only was he the sole ecclesiastical figure with the authority to make such decisions about his new cathedral, but as we shall see, this portal reflects Maurice's broader vision of his church. The portal's most unusual features, and those that particularly startled Deknatel, were those connected with learning, in particular writing: the writing Evangelists, the Liberal Arts in the archivolt, and the curious cloud that cuts through Christ's head.

Indeed, Rocio Sánchez Ameijerías, whose extremely important article on this portal was published in 2001, has suggested that this iconography was not 'archaic' and uninformed – after all, the selection of sculptors *à la mode* indicates quite the opposite – but forms purposefully chosen by the patron in order to articulate 'an original discourse, to the extent that sculptors were forced to think up new formulations'.¹⁷⁵ For Sánchez, this discourse can be summed up as the 'scholarly tone' of the portal, its emphasis on the role of learning and philosophy, which suggests the presence of a new school in the cathedral.¹⁷⁶

The earliest name on record for this portal was not Sarmental, but the 'Revelation of the Gospel', a name that accurately reflects the central action of the tympanum, which reveals the embodied Christ dictating or teaching the gospels to the four Evangelists, who are actively writing it down.¹⁷⁷ The Word, or Logos, is represented in three ways; Christ himself, the open book of the Gospels in his left hand, and finally, in continual production on the sloping desks of the Evangelists, in the four corners of the tympanum (see [Figure 5.4](#)). Sánchez has suggested that

¹⁷³ Deknatel, 'Thirteenth Century Gothic Sculpture', 255–9.

¹⁷⁴ Deknatel, 'Thirteenth Century Gothic Sculpture', 255.

¹⁷⁵ Sánchez, 'La portada', 162.

¹⁷⁶ See Sánchez, 'La portada'.

¹⁷⁷ See J. Olarte, 'La Portada del Sarmental de la Catedral de Burgos, exégesis artística de Mt, 23, 8.10', *Cultura Bíblica*, 3 (1946), 45–50.

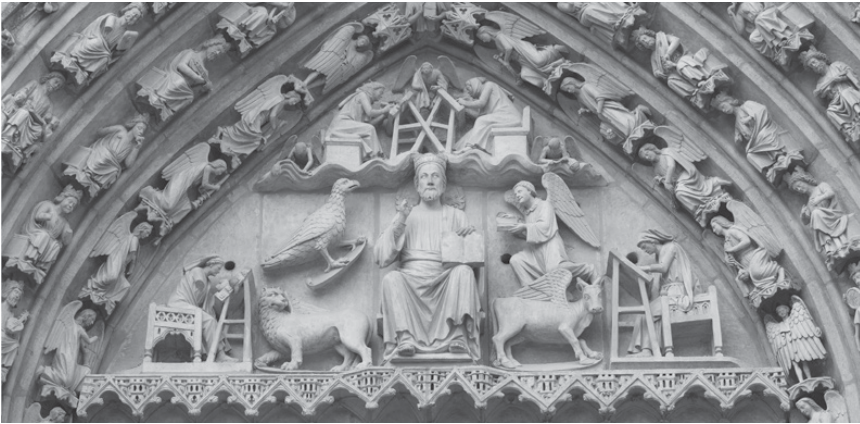


Figure 5.4 Christ the Logos and the writing Evangelists, Puerta del Sarmental

this is not a Christ in Majesty, but ‘a Christ-Logos, a master Christ dictating the Gospels to his disciples’.¹⁷⁸

He is surrounded by the highly unusual image of the Evangelists writing – an image that indeed is quite unique. The only sculptural precedent identified by Sánchez is in the cloister portals of two French abbeys, St-Benoît-sur-Loire and St-Pierre-Le-Moutier, although loose parallels exist on the south portal of the west façade at Chartres in the statues of two philosophers or writers sitting at writing desks and holding quills (although from a different angle to the writers on the Puerta del Sarmental – and of course, these are not Evangelists).¹⁷⁹ The vousoir sculptures of the Liberal Arts that surround this scene are the first such sculptures to be seen in Spain (see [Figures 5.5–5.7](#)).¹⁸⁰ Represented appear to be the allegories of geometry, music (the organist), medicine, rhetoric, grammar, and music a second time (ringing bells), an unorthodox selection, although as Gerardo Boto Varela has pointed out, not all archivolts featured the standard ‘seven’ arts, and the Liberal Arts at Laon also include medicine.¹⁸¹ Logic, arithmetic, and astronomy

¹⁷⁸ Sanchez, ‘La portada’, 186: ‘un Cristo-Logos, un Cristo maestro dictando el evangelio a sus discípulos’. See also L. Huidobro Serna, *La catedral de Burgos* (Madrid: Editorial Plus-Ultra, 1949), 25–6: ‘Ocupa el centro del tímpano la bellísima figura de Nuestro Señor Jesucristo coronado, en actitud, no como suele interpretarse de bendecir, sino de enseñar’ (cited by Sánchez).

¹⁷⁹ For the abbey portals, see Sánchez, ‘La portada’, 189–90. For the philosophers at Chartres, see Cleaver, *Education in Twelfth-Century Art and Architecture*, 16.

¹⁸⁰ For the identification and analysis of these sculptures, see Sánchez, ‘La portada’, 172–7.

¹⁸¹ Gerardo Boto Varela, ‘Sobre reyes y tumbas en la catedral de León. Discursos visuales de poder político y honra sacra’, in Joaquín Yarza Luaces, María Victoria Herraiz, and Gerardo Boto Varela, eds, *La Catedral de León en la Edad Media. Congreso Internacional. Actas* (León: Universidad de León, 2004), 321; and Cleaver, *Education in Twelfth-Century Art and Architecture*, 16. Compare the list of six Arts in the stained-glass windows at León (dated to the 1270s), which depict ‘Dialectic, Grammar and Arithmetic’, according to Nieto Alcaide, *La vidriera española*, 62–3.



Figures 5.5–5.7 The Liberal Arts on the Puerta del Sarmental; seemingly geometry, music (the organist), medicine, rhetoric, grammar, and music (ringing bells)

appear to be absent, although one may be missing. These arts are represented by pairs of figures, each depicting an adult male (in a variety of garments, suggesting both lay and clerical figures) accompanied by a child, an extremely unusual configuration that Sánchez has described as ‘a form for which there are no known precedents in the field of allegorical series in French monumental art.’¹⁸² Again, the

¹⁸² Sánchez, ‘La portada,’ 174.

closest iconographical links to this are in manuscript illuminations, and Sánchez has identified a parallel typology in illustrations of a copy of Isidore of Seville's *Etymologies* from Suabia.¹⁸³

Such scholarly imagery, as Sánchez has pointed out, presents scholarship and learning as an ideal, and thus would seem to indicate the presence of a school of some sort at the cathedral of Burgos, which, as we have discussed above, is a proposition supported by other evidence too.¹⁸⁴ Indeed, as Laura Cleaver has suggested in her study of the iconography of learning, such imagery was not simply a reflection of the chapter, but could also 'indicate an individual's desire to be recognised as a scholar'.¹⁸⁵ That individual would of course be none other than the bishop and patron of the sculptural design, and given what else we know of Maurice, this seems highly likely.¹⁸⁶ Indeed, Cleaver has suggested that, beyond the connotations of immediate scholarship within the cathedral, the imagery of the Liberal Arts in fact 'formed part of presentations of universal order'.¹⁸⁷ Such portals were to be read inwards from the outside of the archivolts – thus through the arts, and then the angels (and the elders of the Apocalypse, in the case of Burgos) to the representation of God at the centre. This, Cleaver suggests, is the schema within which such depictions should be understood, as on the façade at Sens (completed in around 1200) and the west façade of Chartres (dated to the 1140s). In this context, the Liberal Arts were displayed as 'a means by which man can come to a greater understanding of God'.¹⁸⁸

A revealing comparison is that of the west façade of Chartres, where both Cleaver and Fassler have linked the representations of scholarship and the Liberal Arts in the archivolts to the school of thinkers at the cathedral, scholars such as Bernard of Chartres, Gilbert of Poitiers, and Thierry of Chartres.¹⁸⁹ Indeed, although interpretations of the sculptural programme of the west façade at Chartres are still an issue of debate, Fassler has demonstrated that the three portals treat aspects of mankind's ascension towards and perceptions of the divine. In

¹⁸³ Sánchez, 'La portada', 175. Sánchez has also identified broader similarities with sculptures at Chartres, Laon, and Sens (Sánchez, 'La portada', 172–4 and 184).

¹⁸⁴ Sánchez, 'La portada', 177–8.

¹⁸⁵ Cleaver, *Education in Twelfth-Century Art and Architecture*, 24.

¹⁸⁶ On bishops as patrons of sculpture, see Cleaver, *Education in Twelfth-Century Art and Architecture*, 26–8.

¹⁸⁷ Cleaver, *Education in Twelfth-Century Art and Architecture*, 9.

¹⁸⁸ Cleaver, *Education in Twelfth-Century Art and Architecture*, 9.

¹⁸⁹ Cleaver, *Education in Twelfth-Century Art and Architecture*, 24; see also A. Katzenellenbogen, *The Sculptural Programs of Chartres Cathedral: Christ, Mary, Ecclesia* (Baltimore: Johns Hopkins Press, 1959).

particular, she points out, the northern portal, often considered to be a representation of the Ascension, is in fact a depiction of 'Christ-to-come', Christ the unseen, who is hidden in swathes of cloud.¹⁹⁰ Knowledge of God was through prophecy alone. The iconography of the southern portal, on the other hand, reflects the world after the coming of Christ – the 'time of Grace', as Hugh of Saint-Victor referred to it – in which the divine was accessible to man and could be reached by the pursuit of the Liberal Arts, which are carved on the archivolt of this portal. This portal, Fassler suggests, is a manifestation of the writings of Hugh of Saint-Victor, and his statement that 'it is clear that all the natural arts serve divine science, and that the lower wisdom, rightly ordered, leads to the higher.'¹⁹¹ For the iconography to produce such a complex theological message, 'the artists must have worked in concert with the theologians.'¹⁹²

The example of Chartres is important, not only because it features the Liberal Arts in the archivolt as at Burgos, but because the cloud around Christ also plays a central role on the tympanum of Sarmental. Indeed, this is one of the features of the Sarmental Christ that has prompted Sánchez to suggest that the iconography on the Puerta del Sarmental is 'contaminated with the allegory of philosophy'.¹⁹³ In particular, she suggests, the book, the crown, and the cloud at Christ's head, revealing him stretching from the heavens to the earth, echo the representation of 'philosophy' in the *De consolatione philosophiae* of Boethius, represented as a figure whose head 'pierced the very heavens'.¹⁹⁴

Cleaver has suggested that this imagery equally inspired the representations of philosophy in the portals at Loches, Sens, and Laon.¹⁹⁵ The example of Laon is particularly notable, where the statue of philosophy on the north window of the west façade, probably complete by the 1190s, is seated and holds an open book whilst her head disappears into a cloud.¹⁹⁶ A ladder leaning against the figure completes the clear message that ascension to heaven – which is necessarily unseen – is only possible through scholarship, of which philosophy is the keystone.

The cloud cutting off Christ's crown and nimbus on the Puerta del Sarmental, like those at Laon and Chartres, provides a commentary on the nature of the

¹⁹⁰ Margot Fassler, 'Liturgy and Sacred History in the Twelfth-Century Tympana at Chartres', *The Art Bulletin*, 75:3 (1993), 509–11.

¹⁹¹ Fassler, 'Liturgy and Sacred History', citing Hugh of St Victor's *De Sacramentis Christianae Fidei* I, Prologue, VI.

¹⁹² Fassler, 'Liturgy and Sacred History', 517.

¹⁹³ Sánchez, 'La portada', 186; for further analysis of Christ as wisdom, see 186–90.

¹⁹⁴ Boethius, *De consolatione philosophiae*, 1.i: 'Quam cum altius caput extulisset, ipsum etiam coelum penetrabat respicientiumque hominum frustrabatur intuitum', as cited by Sánchez, 'La portada', 186–8.

¹⁹⁵ Cleaver, *Education in Twelfth-Century Art and Architecture*, 16–23.

divine. Unlike the carefully segmented tympana of contemporary Gothic portals in France – for example, those of Amiens (including the Beau Dieu portal), Notre-Dame de Paris, Bourges, and Reims – the Sarmental tympanum is fully devoted to just this one scene. The cloud does not layer off another section within the image (unlike the divisions seen in most tympana), but is integral to the image of Christ himself. Two evangelists sit perched on the edges of the cloud, but they are very much part of the whole narrative of the image, and not in a separate ‘segment’ of the tympanum.

Indeed, just as at Chartres and in the unknown knowledge of the philosopher represented at Laon, the cloud around the Christ of the Sarmental is one of invisibility. The divine attributes of Christ are hidden, and thus his status as God is not visible on earth or to the apostles of the lintel. The other figures on the tympanum (apart from the angels) can only see him as Christ the man, although the viewer standing in front of the portal can see at once that he is in fact connecting heaven and earth, just as in the description of philosophy by Boethius. It is the teachings of Christ, the theological order he establishes around him with his raised finger, and the Gospels that provide a way for the other figures on the tympanum to understand his divinity.

This imagery, the invisible heaven approached through the order of the visible world, recalls another text: the *Concordia Mauriciana*, where the theological imperative for the ordering of the ‘workings of the sensible world’ is made clear. God has set his order in the ‘invisible things’, and it is precisely this Celestial Hierarchy that confronts the viewer of the Puerta del Sarmental, and which must be mirrored in the ‘temporal things’ of this world. To achieve this ‘similitude’ was the goal of the Church on earth, as instructed by St Paul in the opening sentence of the *Concordia*: ‘let all things be done decently and according to order’. The Christ in the centre of the tympanum is engaged in doing precisely this, teaching the four Evangelists the words of the Gospels, and thus revealing the divine order that the Church on earth must follow in order to ascend to the invisible heaven. This message is reinforced by the signs of order around Christ, and most of all by the Liberal Arts carved just above him, which, as we have discussed, refer not just to the value of scholarship but also to establishment of universal order. Even contemporary French music is part of the order that Christ proclaims from the centre of this tympanum.

Moreover, the Sarmental tympanum is the scene of an ongoing mass. Christ is surrounded by angels carrying liturgical objects: six incense him with their thuribles, whilst two acolyte angels bear candles. The scene was a direct reflection of the reality below, as canons would have processed through these doors each day for mass, holding candles and thuribles just as the *Concordia* instructs. Awaiting them on the altar were the Gospels and the Host – the Christ from the tympanum – the

only things to be displayed on the high altar.¹⁹⁷ The canons of Burgos who processed beneath this imagery embodied the rightly ordered Church on earth, the ‘Ecclesiastical Hierarchy’ as it should be, in their well-fitting copes, with neat tonsures and suitable footwear, accompanied by the most up-to-date polyphony and celebrating the liturgical feasts stipulated in the *Kalendarium Antiquum*.¹⁹⁸ Some of them were distinguished for their learning. All of this took place within the most splendid chevet the bishop could have commissioned, a building that purposefully recalled the cathedral of Bourges and that would, in 1230, have been radically different from any other church in Castile.

Conclusions

Whilst it was God who ordered the heavens, the job of recreating this order within the earthly Church fell to the bishop. We saw this expressed clearly in the *Concordia*, when Maurice referred to the role of the ‘wise man’ on earth in the ordering of ‘temporal things’. We also see it clearly in Maurice’s memorial document, written in the same month, November 1230, in which he describes his own role as being that of the ‘pontifex ... raised up above men and set in place on behalf of men in those things that pertain to God’.¹⁹⁹ The bishop stood at the very top of the hierarchy of the Church on earth; he was at ‘the apex of glory’, from which point he bore the responsibility of ordering all those below him. In this way, the bishop’s role was one of *similitudo* with that of Christ himself; he was the builder of the Church on earth, a role that, as we have seen, Maurice felt keenly.²⁰⁰

This imagery of the bishop at the apex brings us back to the statue of an unidentified bishop that stands at the trumeau of the Puerta del Sarmental (see [Figure 5.3](#)). Like Christ on the tympanum above, the bishop is both teaching and blessing, with two fingers raised. There is no indication of sanctity, nor any identifying features that point to any of the better-known ‘bishop-saints’. The figure stands below the level of heaven but very definitely raised up above men, and most immediately, over the men who processed through this portal on a daily basis. The trumeau of a cathedral portal is most commonly occupied by a saint or by

¹⁹⁶ Cleaver, *Education in Twelfth-Century Art and Architecture*, 16–23.

¹⁹⁷ Jennifer Harris has described the altar as an ‘axis mundi’, where earth and heaven collide; Harris, ‘Building Heaven on Earth’, 136.

¹⁹⁸ Compare Sánchez’s comments on the beards of the lintel Apostles; Sánchez, ‘La Portada’, 192.

¹⁹⁹ ‘ex hominibus pontifex assumptus et pro hominibus constitutus in hiis que sunt ad Deum’; Maurice’s memorial document, see [Appendix IV](#) and, for analysis, see [Chapter 4](#).

²⁰⁰ On the *ecclesia* as heaven on earth, see Iogna-Prat, *La Maison de Dieu*, 167–77; also Eric Palazzo, ‘Archéologie et liturgie’, in Boynton and Cochelin, *From Dead of Night*, 316.

Christ himself, and this statue, identifiable as neither, has been the subject of much speculation. In 1935, Deknatel pointed out that, unprecedented as it would be to feature a living bishop on a trumeau, Maurice himself seemed to be the most likely option, given the lack of alternatives, and also citing local tradition in Burgos that the statue does indeed depict Maurice.²⁰¹ Several recent scholars have disagreed, however, suggesting that the trumeau must show one of two Visigothic bishops of Oca (where the see resided before Burgos).²⁰² Yet neither of these two Visigothic saints appears in the *Kalendario Antiguo*, and there are no chapels or dedications to them. With this in mind, it seems extremely unlikely that they should feature in so prominent a place, especially not within a portal whose imagery had been so carefully crafted as that of the Puerta del Sarmental. However, when understood within the iconography of the tympanum and with relation to Maurice's clearly articulated understanding of the bishop's place in the earthly Church, it seems far more likely that this statue continues the relationship of *similitudo* between earth and heaven by representing the bishop himself, the figure who stood at the centre of all of these changes; literally, the bishop of Burgos, the high priest whose role it was to reorder the Ecclesiastical Hierarchy of his own cathedral, and figuratively, the original cornerstone, for whom all bishops were representatives on earth, Christ himself.

Maurice's vision of the Church on earth, encapsulated in the words at the opening of the *Concordia* and in the iconography of the Puerta del Sarmental, provides us with a new way of understanding the changes that he spent much of his life introducing into Burgos cathedral. The 'new fabric' of Burgos cathedral was the most visible expression of a theological imperative that drove his episcopal career, namely, to establish what he saw to be the rightful order of heaven in the Church on earth. In [Chapter 4](#), we saw the theological substrate for these ideas; here, we see the manifestation of this in his own cathedral of Burgos, a cathedral that he rebuilt and reordered to match his vision of how the earthly Church should look, sound, and operate. As we have seen throughout this chapter, this vision was manifest not only in the rebuilding of the cathedral, but also in a far more wide-reaching programme of cultural change, one that incorporated new texts, music, liturgy, and even new canons themselves. By the time of Maurice's death, Burgos cathedral would have looked and sounded different to any of the other churches in Castile. Its liturgy, music, and manuscripts, as well as its art and architectural

²⁰¹ Deknatel, 'Thirteenth Century Gothic Sculpture', 259.

²⁰² Writing in 2001, Sánchez suggests that the trumeau may show a Visigothic bishop of Burgos, perhaps San Indalecio or San Asterio, Bishop of Oca in 589; see Sánchez Ameijeiras, 'La portada', 191. See also José Azcárate, *Arte gótico en España* (Madrid: Catedra, 1990), 155, who has suggested that the figure is San Indalecio, and Salvador Ordax, *La catedral de Burgos, patrimonio de la humanidad* (León: Edilesa, 1993), 27, who has favoured San Asterio.

form, had undergone a reform that brought the practices of Burgos up-to-date with the most sophisticated French cathedrals. The splendour of the *opus francigenum* lay not only in its flying buttresses and magnificent internal spaces, but also in its symbolism; it was a statement of Maurice's own cultural and theological priorities and ambitions, as both *vir sapiens* and *pontifex*.

Conclusion: Glory and Order on the Edges of Christendom

Maurice had a keen understanding of the glory of episcopal office, or the ‘pontifical glory’ as he described it. Frequently throughout this book, we have seen his commitment to ecclesiastical honour, as an archdeacon pestering the archbishop of Toledo ‘day and night’ over that cathedral’s candles, as an angry bishop snubbed by the monks of Santo Domingo de Silos, and as the imperious pontifex, governing his cathedral from the very ‘apex of glory’. Maintaining such an elevated role was a challenge. In a rather revealing moment of reflection, he commented in his will that ‘we have all sinned and fall short of the glory of God, and nor is it possible to go through this miserable life without sin’.¹ Nonetheless, for much of his career, Maurice seems to have succeeded in projecting an idealised vision of episcopal majesty, an image encapsulated in the trumeau statue of the Puerta del Sarmental, where the stone bishop with mitre and crosier is literally raised above the processional canons, his right hand raised to bless his flock for eternity.

If Maurice insisted on episcopal majesty in life, he made sure to reinforce this message after his death through the construction of a spectacular tomb, still extant in the nave of Burgos cathedral. A life-sized effigy of the recumbent bishop, wooden but plated with copper and enamel *champlevé*, and originally encrusted with precious metals and jewels, this is a monument quite unique amongst Castilian tombs (see [Figure 6.1](#)). Though it is greatly in need of dedicated study, the art historians who have examined this tomb are in agreement that it should be dated to around the time of Maurice’s death in 1238 or not long after, and that it is an outstanding example of mid-13th-century Limoges enamel work.² It was

¹ See [Appendix IV](#).

² Principally Beatrice de Chancel-Bardelot, in J. Yarza Luaces, ed., *De Limoges à Silos* (Madrid: SEACEX, 2001), 332–4; and Chancel-Bardelot, in Marie-Madeleine Gauthier, Bernadette Barriere *et al.*, eds, *Enamels of Limoges, 1150–1300* (New York: Met Publications, 1996), 435; María Jesus Gómez Bárcena, *Escultura gótica funeraria en Burgos* (Burgos: Diputación Provincial, 1988), 47–9; Marie-Madeleine Gauthier, *Émaux du Moyen Âge occidental* (Fribourg: Office du Livre, 1972), 192; and Alain Erlande-Brandenburg, *El arte gótico* (Sp. translation, AKAL: 2013), 91.



Figure 6.1 The tomb of Bishop Maurice (reproduced with the permission of Burgos cathedral)

erected, free-standing, in the middle of the choir of Maurice's new cathedral, as we are informed by a late medieval hand in the *Kalendarium Antiquum*, though moved to its current location in Burgos cathedral at some point in the 16th century and positioned on a modern stand.³ The effigy of Maurice lies in full episcopal dress, wearing a chasuble, dalmatic, and mitre, and holding a crozier (now missing), with his head resting on a funerary cushion. His eyes are closed and his brow furrowed in what Beatrice de Chancel-Bardelot has described as 'the sleep of death', but nonetheless, his right hand is raised with two fingers extending in blessing, mirroring the trumeau statue.⁴ The left foot has been rubbed bare, a testimony to many centuries of deferential passers-by.

The tomb is, without question, a deluxe piece of work. Chancel-Bardelot, who has studied it in the most detail, describes the enamel work as typical of the Limoges school, particularly the flowery quatrefoils on the cushion and maniple, which as she points out, can be found widely on Limousin statues and reliquaries.⁵ Elsewhere, a series of birds face each other, whilst the main fabric of the finely wrought chasuble and dalmatic is decorated with interweaving patterns of fleurs-de-lys and the three-towered castle of the Castilian heraldic arms. Studs in the

³ ACB *Kalendarium Antiquum*, Cod. 27 f. 112. Gómez Bárcena, *Escultura gótica funeraria*, 47.

⁴ Chancel-Bardelot, in *Enamels of Limoges*, 435.

⁵ Chancel-Bardelot, in *De Limoges à Silos*, 334.

borders of the robes, around the collar and across the mitre, show where jewels were set (all now missing). It was an episcopal tomb of unparalleled splendour in 13th-century Castile; indeed, the closest funerary comparisons, Chancel-Bardelot suggests, are two French royal tombs currently in Saint-Denis, namely those of Louis IX's infant children, Blanche and Jean, who died in 1243 and 1248 and were buried in tombs of Limoges enamel, though she points out that there are some notable stylistic differences too.⁶ These are the realism and 'severe beauty' of the face, a finely lined, expressive, and mostly clean-shaven face with just a shadow of stubble, and 'the animation of the folds of the chasuble [which] recalls more the stone statues of the porticos of French cathedrals around 1240–1260'.⁷

Frustratingly little is known about the provenance of Maurice's tomb. It was certainly of very great value, and would have been at the cutting edge of French funerary craft. Effigy tombs had become increasingly common across the Latin West over the course of the 12th century. They were, Paul Binski suggests, particularly favoured by bishops, presenting an idealised image of the deceased 'in the state of perfection they would attain at the Resurrection', such as the triumphal bronze effigy of Bishop Evrard de Fouilloy (d. 1222) at Amiens.⁸ Such tombs were a way of advertising the social station, achievements, and ambitions of the deceased; *lieux de mémoire* that combined 'commemoration and propaganda ... to articulate episcopal authority'.⁹ As such, they were often carefully curated by their future occupiers long before they were put to use. Maurice would certainly have commissioned and planned such a distinctive and costly monument, though we have no surviving evidence of any payment in connection with it, nor of any obvious model (though unsurprisingly, another ambitious prelate, Archbishop Gudiel of Toledo, would take inspiration from Maurice in designing his own tomb in Toledo some sixty years later).¹⁰ Of course, with the ongoing construction of the cathedral, Burgos would have been awash with French craftsmen around the time of Maurice's death. We have seen the appearance of an 'Helias de Limoges' in the cathedral, much earlier in Maurice's episcopate, and there was at least one liturgical vessel of Limoges enamel in the cathedral in the 1240s.¹¹

⁶ Chancel-Bardelot, in *De Limoges à Silos*, 333–4, though many Limoges tombs have been destroyed, making comparisons difficult. Of the seventeen known Limoges enamel tombs from the 13th century (as catalogued by Chancel-Bardelot), Maurice's is one of only three entries still extant. For more on the tombs of the infants Blanche and Jean of France, see Georgia Sommers Wright, 'A Royal Tomb Program in the Reign of St. Louis', *The Art Bulletin*, 56:2 (1974), 224–43.

⁷ Chancel-Bardelot, in *De Limoges à Silos*, 333–4.

⁸ Paul Binski, *Medieval Death: Ritual and Representation* (Ithaca: Cornell University Press, 1996), 94. Likewise English bishops, such as Grosseteste (d. 1253), who had a bronze effigy.

⁹ As Rocío Sánchez Ameijeiras has pointed out in her study of carved stone episcopal effigies in León cathedral; see 'Monumenta et memoriae: The Thirteenth-Century Episcopal Pantheon of León Cathedral', in Elizabeth Valdez del Alamo and Carol Stamatis Pendergast, eds, *Memory and the Medieval Tomb* (Farnham: Ashgate, 2000), 269–99, at 269.

¹⁰ Linehan and Hernández, *Mozarabic Cardinal*, 392.

¹¹ ACB v. 25, f. 351; an unspecified 'troza de Limoges'.

Just as a tomb could articulate episcopal authority and social status, it was also a final canvas on which to demonstrate one's loyalties, and on this front, the decoration etched onto the robes of the recumbent figure is striking. The castle of Castile, which is engraved across most of the recumbent effigy, was coming into its own as a heraldic design by the end of the 12th century. It is etched across the dalmatic, and also in enlarged form, across the base of the statue's feet. This symbol was first used heraldically by Alfonso VIII, generally as a golden castle on a red background, in which configuration it came to be associated with the Christian victory at Las Navas, and displayed both on his royal seal and across his shield.¹² The same design had been embroidered onto royal stoles from the 1190s, and on his death in 1214, Alfonso was buried at Las Huelgas in a brocade embroidered with the castle motif – an event that Maurice would certainly have attended. The fleurs-de-lys enlaced across parts of the chasuble, however, convey quite a different heraldic message. The stylised lily had long held associations with the Virgin Mary, Saint-Denis, and the city of Paris, and most of all, at the turn of the 13th century, with the royal house of France.¹³ A combination of heraldic castles and fleur-de-lys was how Blanche of Castile famously expressed her Castilian roots and her status within the French royal family, and the two devices were frequently presented side-by-side as a symbol of her identity and mark of her patronage over the course of her long life.¹⁴ Why, then, should Maurice have chosen to recreate this heraldic combination on his tomb?

We saw in [Chapter 1](#) that Maurice appears to have been most likely of Castilian heritage, and indeed to have had familial networks in Burgos, which incorporated both the cathedral and the town of Medina de Pomar, as well as in Plasencia and possibly in Toledo. He also had a privileged connection with the de Haro family, and was firmly entrenched in the upper echelons of Castilian society. That he may have had more distant French heritage is certainly a possibility, but it is far from the most likely one. Instead, we have seen repeatedly throughout this book that, to Maurice, being up-to-date with the latest French ecclesiastical culture was a priority. The tomb itself and the magnificent cathedral in which it was placed were both testament to this. If, indeed, tombs were not just loci for the commemoration of the dead but carefully curated expressions of ambition and authority, and multivalent sites for 'the transformation from individual memorial

¹² Grant, *Blanche of Castile*, 320. For the grave goods of Alfonso VIII and Eleanor, see María Barrigón, 'Textiles and Farewells: Revisiting the Grave Goods of King Alfonso VIII of Castile and Queen Eleanor Plantagenet', *Textile History*, 46:2 (2015), 235–57. Eleanor was also buried with a castle-embossed cushion.

¹³ Mary Cannen Chaldwell describes it as 'the floral foil to evil, sin and corruption'; M. Channen Caldwell, 'Flower of the Lily': Late-Medieval Religious and Heraldic Symbolism in Paris, *Bibliothèque Nationale de France, MS Français 146*, *Early Music History*, 33 (2014), 1–60, at 2.

¹⁴ Grant, *Blanche of Castile*, 319–21.

to institutional statement', then this choice of heraldic decoration becomes more understandable.¹⁵ It is worth pointing out that just over a decade later, Archbishop Rodrigo Jiménez de Rada would be buried in a mantle inscribed with Arabic, and alongside a cushion decorated with the fleur-de-lys, and a number of other French heraldic motifs, as well as passages of Anglo-Norman verse, all pointing to his complex and cosmopolitan life.¹⁶ It is quite possible that, for men of sophisticated and cosmopolitan tastes – as the prelates of Burgos and Toledo undoubtedly were – such choices were a sign of their values and their learning, rather than a straightforward statement of identity.

A final possibility is that this particular combination, the Castilian castles and the ostensibly Capetian fleurs-de-lys, points us not only to Maurice's interests and priorities, but might signal a more particular partisanship to Blanche of Castile. We have encountered Blanche on several occasions throughout this book. In [Chapter 1](#), she was revealed to have been a patron of Maurice's nephew in Paris. We also saw in [Chapter 5](#) that Maurice was warmly received by Blanche's father-in-law, Philip Augustus, as he passed through Paris in 1219 with Beatrice, future queen of Fernando III. As a trusted royal counsellor, relied upon by both Blanche's father Alfonso VIII and her sister Berenguela, Maurice was clearly close to the royal Castilian house. How far back this connection went is impossible to say. We saw Maurice as a courtier of Alfonso VIII in 1210. To have overlapped with the young Blanche before she left for the French court, he would have had to have been there in 1200. Alternatively, we know that Rodrigo Jiménez de Rada was studying in Paris at the turn of the century. Were the promising Castilian clerics training in Paris considered appropriate, perhaps sought-after, company for the young Castilian bride on her arrival in the new city? As we have seen, much evidence points to Maurice having also benefitted from a contemporaneous Parisian training. Could this have been the point at which he and Blanche first met? This is, of course, widely speculative; in the absence of startling new evidence, Maurice is likely to remain, perhaps appropriately, shrouded in some mystery.

Throughout his life, Maurice thought deeply about what it meant to be a bishop on the edges of the Latin Christian world, and of the duties that accompanied episcopal office. To his mind, these duties included patronising scholars, consecrating churches, acting as judge and councillor, bringing his diocese under complete control, and most of all, rebuilding and reordering his cathedral. He was a deeply pragmatic man, and accomplished his aims at every turn, whether

¹⁵ Elizabeth Valdez del Alamo and Carol Stamatis Pendergast, 'Introduction', in *Memory and the Medieval Tomb*.

¹⁶ Nickson, *Toledo Cathedral*, 32–3 and 124; and Pick, *Conflict and Coexistence*, 106.

through his insistence and resources, through his extensive networks, or through his shrewd deployment of canon law – indeed, shrewd enough to have inspired ‘hatred’ among those who stood in his way. And yet, what binds together each of his activities is that they all formed part of his theological vision, one of imposing spiritual, and subsequently material, order on the world around him and especially on the Church of Castile. Whether it was bringing Avicennan ideas into Christian debate, or reforming the liturgy, or insisting on the right of episcopal visitation, or indeed rebuilding his cathedral, Maurice saw his role as that of both *pontifex* and *vir sapiens*.

In examining Maurice’s life and thought, we have thus glimpsed into the mind of a powerful member of the 13th-century Castilian Church. That he was an intellectual is beyond doubt, even though it has not been possible to prove his attendance at any particular *studium*. He had benefitted from a high level of education somewhere: whether this was at Paris (which seems the most likely), Bologna, both, or elsewhere is less important than the fact that he was an active voice in ongoing theological debates amongst his Toledan colleagues, debates that combined Islamic philosophy and the theology of Alan of Lille, Gilbert of Poitiers, and John Scot Erigena. He benefitted from the Islamic scholarship available to him across the frontier in al-Andalus, and clearly had access to Arabic texts, which moved across the border to Toledo in the hands of fleeing Mozarabs, marauding troops, and travelling Andalusis. Maurice’s patronage was key in bringing about Latin translations of the Qur’ān and the *Libellus* of Ibn Tūmart, a text heavily influenced by Avicennan philosophy and one that constituted a significant addition to the programme of philosophical translations being produced in the city. Nor was his scholarly life restricted to his time in Toledo. In Burgos some seventeen years later, he drew on closely related ideas as a model for his own reforms in the cathedral.

Maurice’s career also shines a valuable spotlight on the fluidity of movement between Castile and the rest of Christendom. He travelled quite frequently himself – we have seen him voyage through France to Suabia in 1219, and to Rome several times. He visited the court of the Holy Roman Emperor Frederick II, and also that of the Capetian king, Philip Augustus, as well as the papal curia. Perhaps even more importantly, it is clear that ideas, texts, and people, circulated freely to and from Castile during his lifetime. His nephew, Juan de Medina, is a good example of this, as he relied on his Burgalés canonical income to live and study in Paris. He was just one of a number of scholarly canons to enter Burgos cathedral under Maurice, and such individuals clearly provided a direct means of communication and contact with cultural and intellectual developments taking place north of the Pyrenees; indeed, not long after Maurice’s death, his successor, Bishop Juan of Burgos, granted some money to ‘the men of Master Martín Glazaron who come

and go to Paris.¹⁷ Maurice and his immediate circle thus shed light on the intellectual vibrancy that was possible in Castile, and the circulation of ideas between al-Andalus to Paris, a process in which the clergy of Castile were willing and able participants.

Nowhere was this cultural contact more evident than in his foundation in 1221 of the first Gothic cathedral in Castile. Maurice's foundation of the new cathedral was the most visible manifestation of his much larger theological and cultural aim – to bring the Castilian Church in line with the most up-to-date cultural and ecclesiastical developments in Latin Christendom. It was a project that included new liturgy, music, and texts, as well as an updated ecclesiastical calendar, reshaping ecclesiastical practice in Burgos. It went hand-in-hand with the introduction of foreign scholars as well as masons and sculptors, and it was inspired, as we have seen in the *Concordia Mauriciana*, by Maurice's theological understanding of the rightful order of the Church on earth, an order reflected in the iconography of the cathedral's southern portal. Maurice's foundation at Burgos is perhaps unique, in that we have been able to appreciate his building project within the context of his wider theological vision of the earthly Church. But it nonetheless provides an example of an episcopal patron proactively engaging with architectural form as part of his broader cultural agenda, thus raising important new questions about the movement of architectural and artistic ideas in the medieval West.

The Andalusí south also loomed large in Maurice's mind, and his career captures something of the variety of medieval responses to Islam. As we saw in [Chapter 2](#), he was involved in the military campaigns of Fernando III, and appears to have been, along with Archbishop Rodrigo, a vehicle through which papal ideas about crusade came to be known in Castile. Yet alongside this, Maurice demonstrated a more intellectual approach to Islamic texts, one that allowed room for the philosophical 'reasoning' of a text to transcend its alterity, an approach that would resonate in the work of much later theologians such as Ramon Llull. Evidently, Christian interest in Islamic thought continued throughout the intensification of conflict between the Almohads and Castile, and Arabic texts continued to be translated throughout the first half of the 13th century – including at Burgos, where Hermannus Alemannus was working on translations of Avicenna in the 1240s.

This book has also analysed the ways in which Maurice constructed and articulated episcopal rule in his diocese, exposing the overlapping and often conflicting networks of power upon which medieval bishops relied. His various attempts to assert his authority over abbots and priors, as well as over rival bishops, illustrate the instability that even the most powerful medieval Castilian bishops could face. Appeals to the expanding arm of papal justice could at times be useful, and

¹⁷ ACB v. 25, f. 351.

Maurice was familiar with canon law and able to deploy it when it suited him, such as in his efforts to win his case against the monastery of Silos. Yet, as we have seen, although the papal curia provided opportunities for ambitious young prelates, and a place of refuge for those at the other end of their career (the embattled Bishop Giraldo of Segovia comes to mind), it ultimately had little power to impact the daily decisions of the Castilian episcopate. Indeed, Maurice sometimes used the machinery of papal justice to reinforce local agendas when it suited him to do so. He also had plenty of other means to impose his will, ranging from treaties and tactical appointments, to intimidation, violence, and the construction of churches as visible symbols of episcopal power.

Maurice was a man with wide horizons. He was a linchpin of the Castilian Church, yet animated by ideas, texts, and people from far beyond it, with ambitions that stretched from Córdoba to Paris, Bourges, Rome, and beyond. In examining his remarkable life and career, his world-view and the ways in which he ordered the world around him, this book has hoped to shed light not only on Maurice himself, but also onto the complex and cosmopolitan Church and society of Castile in the 13th century, and more broadly, onto the intellectual and cultural history of medieval Europe as seen from its southern frontier.

Epilogue: The Mystery of *Mauricius Hispanus*

This book has examined Maurice's many and various connections with French thought and culture. In what follows, we will explore one further possible connection between Maurice and the intellectual world of Paris. In August 1215, a set of statutes were issued for the masters and scholars at the University of Paris by the papal legate, Robert of Courson. These provided a series of regulations concerning the behaviour, dress, and privileges of students at the university, and also prohibiting the study of particular authors and texts. Among them, we read that

They [the masters of the arts] shall not lecture on the books of Aristotle on metaphysics and natural philosophy or on summaries of them, nor concerning the doctrine of master David of Dinant, or the heretic Amaury, or **Mauricius of Spain**.¹

The identity of this final figure, Mauricius of Spain, has been a subject of considerable debate amongst scholars, although none of it conclusive.² In the 1930s,

¹ 'Ne autem legantur libri Aristotelis de metaphysica et de naturali philosophia, nec summae de iisdem, aut de doctrina magistri David de Dinant aut Almarici haeretici aut **Mauricii Hispani**' (my emphasis); H. Denifle and A. Chatelain, eds, *Chartularium Parisiensis*, I (Paris: Université de Paris, 1889), 78–9, no. 20; translation in Lynn Thorndike, *University Records and Life in the Middle Ages* (New York: Columbia University, 1944), 27–8. It should be noted that there is a degree of ambiguity concerning the translation of this sentence. It is not entirely clear whether the summae relates to *both* Aristotle and the subsequent doctrines (which is how it has been interpreted by Amos Bertolacci and several others), or whether the summa refer to the Aristotelian texts alone, and the doctrines of the three others are to be prohibited as part of a separate clause (which is the impression that Thorndike's translation, cited here, gives). The confusion is centred on the function of 'de'. Thorndike translates 'de' to be 'concerning' rather than carrying across from the 'summae' of the previous clause. However, this seems like the more unlikely grammatical reading to me.

² The most important works to speculate on the matter are M. Bouyges, 'Connaissions-nous le Mauritius Hispanus interdit par Robert de Courson en 1215?', *Revue d' Histoire Ecclésiastique*, 29 (1933), 637–58; Martin Grabmann, *I divieti ecclesiastici di Aristotele: sotto Innocenzo III e Gregorio IX* (Rome: Saler, 1941), 49–52; F. van Steenberghen, *Les philosophes belges: textes et études*, vol. 13 (Louvain, 1942), 86; Pick, *Conflict and Coexistence*, 118–19; Angus Braid, *Mysticism and Heresy: Studies in Radical Religion in the Central Middle Ages (c. 850–1210)* (York: Alcuin, 2011); Amos Bertolacci, 'On the Latin Reception of Avicenna's Metaphysics Before Albertus Magnus', in D. Hasse and A. Bertolacci, eds, *The Arabic, Hebrew and Latin Reception of Avicenna's Metaphysics*, ed. (Berlin: De Gruyter, 2012), 197–225.

M. Bouygues suggested that the text was a corruption of ‘Maurus Hispanus’, and thus most likely referred to Avicenna, a thesis supported in 2011 by Angus Braid.³ Fredrick Copleston and others have suggested Averroes as an alternative attribution.⁴ Scribal error was also suspected by Manuel Alonso, who suggested that ‘Mauricius’ was most likely a mistaken reference to the 12th-century philosopher Johannes Hispanus.⁵ However, in a very important article published in 1948, entitled ‘Deux traductions latines du Coran au Moyen Âge’, Marie-Thérèse d’Alverny suggested for the first time that this shadowy figure might in fact be Bishop Maurice of Burgos.⁶ Her hypothesis was based on the fact that Maurice was ‘à la fois fervent dyonisien ... et amateur de théologie musulmane.’⁷ However, as she pointed out, the problem lay in finding a suitable ‘doctrine’ that might have merited censorship in 1215.⁸ The likelihood of a connection between Bishop Maurice and *Mauricius Hispanus* has been alluded to by a number of subsequent scholars, including, most recently, Carlos de Ayala Martínez, Lucy Pick, Patrick Henriët, and Adeline Rucquoi, all of whom have referred back to the work of d’Alverny.⁹

Now that we know rather more about Maurice himself, this hypothesis bears further examination. As a scholar with a keen interest in French intellectual and cultural developments, and most likely a student at Paris himself, Bishop Maurice certainly seems to be a more promising candidate now than he was in 1948. This Epilogue will put forward the suggestion that Maurice’s patronage of the *Libellus de Unione Dei* in 1213, as reinterpreted in this study, may go some way towards supplying the missing link between Bishop Maurice of Burgos and the unknown Mauricius Hispanus of the 1215 prohibition.

³ Bouygues, ‘Connaissions-nous’, 654; Braid, *Mysticism and Heresy*, 262–6.

⁴ Frederick Copleston, *A History of Philosophy: Volume II, Mediaeval Philosophy: Augustine to Scotus* (London: Burns Oates & Washbourne, 1950), 209. Georges Duby also suggested Averroes as a likely candidate.

⁵ Alonso Alonso, *Temas filosóficos medievales*, 149–50.

⁶ d’Alverny, ‘Deux traductions latines du Coran’, 129.

⁷ d’Alverny, ‘Deux traductions latines du Coran’, 129.

⁸ d’Alverny, ‘Deux traductions latines du Coran’, 129–30; the treatise in question is R. de Vaux, ed., *Notes et textes sur l’avicennisme latin aux confins des XIIIe–XIIIe siècles* (Paris: Vrin, 1934), 83–140, with commentary and analysis on pp. 63–80. However, in a later article, d’Alverny suggests that an English provenance for the *De causis primis et secundis* is more likely; see d’Alverny, ‘Une rencontre symbolique’, 175. See also Herbert A. Davidson, *Alfarabi, Avicenna and Averroes on Intellect* (Oxford: Oxford University Press, 1992), 210–11.

⁹ de Ayala, *Ibn Tumart*, 30; Pick, *Conflict and Coexistence*, 119; Henriët, ‘Hagiographie léonaise et pédagogie de la foi’, 25; Adeline Rucquoi, ‘Contribution des “studia generalia” à la pensée hispanique médiévale’, in José María Soto Rábanos, *Pensamiento hispano medieval. Homenaje a D. Horacio Santiago-Otero* (Madrid: CSIC, 1998), 737–70, at 755; also A. Elamrani-Jamal, ‘La réception de la philosophie arabe à l’université Paris au XIIIe siècle’, in C. Butterworth and B. Kessel, eds, *The Introduction of Arabic Philosophy into Europe* (Leiden: Brill, 1994), 30–9, at 35.

The prohibitions at the University of Paris

It will first be necessary to briefly outline the context within which we encounter 'Mauricius Hispanus'. The prohibitions of 1215 were a manifestation of the unease felt by certain elements within the University of Paris at the arrival of Aristotelian texts and commentaries by later Islamic philosophers. These prohibitions in fact constituted an extension and clarification of earlier legislation, issued in 1210 by the council of Sens, under the auspices of the Archbishop of Sens, Peter of Corbeil.¹⁰ In 1210, all public and private teaching of Aristotle's *Natural Philosophy* had been forbidden, along with 'commentaries' (*commenta*) on these.¹¹ This was extended by the cardinal legate, Robert of Courson, in 1215 to include lectures on Aristotle's *Metaphysics* as well as the *Natural Philosophy*, and 'summaries' (*summa*) of both of these. Precisely what these commentaries and summaries were has been the subject of some debate, but there is a consensus in recent scholarship that both of these terms must be references to the arrival in Paris of the Latin translations of Avicenna's *Kitāb al-Shifā'*, specifically, his *Metaphysics* (translated under the title of *Philosophia Prima*) and *De Anima*, both of which 'aroused the suspicion and alarm of the members of the faculty of theology'.¹² Amos Bertolacci has pointed out that the prohibitions of 1210 and 1215 provide evidence that, by the second decade of the 13th century, the *Metaphysics* of Aristotle was viewed as distinct from Avicenna's commentary on it (the *Philosophia Prima*), and that the latter text was considered to be a commentary on the former.¹³ The commentaries of Averroes, also considered possible identifications for the *commenta* in question, have recently been shown not to have been available in Latin until the 1220s.¹⁴

Both sets of prohibitions also name several contemporary individuals, about whose 'doctrines' far less is known, but whose texts or teachings equally appear to have aroused the suspicions of the theology faculty. In the 1210 legislation, the

¹⁰ Bertolacci, 'On the Latin Reception', 213.

¹¹ 'Nec libri Aristotelis de naturali philosophia nec commenta legantur Parisius publice vel secreto'; *Chartularium Universitatis Parisiensis*, I, 70, no. 11.

¹² See Bertolacci, 'On the Latin Reception', 217. On the identification of the *summa* and *commenta* as Avicenna's texts, see Bertolacci, 213–17; de Vaux, *Notes et textes*, 45–52; Marie-Thérèse d'Alverny, 'Les pérégrinations de l'âme dans l'autre monde, d'après un anonyme de la fin du XIII^e siècle', *Archives d'histoire doctrinale et littéraire du Moyen Âge*, 15–17 (1940–2), 239–99, at 242; Van Steenberghe, *La philosophie au III^e siècle*, 85; Elamrani-Jamal, *La réception*, 34–5; L. Bianchi, *Censure et liberté intellectuelle à l'université de Paris* (Paris: Belles Lettres, 1999), 94. See also Alexander Fidora, 'Domingo Gundisalvo y la introducción de la Metafísica al occidente latino', *Disputatio*, 3:4 (2014), 51–70; and Dag Nikolaus Hasse, *Avicenna's De Anima in the Latin West: The Formation of a Peripatetic Philosophy of the Soul 1160–1300* (London: Warburg Institute, 2000).

¹³ Bertolacci, 'On the Latin Reception', 213–15. Evidence of this is also clear in the works of John Blund.

¹⁴ Michael Scot was the first translator of Averroes, see Bertolacci, 'On the Latin Reception', 206 and 216.

writings of Master David of Dinant were banned, and Amaury of Bène was condemned as a heretic and excommunicated posthumously. There has been extensive historiographical debate about the 'doctrines' of these two figures, mired by the fact that very little textual evidence survives of their theological positions, although some fragments of David of Dinant's writings have been put together.¹⁵ David, a physician and master at Paris who died in c. 1214, appears to have been a figure well-known to Pope Innocent III, and is referred to by Innocent in 1206 as 'our chaplain', suggesting that he had a position at the papal curia.¹⁶ Attempts by historians to piece together an understanding of his teachings have concluded that he was strongly influenced by the works of Aristotle (especially the *Physics* and *Metaphysics*)¹⁷, and that he espoused a theology that lent itself to accusations of pantheism, on the grounds that all of creation is made up of one basic substance, namely, the divine essence.¹⁸

Amaury of Bène had also studied and taught at Paris until his death in 1206. He has also been considered to have supported a form of pantheism, according to which God is Being itself and thus 'all is one, because whatever is, is God'.¹⁹ There has been some debate amongst historians about the extent to which Amaury was (or was not) influenced by David of Dinant.²⁰ Once again, however, the evidence is hard to assess, as much of the available information about his theology is provided by those who wrote from the hostile citations of later opponents, such as Albertus Magnus and Thomas Aquinas.²¹ It is notable that Amaury was well-known at the French royal court, and appears to have been close to Blanche of Castile and her

¹⁵ The *Quaternuli* survives in fragments (see G. Théry, *Autour du décret de 1210: I.—David de Dinant. Étude de son panthéisme* (Le Saulchoir: Kain, 1925), whilst a medical treatise by David was discovered in 1969 (see B. Lawn, *I Quesiti salernitani* (Salerno, 1969), 101–5). See also a recent addition by Tristan Dagron, 'David de Dinant', *Revue de métaphysique et de morale*, 40 (2003–4), 419–36.

¹⁶ See Peter Dronke, ed., *A History of Twelfth-Century Western Philosophy* (Cambridge: Cambridge University Press), 447.

¹⁷ Braid, *Mysticism and Heresy*, 258.

¹⁸ According to Braid's translation, 'there is only one substance, not only of all bodies but also of all souls, and this substance is nothing other than God himself', Braid, *Mysticism and Heresy*, 258–60. Enzo Maccagnolo, on the other hand, suggests that he was mainly a translator of Aristotle; Maccagnolo, 'David of Dinant and the Beginnings of Aristotelianism in Paris', in Dronke, *A History of Twelfth-Century Western Philosophy*, 429–42.

¹⁹ Or, in the words of the Council of Paris, 'Omnia unum, quia quicquid est, est Deus' (all is one, because whatever is, is God); see Braid, *Mysticism and Heresy*, 258. For the most important works on Amaury, see M. Vicaire, 'Les Porrétains et l'avicennisme avant 1215', *Revue des sciences philosophiques et théologiques*, 26 (1937), 449–82; J. Thijssen, 'Master Amalric and the Amalricians: Inquisitorial Procedure and the Suppression of Heresy at the University of Paris', *Speculum*, 71 (1996), 43–65.

²⁰ Maccagnolo denies that this was possible, but others, such as Braid, hold David to be a significant influence.

²¹ Originally pieced together in G. Capelle, *Amaury de Bene: Étude sur son panthéisme formel* (Paris: J. Vrin, 1932) and d'Alverny, 'Un fragment du procès des Amauriciens', *Archives d'Histoire Doctrinale et Littéraire du Moyen Âge*, 18 (1950–1), 325–36. New evidence has been published by Thijssen, 'Master Amalric and the Amalricians'. In his refutation of errors on the immanence of God, Aquinas wrote that 'others have said that God is the formal principle of all things; this is said to have been the opinion of the Amalricians', cited in Braid, *Mysticism and Heresy*, 157.

husband, Louis VIII for a period before 1206.²² Amaury's teachings were also condemned at the Fourth Lateran Council in 1215, where Innocent III described them as 'mad more than heretical'.²³

These then were the two other figures whose 'doctrines' were banned from the syllabus of Paris in 1215 alongside those of Mauricius Hispanus. It should perhaps be pointed out that the wording and internal logic of the 1215 prohibition itself seems to favour the suggestion that this third figure was of a broadly similar profile to the other two; that is, that he is most likely to have been a contemporary, and probably Christian, scholar. In both 1210 and 1215, the legislation mentions the more exotic texts first – Aristotle and Avicenna – before moving on to the writings of local scholars whose work had also incurred theological suspicion. On the same grounds, it is also probable that this Mauricius Hispanus had studied and taught at the University of Paris. It seems unlikely that any reference to Avicenna or to a 'Maurus' of Spain would be thus positioned at the end of the prohibition alongside two Christian theologians.²⁴ Additionally, the appearance of Mauricius Hispanus in 1215 begs an obvious question of timing; clearly, given its absence in the earlier prohibition, the doctrine of this person must only have become subject to suspicion after 1210. Yet the masters who drew up the legislation on both occasions were already aware of the *Philosophia Prima* and the *De Anima* of Avicenna, as we have seen. There is no evidence of any other Avicennan text or other philosophical translation being made available in Paris in this brief window of time between 1210 and 1215. A more logical solution is that Mauricius Hispanus was a contemporary scholar like David and Amaury, and that, at some point after 1210 but before 1215, a text or idea associated with this name had caused concern in the University of Paris, either because of its similarity to Aristotelian or Avicennan thought, or because of some connection with the pantheistic theology of which David and Amaury had been accused.

The case for Bishop Maurice and the *Libellus*

Having reassessed Bishop Maurice, there are new grounds for considering him to be a likely candidate. We have seen that Maurice was a scholar himself, and involved throughout his canonical career at Toledo (thus from at least 1208 until c. 1214) in discussions about the nature of divine unity, informed by the thought

²² Grant, *Blanche of Castile*, 192–5.

²³ Canon 2: 'eius doctrina non tam haeretica censenda sit, quam insana'; Tanner, *Decrees*, vol. 1, 233.

²⁴ For example, Avicenna was broadly referred to as the 'Commentator' of Aristotle; another term employed for him was 'Expositor' (by William of Auvergne). See Bertolacci, 'On the Latin Reception', 201, and Hasse, *Avicenna's 'De anima'*, 44.

of Alan of Lille, Gilbert of Poitiers, and John Scot Erigena. Such ideas continued to remain important to him throughout his life, as we saw in [Chapter 4](#), and he appears to have ongoing connections with the Parisian intellectual world, through the circulation of texts and individuals between Castile and France. Several of his colleagues are known to have studied at the University of Paris, and Maurice himself was known as ‘Magister’ to them and more widely.

Most importantly, however, it is now also possible to suggest a potential ‘doctrine’ with which Bishop Maurice may have been associated in 1215; namely, the *Libellus* of Ibn Tūmart, translated under Maurice’s patronage in Toledo in 1213. A reassessment of this text, and of Maurice’s interest in it, in [Chapter 2](#), has revealed that not only was the *Libellus* considered by Maurice himself to be a work of philosophy, but that its contents fit neatly within the intellectual milieu of the prohibitions described above.

There is much circumstantial evidence in favour of this suggestion. The Latin text of the *Libellus* was completed in June 1213, providing a timeframe that fits exactly with the appearance of Mauricius Hispanus in the legislation of 1215 and not in 1210. Two years would have been ample time for the movement of a text from Toledo to Paris, and the close intellectual links between these two cities, including the circulation of ideas in both directions, make this very likely. In 1216, Gerald of Wales commented that texts from Toledo had recently been prohibited in Paris, a comment that has been generally considered to refer to the 1215 legislation – although, of course, it may be the case that Gerald was simply referring to the *Philosophia Prima* and *De Anima* of Gundissalinus.²⁵ Little can be deduced about the *Libellus* from a codicological perspective, although it is perhaps to be noted that there is only one extant manuscript, dated to c. 1400 and located in Paris.²⁶

This suggestion also goes some way towards clarifying the debate surrounding the name ‘Mauricius Hispanus’. Clearly, Maurice was not the author of the text itself. However, he was the patron responsible for bringing the ‘little book’ (*libellus*) to the attention of the Latin world. The prologue to the text makes clear that it was translated at the request of ‘Master Maurice, archdeacon of Toledo and bishop-elect of the church of Burgos’ – evidently an epithet that would be most

²⁵ ‘Ad literaturae quoque reparationem, et tempestivam sanioris doctrinae reversionem, illud etiam ex parte facere posse videtur, quod libri quidam, tanquam Aristotelis intitulati, Toletanis Hispaniae finibus nuper inventi et translati, Logices quodam modo doctrinam profitentes, et tanquam prima fronte praeferentes, vel philosophicas longe magis de rerum scilicet naturis inquisitiones et subtiles quoque discussiones, quam.....det, et prioribus.....doctrinae sanioris.....novitatibus....et haereses.....(ni)miis affectibus adhaerentes indulserunt, nuper in Francia (finibus), ne legerentur amplius in scholis sunt prohibiti’; from J. S. Brewer, J. F. Dimoch, and George F. Warner, *Giraldi Cambrensis Opera, Vol. 4: Speculum Ecclesiae, De Vita Galfridi archiepiscopi eboracensis* (Cambridge: Cambridge University Press, 2012), 9–10. See also R. W. Hunt, ‘The Preface of the *Speculum Ecclesiae* of Gerald of Wales’, *Viator*, 8 (1977), 189–213.

²⁶ Mazarine Library (MS 208/1); also see d’Alverny, ‘Marc de Tolède’.

clearly and concisely shortened to ‘Maurice of Spain’ as a means of distinguishing this text within a Parisian milieu.²⁷

More significant, however, is the fact that the content of the *Libellus* itself can be understood as corresponding to the intellectual context of the 1215 prohibitions. As we have seen in [Chapter 2](#), Maurice regarded Ibn Tūmart as a philosopher, and his interest in the *Libellus* was determined by Ibn Tūmart’s ‘reasoning’ – that is, his reliance on the thought of Avicenna, and, to a lesser extent, that of al-Ghazālī. In particular, Ibn Tūmart drew heavily on Avicenna’s *Metaphysics* (the *Ilāhiyyāt* of his *Kitāb al-Shifā’*). As we have demonstrated, Maurice’s patronage of the *Libellus* stood in the intellectual tradition of Dominic Gundissalinus, who had provided Latin translations of both Avicenna’s *Metaphysics* and his *De Anima* across the final decades of the 12th century.

It was precisely these two translations by Gundissalinus that lay at the heart of the Parisian prohibitions of 1210 and 1215. Indeed, any Parisian scholar familiar with Avicenna’s *Metaphysics* would certainly have recognised close parallels throughout the *Libellus*, most of all from chapters two to fourteen, which provide a lengthy exposition of the Avicennan doctrine of the ‘necessary existent’. Should the *Libellus* have reached the University of Paris during this period, it is not difficult to see how it could have been considered an ‘Avicennan’ text and thus prohibited along with the translations of Gundissalinus. The prologue written by Mark of Toledo in 1213 is very careful to demonstrate that the teachings of Ibn Tūmart are not representative of Islam but are to be considered a work of philosophy – but this same claim may well have caused the text to be forbidden in Paris two years later.

Another important consideration, and one that is particularly striking given the appearance of Mauricius Hispanus alongside David of Dinant and Amaury of Bène, is the fact that Ibn Tūmart’s teachings have been described by scholars of medieval Islam as assuming ‘an air of pantheism’. Madeline Fletcher, Frank Griffel, and Ignaz Goldziher have all made this point in their commentaries on the Arabic text.²⁸ Fletcher has suggested that the main part of the text, the *‘Aqīda*, was in fact edited by Córdoba scholars in the 1180s to remove the most controversial statements, although she points out that a number of pantheistic ideas remain in the short ‘summaries’ or *murshidas* that were circulated alongside the main creed.²⁹

²⁷ ‘Ego autem Marcus diaconus toletanus canonicus, qui librum Mafometi transtuli, rogatus postmodum a magistro Mauricio toletano archidiacono et ecclesie burgensis electo, libellum Habentometi de arabica lingua in latinum transtuli sermonem’; d’Alverny, ‘Marc de Tolède’, 269. Why Mark (or indeed, Ibn Tūmart) was not mentioned in 1215 is a matter of debate. It is possible, though, that as the Master responsible for the text, and also perhaps as a figure already known in the University, Maurice’s was the most natural choice of name when it came to identifying this text. This is a suggestion that can be compared to the argument of Maccagnolo that David of Dinant’s ‘Quaternuli’ was no more than a translation of a Greek manuscript of Aristotle, yet was referred to as the ‘doctrine’ of David.

²⁸ Fletcher, ‘The Almohad Tawhid’, 118; Griffel, ‘Ibn Tūmart’s Rational Proof’, 773, who cites Goldziher, ‘Materialien zur Kenntnis der Almohadenbewegung in Nordafrika’, 72 and 83, ‘eine pantheistische Nuance’.

²⁹ Fletcher, ‘The Almohad *Tawhid*’, 118.

In particular, the first summary denies any limits to the divine, to the extent of describing God as synonymous with existence itself: ‘nothing exists other than the Unique, the Irresistible.’³⁰ These summaries were included as part of the *Libellus* and translated by Mark alongside the larger text.

Indeed, as we have already demonstrated, Mark of Toledo appears to have been aware of the pantheistic elements in the summary, and to have edited out the statement cited above. Nonetheless, the translated text still contains clear traces of the idea that God and creation are synonymous:

He is unique in his eternity, not having anything with him beyond himself, **nor does anything exist beyond him**, neither earth, nor heaven, nor water, nor air, nor sea, nor that which is full, nor light, nor shadow, nor night, nor day, neither comfort nor uproar, nor is there clamour nor silence with him. But he alone is the unique conqueror, eternal in unity, rule and divinity.³¹

Given the context of the 1215 prohibitions, in which both David of Dinant and Amaury of Bène had been accused of extremely similar statements about the relationship between God and creation, it is clear that such passages could easily have caused the *Libellus* itself to be held under the same suspicions.³² Clearly, whether because of its Avicennan connotations or as a result of lingering suspicions of pantheism, the *Libellus* of Ibn Tūmart appears to provide solutions to a number of the questions that have troubled historians seeking to identify Mauricius Hispanus and his ‘doctrine’.

It is important, at this point, to address the objection raised by Manuel Alonso in 1959 that, in 1215, Maurice had his episcopal status confirmed by the pope and therefore could not have been the subject of censorship in Paris. Alonso claimed that ‘it would be absurd to accept the condemnation of Courson and the pontifical confirmation as simultaneous.’³³ However, this rather exaggerates the significance of the 1215 statutes and their strictly academic implications. Robert of Courson’s legislation, drawn up in consultation with members of the university, prohibited the ‘doctrine’ of Mauricius Hispanus (and the rest) from being the subject of *lectio*,

³⁰ See Griffel, ‘Ibn Tūmart’s Rational Proof’, 772. Ibn Tūmart’s passage reads: ‘nothing coexists with Him, nothing exists beyond Him, neither earth, nor heaven, nor water, nor air, nor that which is empty nor that which is full, nor light, nor shadow, nor night, nor day, nor company, nor noise, nor sound, nor whisper; nothing exists other than the Unique, the Irresistible. He is for all eternity Unique in unicity, rule and divinity’. For a Spanish translation of the *Murshida*, see de Ayala, *Ibn Tūmart*, 128.

³¹ *Libellus*: ‘Unicus in eternitate sua, non habens secum quemquam preter ipsum, **nec aliquid inventur preter ipsum**, non terra, non celum, non aqua, non aer, non mare, non plenum, non lux, non tenebre, non nox, non dies, non solacium neque strepitus, neque secum habet clangorem, nec silentium. Sed solus est victor singularis in eterna unitate, regno et deitate’ (my emphasis).

³² It is also reminiscent of the heresy described in Paris in 1210, by Alexander of Hales, ‘according to which “all things are God”’; cited in Maccagnolo, ‘David of Dinant’, 431–2.

³³ ‘Sería absurdo admitir como hechos simultáneos la condenación de Courson y tal confirmación pontificia’; Alonso, *Temas filosóficos*, 149.

or public lectures, within the University of Paris.³⁴ There is no suggestion that Mauricius Hispanus himself was considered to be heterodox in any way; indeed, by the 1240s, such cases of academic censorship were routine ways to control the syllabus of the University.³⁵ As we have already mentioned, David of Dinant appears to have been close to Innocent III, and neither David nor Mauricius Hispanus were mentioned at the Fourth Lateran Council of 1215 (unlike Amaury, of course, whose case went beyond the academic circles of Paris and ended in the execution of his supposed Amalricians).³⁶ This also highlights the fact that being on good terms with the pope was no insurance against academic censorship. The prohibition against lecturing on the texts of Aristotle and Avicenna was lifted in the 1230s, but there are no further references to Mauricius Hispanus.³⁷

This Epilogue has suggested a new hypothesis for the identification of Mauricius Hispanus in the Parisian censorships of 1215, and one that addresses many of the principal questions concerning this mysterious figure and his censored 'doctrine'. That said, this cannot claim to be the last word on the subject, and further research may lead to other hypotheses. One avenue for research highlighted by d'Alverny is the analysis of three anonymous treatises, all of which have been dated to the late 12th or early 13th centuries; these, she suggests, appear to combine elements of Avicennan philosophy with Christian theology, and might have been of Castilian origin.³⁸

In the absence of new evidence, some uncertainty must remain over the identity of Mauricius Hispanus. However, what is perhaps more important is the fact that, whether or not this figure can be proved to be one and the same as Bishop

³⁴ Wei, *Intellectual Culture*, 93–4. Wei has pointed out that, although the identification of works to be prohibited can be attributed in part to both Peter of Corbeil (in 1210) and the cardinal legate Robert of Courson (in 1215), 'there was much that reflected a consensus amongst the scholars themselves'. Many of the other stipulations from the 1215 statutes were a response to complaints from within as well as from outside of the university.

³⁵ For example, the prohibitions of 1241; see Deborah Grice, 'First Cast the Beam from Thine Own Eye: The Condemnation at the University of Paris 1241/4' (Unpublished D.Phil. thesis: University of Oxford, 2017). See also Bianchi, *Censure et liberté*, 8; Johannes Thijssen, *Censure and Heresy at the University of Paris, 1200–1400* (Philadelphia: University of Pennsylvania Press, 1998), 113, and David Piché, *La condamnation parisienne de 1277: Nouvelle édition du texte latin* (Paris: Vrin, 1999), 8; also Alain Boureau, 'La censure dans les universités médiévales', *Annales. Histoire et Sciences Sociales*, 55:2 (2000), 313–23.

³⁶ Maccagnolo, 'David of Dinant', 430–1.

³⁷ Bertolacci, 'On the Latin Reception'.

³⁸ The first is *De causis primis et secundis et de fluxu qui consequitur eas*, ed. De Vaux and discussed in d'Alverny, 'Deux traductions latines du Coran', 129–30. See also Davidson, *Alfarabi, Avicenna and Averroes*, 210–11. For the second: d'Alverny, 'Les pérégrinations de l'âme dans l'autre monde'. The third is unedited but, as a treatise on the First Cause and the Trinity, sounds perhaps the most relevant to Maurice of all of them; see d'Alverny, 'Une rencontre symbolique', 178–9 and Bertolacci, 'On the Latin Reception', 209–10.

Maurice of Burgos, it is evident that Castilians were closely involved in the intellectual developments that were taking place in Paris and that not only new texts but also new ideas were circulating from Spain to the wider Latin world, as well as the other way round. Much work remains to be done on the intellectual horizons of the Castilian clergy, but the life of Maurice and the breadth of his interests and engagement have demonstrated these were much wider than has previously been considered.

Appendix I: Transaction with Abū Harūn Mūsā bin al-Shaḥāth al-Isrā'īlī

October 1209

Maurice, archdeacon of Toledo cathedral, claims land in Olías la Mayor from Abū Harūn Mūsā bin al-Shaḥāth al-Isrā'īlī and his family.

Archivo Histórico Nacional de Madrid, clero, pergs., carp. 3049, n. 11.

بسم الله الرحمن الرحيم والحمد لله وحده	In the name of God the merciful, the compassionate And praise be to God alone
اشترى الارجدياقن الاجل دون ميشتره موريس اعزه لله للالكته المختار عن مطران دون ري شمانس ادام الله اعزه ومن ماله ويد الارجدياقن المذكور فيه عارية على اعترافه من ابي هرون موسى بن الشحات الاسرايلى ومن زوجه دونه سنبونة ومن ابنيه يوسف و ابراهيم الاسرايلىن اراضي عمل اربع ازواج ونصف بقرية اوليش الكبرى من قرى مدينة طليطلة حرسها الله في ثمنية ابن سفالة بها حسب ما ترتبت قيمة الازواج بالقرية المذكورة وهذه الاربعة الازواج ونصف المذكور تصيرت لابي هرون المذكور بالايتباع بها من زكريا حفيذ القرطبي على اعترافه وكذلك ابتاع منه صفقة واحدة عمل زوجين ونصف ايضا في ثمنية ابن مشقيق بالقرية المذكورة حسب الازواج المذكورة فصير ايضا ذلك لابي هرون المذكور بالايتباع على اعترافه ومن دونه غليانة التي كانت زوجا لبيطره مرتين ومن ابنيها منه دون ديقة ودونة مرية	The illustrious archdeacon, don maīshtroh Maūrīs [maestro Maurice], God dignify him, buys for the chosen <i>electus</i> , the archbishop don Ruy Shimānis [Rodrigo Jiménez de Rada], God preserve his dignity, using his money – the hand of the archdeacon is empty in this regard by his own admission – from Abū Harūn Mūsā bin al-Shaḥāth the Jew, and his wife Doña Sitbūna, and his sons, Yūsuf and Abrāhīm the Jews, four and a half <i>yokes</i> ¹ of land in the village of Olías la Mayor, one of the villages of the city of Toledo, may God protect her, in the eighth of Ibn Saqāla, according to the value of the land in the aforesaid village. And these four and a half yokes were acquired by Abū Harūn through his purchase of them from Zakariyā, grandson of the Córdoba, by his own admission. And likewise, he [Maurice] also purchases from him [Abū Harūn] in one transaction two and a half yokes in the eighth of Ibn Mushqīq in the aforesaid village, calculated like the yokes above. And this was also acquired by the aforesaid Abū Harūn through his purchase by his own admission and from Doña Ghaliyāna [Galiena], who was the wife of Bīṭroh Martīn [Pedro Martín], and from her children, Don Dīyaqa [Diego] and Doña Mariya [María].

¹ Literally 'a pair [of oxen]', indicating the amount of land worked by a team of two oxen in one day; see Federico Corriente, *A Dictionary of Andalusī Arabic* (Leiden: E. J. Brill, 1997), 236. The closest English translation that I have come across is a 'yoke' of land, which also appears to indicate the amount of land ploughed in one day by two oxen, hence my use of this term here, for clarity. For the term 'yoke' of land, see Molénat, *Campagnes et monts de Tolède*, 117–19.

وهذا المبيع الموصوف كله يكون مبلغ
عمل ثلاثة أزواج وربع لورقتين قليب
وزريعة كالتى هي عمل الأزواج الكاملة
بالقرية المذكورة العامرة لورقتين قليب
وزريعة كالتى هي العادة وان لم يكون في
المبيع الموصوف كمال عمل ثلاثة الأزواج
وربع الكاملة للورقتين كالتى ذكر فعلى
البايعين المذكورين اكماله للالكتة المذكور

فان كان فيه شايط³ على ذلك يكون للالكتة
المذكوراذ بهذا الشرط يكون المبيع
الموصوف ودخل في المبيع الموصوف
جميع القرال الذي للبايعين المذكورين
بالقرية المذكورة بجميع ما فيه من بيوت
ومساير وحقوق ولشهرته بالقرية المذكورة
اغني عن تحديده باكثر مما ذكر

بجميع ما لهذا المبيع من حقوق و منافع
بالقرية المذكورة في الثمنين المذكورين
في اراضيها ردها و معمورها و دمنها
ومروجها و ابارها و عيون مياهها و انادرها
وفي [.... منافع] قليلها وكثيرها
الى اقصى تخومها و انطارها من
جهااتها الاربع و بالدخول الى ذلك كله
والخروج عنه لم يستيق البايعون المذكورون
لانفسهم ولا لاحد بسببهم ولا لما في بني
ابي هرون المذكور في شي من جميع
المبيع الموصوف كله حقا ولا ملكا قليلا
ولا كثيرا منتفعا ولا مرتفقا بوجه من
الوجه كلها ولا بسبب من الاسباب الا
وخرجوا عنه لامبتاع المذكور بالبيع
الصحيح البتل التام الناجز الصريح الذي
لم يتصل به شرط مفسد ولا ثنى ولا خيار

And this whole purchase as described will be the value of the labour of three yokes and a quarter, having been both² ploughed and sown. This is the labour of an entire yoke in the aforementioned village, cultivated both by being ploughed and sown, as is customary. And if, in the purchased land described above, the full value of three yokes and a quarter is not complete with regard to these two tasks, above, then its completion is incumbent on the aforementioned sellers on behalf of the aforesaid *electus*.

And if there was any condition on this [land], the *electus* will take on this condition with the described purchase.⁴ And included in the sale described is all the farmland which belonged to the aforementioned sellers within the village, with all that is included in this as regards houses, workshops and the rights that pertain to them. Owing to its fame in the village, it is not necessary to define it any more than has been mentioned.

With everything that is in this sale as regards rights and benefits in the aforesaid village, in these two eights, in its lands, its rivers, and its cultivated areas and its ruins, and its meadows and its wells, and the springs of its water, and its threshing floors, and in ... benefits ... both small and great, to the extent of its borders and its watch towers from four directions. And at the entrances of all of this, and its exits, the aforesaid sellers will not retain rights, either on their own behalf or anyone else's, and nor will the sons of the aforesaid Abū Harūn, in anything from the whole of the described sale, nor any land great or small, nor benefit or use in any way, nor for any reason, otherwise they will have breached for the aforementioned buyer a true, definitive, complete, fulfilled, explicit purchase, which will not be undermined by any condition, nor reversible, nor can the sale be returned.

² The meaning of 'waraqatain' is not at all clear, and 'WRQ' has many entries in Corriente. Possibly most likely is the sense of 'two works' or 'two processes' to be carried out on the land. In line with this, Expiración García Sánchez has suggested that the term might be translated as 'two labours' to be performed on the land; my thanks to her for this suggestion. Another possible translation is that of 'pruning' or 'stripping of leaves' (see Corriente, *Andalusi Arabic*).

³ شرط: condition; see Corriente, *Andalusi Arabic*, 279–80. There seems to be a scribal error here: the first time this appears in the manuscript, it is written as شايط and then twice subsequently as شرط. However, context and sentence structure make it clear that the first word should also be شرط.

⁴ Here the manuscript is folded and it is impossible to make out the preceding sentence; I am thus reliant on Gonzalez Palencia having had the permission to unfold the manuscript.

بثمان مبلغه و عدده ثلث مائة مثقال و واحد
و ثمانون مثقالا ذهبا ٥٣٤⁵ من الذهب
الفونشي الضرب الطيب الوزان في سكة

انقطع لهم الثمن الموصوف المبتاع
المذكور من الدين الذي كان ترتب للمطران
دون مرتين رحمه الله قبل ابي هرون
المذكور وعن ذلك ابروا البايعون
المذكورون للمبتاع المذكور عن الالكته
المذكور الذي هو عوض المطران المذكور
من جميع الثمن الموصوف اذ هو منقطع
من الدين المذكور براءة تامة فبر فيه

وانزلوه في جميع المبيع الموصوف كله
منزلة ذي المال في ماله وذي الملك في
ملكه فنزل فيه عن للالكتة المذكور ...
..... بقدر هذا المبيع و مبلغه و منتهي
خطره و لم يجهلوا شيا منه و على سنة
النصاري في بيوعهم و اشريتهم و مراجع
ادراكهم و من الذي في هذا المبيع هو على
البايعين المذكورين و على مالهم و املاكهم
الحاضر فهم عن الغايب و الجلي عن
العديم و الحي عن الميت

ودفع البايعون المذكورون للمبتاع المذكور
عقد شرا الوزير ابي هرون المذكور من
دونة غلينة و من ابنيها المذكورين جميع ما
علم لهم و لبيطره مرتين من قبلهم من
ارض بالقرية المذكورة في ثمنية ابن
مشقيق

و هو العقد المورخ بالعشر الاول من شهر
دجنبر سنة اربعين و مائتين و الف للصر

Its price amounts to 381 gold mizcals
of Alfonsi gold⁶ well-minted by the
commensurate weight of the mint.

The described price of the purchase as
mentioned is deducted for them from the
debt which was owed to the archbishop Don
Martín [Martín López de Pisuerga], God
have mercy on him, by Abū Harūn, and so
the aforesaid sellers shall fulfil for the buyer
named on behalf of the aforesaid *electus*, he
who is in place of the archbishop, the total
price as described, since it is taken out of the
aforesaid debt, and is fulfilled completely
and thus honoured.

And they bestow on him [Maurice] in all of
the property thus described, in its entirety,
the status of owner within his own property
and lord within his domain, and so the
electus was considered thus ... by the value
of this sale and its price, and the extent of
its value without ignoring any part of it,
and according to the law of the Christians
in their sales and their purchases, and the
sources they refer to. And from that which
is in this sale, it is the responsibility of the
aforesaid vendors and [guaranteed by] their
wealth and possessions, present and distant,
manifest and intangible, living and dead.

And the sellers give to the buyer the sales
contract of the vizier Abū Harūn, above-
mentioned, from Doña Ghalīna [Galiena]
and her two children, of all that is known
to have been theirs, and belonged to Bītroh
Martīn [Pedro Martín] before them, from the
lands of the aforesaid village in the eighth of
Ibn Mushqīq.

And this contract is dated to the first ten
days of the month of December in the year
1240 of the era [1202 AD].⁷

⁵ This figure is written using Fez numerals, a numeric system employed by Mozarabic notaries in Spain in the 12th and 13th centuries; for a full discussion, see Stephen Chrisomalis, *Numerical Notation: A Comparative History* (Cambridge: Cambridge University Press, 2010), 171–3.

⁶ See Peter Spufford, Wendy Wilkinson, and Sarah Tolley, eds, *The Handbook of Medieval Exchange* (London: The Royal Historical Society, 1986), 300, for a definition of 'mizcal'. See also Miquel Crusafont, Anna Balaguer, and Philip Grierson, *Medieval European Coinage: Vol. 6, The Iberian Peninsula* (Cambridge: Cambridge University Press, 2013), 569.

⁷ Literally, 'the year 1240 from the zero/from the beginning': للصر. Corriente suggests that the term translates as 'the Spanish era' (Corriente, *Andalusi Arabic*, 307), whilst Ignacio Ferrando leaves the translation as simply 'la era del azófar'; see Ferrando, 'Testamento y compraventa', 46. The Spanish era is 38 years ahead of the Julian Calendar. For the document in question, see González Palencia, *Mozárabes*, Doc. 320.

<p>وعقد شرا ابي هرون المذكور ايضا من زكريا حفيد القرطبي جميع ما علم له بالقرية المذكورة في ثمانية ابن سقالة وتاريخه العشر الاخر من شهر فبراير سنة تسع وعشرين ومايتين والـ الف للـ صفر</p>	<p>And also [they give the buyer] the sales contract of Abū Harūn from Zakariyā, grandson of the Córdoba, for all that known to be his in the said village in the eighth of Ibn Saqāla, and it is dated to the last ten days of the month of February, 1229 in the era [1191 AD].</p>
<p>وعقدا من القرال المذكور الذي ضم ابو هرون المذكور من زكريا المذكور شطره من القرال المذكور وتاريخه العشر الاخر من شهر ابريل سنة ثلثين ومايتين والـ الف للـ صفر</p>	<p>And also [they give the buyer] the contract from the aforementioned farmland, which Abū Harūn annexed his half of this farmland from Zakariyā, and this is dated to the last ten days of the month of April in the year 1230 of the era [1192 AD].⁸</p>
<p>وعقدا من القرال ايضا من شراية من دونة دمنقة التي كانت زوجا لبلاي بيطرس قاعة بعض القرال وتاريخه العشر الاوسط من شهر فبراير سنة ثنتي واربعين ومايتين والـ الف للـ صفر</p>	<p>And also [they give the buyer] a contract from the farmland, purchasing from Doña Dominga who was the wife of Pelayo Pétrez, a ground plot of some of the land, and it is dated to the middle ten days of the month of February in the year 1242 of the era [1204 AD].⁹</p>
<p>وقبض منهم العقود عوض للالكته المذكور ليحرزها عن افات الزمن</p>	<p>And these contracts were taken from them on behalf of the <i>electus</i> aforementioned, in order that he protect them¹⁰ from wear and tear.</p>
<p>شهد على اشهادهم بالمذكور فيه عنهم من اشهدوه به على انفسهم حسب نصه وسمعه منهم وعرفهم وهم بحال الصحة وجواز الامر</p>	<p>Their witnesses, whom they had appointed to witness for this, witnessed all this for themselves according to what is written, and they heard it from both parties, and they know them and know that they are in a state of sound health and free will.</p>
<p>وبعد ان فسر ذلك عليهم بلسان فهموه في العشر الاوسط من شهر اكتوبر سنة سبع واربعين ومايتين والـ الف للـ صفر</p>	<p>after this was explained to them in a language understood by all, in the middle ten days of the month of October in the year 1247 of the era. (1209 AD)</p>
<p>Ego Do. Abbas ecclesie Sancte Eulalie testis</p>	<p>[<i>Latin</i>] I, Dominico Abbas, of the church of St Eulalia, witness.</p>
<p>وفليز بن يحيى بن عبد الله يعقوب بن يحيى</p>	<p>Felīz bin Yaḥyā bin ‘Abd Allāh Ya‘qūb bin Yaḥyā</p>
<p>ويهوذا بن اشحق بن يحيون ال...بلي عبد الله بن عبيد الله</p>	<p>Yahūdā bin Ishaq bin Yaḥyūn ... ‘Abd Allāh bin ‘Abīd Allāh</p>
<p>ابره ام بن موسى الشحات</p>	<p>Abrahām¹¹ bin Mūsā al-Shaḥāth</p>
<p>ابن هارون ا[ل]ش[ا]ت شاهيد</p>	<p>[<i>Hebrew</i>] Ibn Hārūn al-Sha[h]āt shāhīd [witness]¹²</p>

⁸ See González Palencia, *Mozárabes*, Doc. 1055.

⁹ González Palencia, *Mozárabes*, Doc. 331.

¹⁰ This word is unclear. The passage is missing in González Palencia's transcription.

¹¹ Interestingly, 'Abrahām' is spelt differently here, in what appears to be the individual's own hand, compared to the notary's choice of spelling, above.

¹² Many thanks to Ilil Baum at the University of Jerusalem for this identification and transcription.

Appendix II: The Wedding of the Infanta Berenguela in Burgos

May 1224

Rodrigo's invitation to Burgos to celebrate the wedding of Berenguela, Fernando III's sister, to John of Brienne, King of Jerusalem.

ACB v. 35, f. 34.

Noscant presentes et posteri quod nos
R dei providencia archiepiscopus
Toletanus hispaniarum primas,
recognoscimus et profitemur quod invitati
et rogati ab Mauricio Burgensis episcopo
et capitulo eiusdem ecclesie, benediximus
Johanem Regem terrestris Iherosolimitane
et domnam Berengariam sororem domini
Ferdinandi illustris Regis Castelle in
ecclesia Burgensis.

Et ad cautelam presentem cartam nostro
sigillo dir[e]ximus roborandam.

Acta sunt hec Burgis mense may
era M CC LXII

Let it be known by all present and yet to
come that we, R., by the providence of
God archbishop of Toledo, primate of the
Spains, recognise and profess that, having
been invited and requested by Maurice
bishop of Burgos and the chapter of the
same church, we blessed John, king of the
earthly Jerusalem, and lady Berenguela,
sister of lord Fernando, the illustrious king
of Castile, in the church of Burgos.

And as a precaution, we have ordered that
this present charter should be reinforced
with our seal.

These things are done in Burgos, May
1262 of the era.

Appendix III: Maurice Arranges the Lighting of Toledo Cathedral

9 February 1227, Brihuega

Bishop Maurice of Burgos augments the lighting of certain festivals in Toledo cathedral.

Archivo de la catedral de Toledo, A.11.A.1.4b.

En el nombre del padre et del fijo, del Spiritu Sancto, Amen.
Conoscida cosa sea a todos aquellos aqui este presente escrito fue mostrado en como yo Mauricio, por la gracia de Dios obispo que so agora de Burgos, et arcidiano que fuy en otro tiempo de Toledo.

Cerca las luminarias de la iglesia de Toledo de las quales me conviene ordenar mientras bisquiere¹ añado algunas cosas sobre aquellas que por mi fueron ordenadas en otro tiempo quando yo era arcidiano de Toledo segunt que se contiene en el instrumento seellado con mi seello.

Pues assi es, añado a las fiestas que son contenidas en el primero instrumento otras dos fiestas conviene saber la fiesta de la Anunciacion de Santa Maria la qual deve ser dicha mucho mejor fiesta de la Encarnacion de nuestro señor Jesu Christo et la fiesta de la Asención del Señor salvador para que en toda guissa et por essa mesma manera sean encendidas et ordenadas las luminarias enestas dos fiestas segunt en las otras fiestas contenidas en el primero instrumento.

In the name of the Father, the Son and the Holy Spirit, Amen.
Let it be known by all those here and shown this present document, regarding I, Maurice, by the grace of God now bishop of Burgos, and formerly archdeacon of Toledo.

Concerning the lights of the church of Toledo, which I undertake to order while I should be alive, I add some things to those that were ordered by me previously when I was archdeacon of Toledo, according to what is contained in the document sealed with my seal.

Consequently, then, I add to the festivals that are contained in the previous document two other festivals that should be known: the festival of the Annunciation of St Mary, which should be described much better as the festival of the Incarnation of our Lord Jesus Christ, and the festival of the Ascension of the Lord Saviour, in order that in every way and in the same manner the lights should be lit and arranged on these two festivals just as the other festivals contained in the previous document.

¹ Lloyd A. Kasten and Florian J. Cody, *Tentative Dictionary of Medieval Spanish*, 2nd ed. (New York: Hispanic Seminary of Medieval Studies, 2001), 735.

Otrosi como sea establecido primeramente que sean doze candelas, ordeno agora que sean diez et ocho las quales sean ordenadas en ese mesmo lugar que sean dessa mesma quantitat et peso que son las primeras. Sean otrosi doze candelas sodobladas a las mayores las quales sean puestas convenientemente en todas las fiestas sobredichas ante el altar de la bienaventurada Virgen Maria. Et esto fago por que las rrentas assignadas para las dichas luminarias pueden abastar para todas las casas sobredichas segunt que me rreconto verdaderamente aquel aqui yo encomende la cura et el cuydado de las rrentas et de las luminarias. En la trezena regla esta emendado doze.

Añado sobre todas las fiestas la solepnidat de la Purificacion de Santa Maria para que en essa mesma fiesta las luminarias sean ordenadas assi como es establecido de las otras fiestas suso escriptas.

Fecha la carta en Brihuega nueve días del mes de febrero era de mil et CC LXV años.

Furthermore, as it was established originally that there should be twelve candles, I now order that there should be eighteen, which should be arranged in that same place [and] which should be of the same sum and weight as the original candles. There should be a further twelve candles doubled-up to larger ones which should be placed conveniently during all the above-mentioned festivals before the altar of the Blessed Virgin Mary. And I order this so that the income thus assigned for the lighting may last for all the above-mentioned places, as I describe truly that which I hereby order for the arrangements and care of the income and the lights. In the thirteenth rule, twelve has been corrected.²

I add to these festivals the solemnity of the Purification of St Mary, in order that on this same festival, the lights should be arranged just as established for the other festivals above-described.

This charter was made in Brihuega on 9 February 1265 of the Era.

² It is not clear to me what this strange phrase means.

Appendix IV: Maurice's Will

November 1230

Maurice's will, including the foundation of two chaplaincies in the chapel of St Peter and the arrangements for his memorial prayers.

Archivo de la catedral de Burgos, Capellanes del Número, caja 6, folio 45 (formerly 40)

Pontificalis apex sublimitatis quanto clarior est in honore, tanto majori negligentiarum premitur onere, dum ex hominibus pontifex assumptus et pro hominibus constitutus in hiis que sunt ad Deum¹ circumdatus tamen infirmitate sanctum ministerium digne Deo non adimplet, distractus rerum temporalium cura multiplicior gravatus terrena inhabitacione deprimente sensum multa cogitantem.²

Igitur quam in multis offendimus omnes, omnes namque peccavimus et egemus gloria Dei neque vita ista misera transigi potest absque peccato necesse habemus juxta consilium Danyelis³ elemosinis redimere peccata nostra et providere ut, sique nobis de contagiis terrene mortalitatis macule adhererint etiam cum migraverimus ab hoc seculo, purgentur per altaris vivifica sacramenta in quibus precipue fit commemoratio Dominicæ passionis quæ precipua causa est purgationis animarum.

Just as the apex of pontifical glory shines in honour, so it is all the more greatly burdened by the weight of negligence. While the high priest is raised up from men and ordained for them in those things that pertain to God, yet, beset by weakness, he does not fulfil his holy ministry in a manner worthy of God, being distracted by the care of temporal things, and weighed down even more by earthly habitation troubling the mind that ponders many things.

Therefore since we have all offended in many things, inasmuch as we have all sinned and fall short of the glory of God, and nor is it possible to go through this miserable life without sin, we have a need, following the counsel of Daniel, to redeem our sins through alms, and to provide so that, if stains from the contagion of earthly mortality should still cling to us when we have left this world, they might be purged by the life-giving sacraments of the altar, in which the Lord's passion is especially commemorated, which is above all the cause of the purification of souls.

¹ Hebrews 5:1.

² Wisdom 9:15 (Douay-Rheims: For the corruptible body is a load upon the soul, and the earthly habitation presseth down the mind that museth upon many things / 'corpum enim quod corrumpitur aggravat animam, et terrena inhabitatio deprimit sensum multa cogitantem').

³ Daniel 4:24 (Douay-Rheims: Wherefore, O king, let my counsel be acceptable to thee, and redeem thou thy sins with alms, and thy iniquities with works of mercy to the poor: perhaps he will forgive thy offences / 'Quam ob rem, rex, consilium meum placeat tibi, et peccata tua elemosynis redime, et iniquitates tuas misericordiis pauperum: forsitan ignoscet delictis tuis').

Ea propter ego Mauricius Dei dignatione Burgensis Episcopus una cum consensu capituli nostri statuo in perpetuum observandum, ut duo sacerdotes singulis diebus celebrent missas pro defunctis in altari consecrato in honorem beati Petri in ecclesia nostra pro predecesoribus scilicet nostris, et pro domino Martino domino meo archiepiscopo toletano, et pro domino Bricio quondam Episcopo Placentino, et pro patre et matre meis, et aliis caris et benefactoribus meis, et pro Domino Rege Alfonso inclite recordationis, et pro aliis regibus et benefactoribus huius ecclesiae, et pro universis fratribus huius congregationis et pro hiis omnibus dicentur orationes sicut ordinate sunt a nobis in missali quod scribi fecimus ad servitium altaris praedicti, in Dominicis tamen diebus secundum varietatem temporum cantabunt missas predicti sacerdotes sicut in eodem missali continentur, dicta tamen una oratione specialiter pro me cum migravero ab hoc saeculo, et alia communi pro omnibus fidelibus defunctis.

Sacerdotes autem praedicti erunt assidue in choro servientes Deo in officiiis divinis. Institutentur autem per me dum vixero.

Post obitum vero meum potestas eligendi tales sacerdotes qui sint honestae conversationis, et bene cantent et bene legant, residebit penes decanum, cantorem, et sacristam Ecclesiae nostrae, quos instituent perpetuos, nisi forte culpa sua gravissima et incorrigibilis eos exegerit commoveri.

Because of this, I, Maurice, by the honour of God Bishop of Burgos, with the consensus of our chapter, decree that it is to be observed in perpetuity, that two priests every day should celebrate masses for the dead at the altar consecrated in honour of blessed Peter in our church, that is to say, for our predecessors, and for lord Martín my lord archbishop of Toledo, and for lord Bricio, once bishop of Plasencia, and for my father and mother, and my other dear ones and benefactors, and for the lord King Alfonso of celebrated memory, and for other kings⁴ and benefactors of this church, and for all brothers of this congregation; and for all of these, prayers should be said as commanded by us in the missal that we had written for the service of the aforesaid altar. However, on Sundays according to the variations of Ordinary Time, the aforementioned priests will sing masses as stipulated in the same missal, also saying one prayer specially for me when I have left this world, and another generally for all the faithful dead.

Moreover, the aforementioned priests will be assiduous servants of God in the choir during the divine office. Also, they will be chosen by me whilst I am alive.

However, after my death, the power of choosing such priests, who should be of honest ways and able to sing well and read well, will be in the hands of the dean, the cantor and the sacristan of our church, and they will be appointed for perpetuity, unless perchance, through their most grave and incorrigible fault, it is necessary for them to be removed.

⁴ This strange phrase is presumably a reference to Enrique I and the current king Fernando III.

Ad sustentationem autem dictorum sacerdotum, assigno redditus L maravetis XL s. in villa nostra quae dicitur Fontanas, quos debet idem populus Episcopo annuatim quam villam ego liberavi de pecta regia. Decem vero alios maravetinos recipient de XL maravetinis, quos debet Concilium de Valdemoro episcopo annuatim, quam villam ego acquisivi a domino nostro Rege Fernando.

Recipient insuper dicti sacerdotes quatuor ochavillas de tritico mense septembri quas assigno eis in molendinis que sunt in pertinentia de Medinella, quam ego feci propriis sumptibus, et in hereditate quam acquisivi et comparavi in eadem villa.

Practerea capitulum assignat ipsis sacerdotibus ambobus insimul una iustitia vini singulis diebus percipiendam quamdiu vinum habuerint canonici in apoteca sua. Hec autem omnia dividuntur inter ipsos sacerdotes equaliter.

Assigno pretera in predictis XL maravedis de Valdemoro, XXX maravedis qui remanent pro anniversario meo, ita quod in ipsa die anniversaria obitus mei XV maravedis distribuuntur inter socios ecclesie, sicut mos est, ita tamen quod de ipsis XV mar dentur clericis qui dicuntur de criazon, et choro serviunt, et ipsa die interfuerint officio, unicuique duo denarii.

De reliquis XV maravedis fiant mihi due memorie: prima, computatis quatuor mensibus ab anniversaria die, secunda computatis aliis quatuor mensibus.

And for the support of the aforesaid priests, I assign the income of 50 maravedís and 40 solidi in our town which is called Fontanas,⁵ which that community owes to the bishop annually [and] which town I liberated from the Pecta Regia.⁶ Indeed, they will receive another ten maravedís from the 40 maravedís which the council of Valdemoro owes to the bishop annually, which town I acquired from our lord King Fernando.

In addition, the aforesaid priests will receive four ochavillas of grain in the month of September, which I assign to them in the windmills that belong to Medinella, which I make to my own cost, and in the inheritance that I acquired and established in the same town.⁷

Furthermore, the chapter assigns to both priests together one measure of wine every day, to be received as long as the canons should have wine in their store. Indeed all these things will be divided between the priests equally.

Additionally, from the aforesaid 40 maravedís from Valdemoro, I assign the 30 maravedís which remain for my anniversary, so that on the day itself of the anniversary of my death, 15 maravedís should be distributed amongst the members of the church, as is customary, so that, of these 15 maravedís, two denarii should be given to each of the clerics who are called ‘criazon’, and who serve the choir, and who will take part in the office on that same day.

Of the remaining 15 maravedís, two memorials should be made for me: the first, calculated four months from the anniversary of the day, and the second reckoned after another four months.

⁵ Hontanas, in the southwest of the diocese (see [Map 2](#)).

⁶ A form of royal taxation. See the donation of June 1221, Mansilla, Doc. 531.

⁷ It seems clear from this passage that Maurice himself owned an inheritance in Medinella, since this grant is to his personal cost. Note how he uses the first-person singular, in contrast to the first person plural when discussing lands that belong to the episcopal *mensa*. Medinella might be reference to Medina de Pomar, or to Medinilla de la Dehesa (or elsewhere; see [Chapter 1](#)).

Sic igitur centum maravedis, quos III ville sibi vicine s. Fontanas, Quintanella, Valdemoro debent episcopo Burgensi annuatim de quibus XX iam assignavi per cartam meam capitulo nostro pro duobus anniversariis mihi accipio ad suprascripta complenda, sicut sunt ordinata.

Ut autem haec omnia firma permaneant in perpetuum, duas cartas eiusdem tenoris fieri precepi, que sigillatae sunt sigillis meo et capituli, quarum una remanebit semper in sacristia inter alia instrumenta ecclesie nostre. Reliquam decanus ecclesie reservabit.

Facta carta mense Novembri anno ab incarnatione domini nostri Jesu Christi, millesimo: ducentesimo, tricesimo.

Thus consequently the one hundred maravedis which three towns, that is to say the vicinities of Fontanas, Quintanella⁸ and Valdemoro, owe to the Bishop of Burgos annually, of which I have now assigned 20⁹ by my charter to our chapter for two anniversaries, I take to myself for the completion of the above-written things as they are set out.

Indeed, in order that all these things should remain fixed in perpetuity, I have ordered that two copies of this same undertaking should be made, that they are sealed with my seal and that of the chapter, of which one will always remain in the sacristy amongst the other instruments of our church. The remaining one will be kept by the dean.

This charter was made in the month of November in the year of the Incarnation of Our Lord Jesus Christ 1230.

⁸ On the toponym 'Quintana', see Peterson 'The Men of Wavering Faith', 232.

⁹ The text clearly reads XX, but logically, the figure must surely be 30, according to the above content.

Appendix V: The *Concordia Mauriciana*

November 1230

ACB v. 17, f. 525.

ACB Lib. 32, f. 1.

Serrano has provided a partial edition of this text in his *Don Mauricio*, Appendix XIII, based on his transcript of ACB v. 17, f. 525, one of the two original copies of this document. However, he does not seem to have referred to a second original version of this document, ACB Lib. 32, f. 1, much less heavily used and more legible in many places. Both documents are originals, written in the same early Gothic hand, and are sealed with episcopal and capitular seals. It is clear that these are the two copies referred to in the closing lines of the *Concordia*.

My transcription is based on a comparison of both documents. A number of lacunae in v. 17 f. 525 are clarified by reference to Lib 32, f. 1.

Cum de diversis donis et officiis ab uno Spiritu distributis in ecclesia Dei disputasset apostolus in prima epistola ad Corinthios, in eiusdem fine capituli subiunxit velud quiddam corollarium: *omnia honeste et secundum ordinem fiant in vobis,*¹ ne quid scilicet vituperari possit vel absque utilitate fieri videatur. Quante siquidem dignitatis sit ordo etiam in rebus naturalibus vir sapiens non ignorat, cum sine ordine mundi sensibilis machina non subsisteret etiam per momentum. In invisibilibus quoque que digniora sunt et eternis, quantum valeat ordo, legat qui scire voluerit librum Dionisii Magni de Celesti Ierarchia, ubi disputat mirabiliter et supermundane de novem ordinibus celestium virtutum. Idem sanctus martyr docet in libro de Ecclesiastica Ierarchia que fiunt in ecclesia Dei sive in sacramentis sive in officiis, similitudinem quandam habere cum illis que Supremus Ierarches, qui est principium omnium, divina scilicet bonitas in supercelesti Ierarchia ordinavit.

Hec igitur atendentes Ego Mauricius, Dei miseratione ecclesie Burgensis episcopus, totusque conventus eiusdem ecclesie, volentes quedam que minus ordinata videbantur in ecclesia nostra ad certum ordinem reducere, quedam etiam que velud ambigua sub ancipiti fluctabant, statuere certa in perpetuum duratura, tempore nostre translationis ad novam fabricam processimus in hunc modum.

Primo tractavimus diligenter longa deliberatione versantes Ego episcopus et maiores nostri que forent ordinanda, que etiam sub certitudine statuenda. Postmodum in scriptis redacta fuerunt et universo capitulo presentata. Igitur que sequuntur de comuni consensu omnium statuimus in perpetuum valitura.

When the Apostle discussed the many gifts and offices distributed by the one Spirit within the church of God, in his first letter to the Corinthians, he added, as if in a corollary at the end of the same chapter: ‘let all things be done decently, and according to order amongst you’, that is, lest any might seem to be blameworthy or useless. For indeed, the wise man is not heedless of the great value of order even in the things of nature, since without order, the workings of the sensible world would not continue even for a moment. Likewise, in invisible things, which are more worthy and eternal, how great a value has order; let he who wishes to know read the book of the great Dionysius *On the Celestial Hierarchy*, where he discusses marvellously and in an unworldly manner the nine orders of the heavenly hosts. The same holy martyr teaches in the book *On the Ecclesiastical Hierarchy* that that which takes place in the church of God, whether in the sacraments or in the office, holds a certain likeness to those things that the Supreme Hierarchy, that is to say, the divine goodness who is the beginning of all things, set in order in the supercelestial hierarchy.

Considering these things, I, Maurice, by the mercy of God bishop of the church of Burgos, and the whole assembly of that same church, wishing to restore to definite order certain things in our church that seemed to be less orderly, and also to establish definitively in lasting perpetuity some things which, as though ambiguous, were wavering in doubtfulness, at this time of our translation to new fabric, we have proceeded in this way.

First, I, the bishop, and our most senior clergy, in lengthy consultation, diligently discussed that which was to be ordained, and that which was to be established in certainty. After this, the words were written down and presented to the whole chapter. Therefore, that which follows, by the common consent of all, we decree to be valid for eternity.

¹ 1 Corinthians, 14:40.

Statuimus ergo ut omnes canonici qui secundum antiquam ecclesie consuetudinem debent esse transforma[ti]² sint in choro superiori. Similiter omnes sacerdotes et diaconi portionarii qui dicuntur de loco sint in eodem choro, sed post omnes canonicos. In omnibus autem istis servetur ordo consuetus ab antiquo scilicet ut qui prius intraverit sit in loco priori. Adicimus etiam propter honorem ordinis sacerdotalis ut omnes sacerdotes qui dicuntur habere beneficia elemosinaria, sint in choro superiori; ita tamen ut si sedes superiores non suffecerint omnibus, illi qui fuerint in minori beneficio cedant aliis qui fuerint in maiori. Subdiaconi vero portionarii de loco et omnes alii in minoribus beneficiis constituti sint in choro inferiori et unusquisque defendat locum secundum tempus receptionis sue.

Circa dignitates vero et abbates statuimus ut in dextra parte chori primum locum teneat decanus, cantor secundum, archidiaconus Vallisposite tertium, archidiaconus de trivinno quartum, sacrista quintum, abbas de Franucea post ipsum, post quem sedebit abbas de Cervatos.

In sinistra parte chori, primus sedeat archidiaconus civitatis, secundus archidiaconus de Berviesca, tertius archidiaconus de Lara, quartus archidiaconus de Palenciola, quintus abbas de Salas, sextus abbas Sancti Quirici. Hec autem loca dignitatibus in perpetuum assignamus. Idem ordo servetur in processionibus sicut in choro. Similiter in capitulo cum aliquis voluerit defendere locum suum.

We decree therefore, that all canons, who ought to be moved in accordance with the ancient customs of the church, should be in the upper choir. In the same way, all priests and prebendary deacons who are called *de loco* should be in the same choir, but behind all the canons. In all these things, however, the customary order of antiquity should be preserved, that is to say, that he who has entered first should be in the first place. We add, moreover, on account of the honour of the rank of priest, that all priests who can be said to hold an alms benefice should be in the upper choir; but in such a way that if the upper seats should not be enough for all of them, those that are in a minor benefice should cede their places to those in a greater. However, subdeacon prebendaries *de loco*, and all others endowed with minor benefices, should be in the lower choir, and each one is to maintain his place according to the time it was received.

Concerning the dignitaries and the abbots, however, we decree that in the right-hand part of the choir the dean should hold first place, the cantor second, the archdeacon of Valpuesta the third place, the archdeacon of Treviño fourth, the sacristan fifth, the abbot of Foncea after him, after whom will sit the abbot of Cervatos.

In the left-hand part of the choir, the archdeacon of the city should sit first, second the archdeacon of Briviesca, third the archdeacon of Lara, fourth the archdeacon of Palenzuela, fifth the abbot of Salas de Bureba, sixth the abbot of San Quirce. Thus we assign these places to the dignitaries for perpetuity. The same order should be maintained in processions just as in the choir; likewise, when someone should wish to hold his place in the chapter.

² ‘Transforma’ in both manuscripts. Serrano rendered this as ‘triginta’.

Nullus intret chorum cum capa nisi sit de bruneta nigra vel de sayo³ vel de galabruno⁴ vel esembruno⁵ nigro et capa sit competentis mensure ad minus taralis. Similiter et superpellicium sit honestum et competentis mensure et tam minores quam maiores sint honeste calciati, et nullus intret in choro vel ad altare cum galochiis vel patinis. Nullus puer vel alius maior clericus intret chorum de novo nisi de voluntate cantor.

Nullus incipiat cantum in choro nisi cantor vel succentor dum modo alter eorum presens sit vel cantores quando regunt chorum vel cui ipsi iniunxerint, et nullus in cantando vel psallendo resistat cantori vel succentori sed ipsum sequatur totus chorus.

No one is to enter into the choir unless he is wearing a dark brown cappa, either of sackcloth, or of wool dyed in oak apples of the style *galabruno* or dark *esembruno*; and the cappa must be of appropriate length, at least to the ankles. And similarly, the tunic too should be respectable and of appropriate length; and the lower as much as the higher ranks are to have respectable footwear, and no one is to enter into the choir or to the altar wearing shoes with wooden or metal soles.⁶ No one, neither boy nor other more senior clergy, is to enter anew into the choir except by the will of the cantor.⁷

No one should begin the singing in the choir except the cantor or the succentor,⁸ provided that one of these is present, or the singers⁹, when they direct the choir or are themselves joined to it, and no one is to oppose the cantor or the succentor in singing or psalming; indeed, the whole choir should follow him.

³ *Sayo*, from *saya*: coarse cloth, sackcloth, used to distinguish peasants and labourers by the Spanish Golden Age. See Charlotte Stern, 'Sayago and Sayagués in Spanish History and Literature', *Hispanic Review*, 29:3 (1961), 217–37, at 225, note 21. My thanks to Cordelia Warr for help with this identification.

⁴ *Galabruno*: wool dyed with oak apples. See Fort Cañellas, *Léxico Romance*, 123. She suggests that dyeing wool in this way produced a brown-black colour, and that a great number of materials were thus dyed until the 13th century (after which its use was limited to poorer quality products or for specific purposes). Fort Cañellas also suggests that this word was imported from France, where she has identified a 'galebrun' and a 'walebrun', seemingly related, meaning 'dark-coloured fabric'.

⁵ *Ysembrum*: brown wool dyed with rock salt and oak apples; see Kasten and Cody, *Tentative Dictionary of Medieval Spanish*, 391.

⁶ 'Patinis' could also suggest snow shoes.

⁷ The 'cantor' was an administrative as well as musical position, being in charge of the performance of the liturgy and central to the chapter's proceedings, as is illustrated by his high rank in the choir. Fort Cañellas describes the cantor as leading the responses, hymns, and all other songs, in choir and in processions, and claims that he would be obeyed by the rest of the chapter. See Fort Cañellas, *Léxico Romance*, 157.

⁸ The deputy cantor.

⁹ 'Cantores'. It appears that here, in addition to the cantor and succentor, there was also a group of 'cantores' or singers, who were capable of leading the singing. See commentary in [Chapters 4 and 5](#).

Nullus ministret ad altare maius in officio sacerdotali vel diaconali vel subdiaconali, nisi sit canonicus vel portionarius maior vel minor qui dicitur elemosinarius, et isti serviant in propriis personis nisi iustam habeant excusationem, et tunc det alium qui loco suo serviat. Et siquid contra hec venerit punietur pena quondam statuta; sacerdos scilicet pena V solidos, tam diaconis quam subdiaconis pena III solidos, exigenda a cantore et solvenda eidem ad opus pauperum qui serviunt choro.

Diachonus autem et subdiaconus simul exeant cum sacerdote de revestiario, et assistant ei in confessione et usque ad finem misse, et cum eo revertantur in revestiarium et iuvent eum in recitanda VI vel IX vel vespers prout qualitas hore exigit. Quod si diachonus vel subdiaconus contra hoc fecerit, puniatur ac si non venisset. Preterea tam sacerdos quam diachonus et subdiaconus in principio ebdomade sue sit rasmus barbam et coronam et tonsuram habeat competentem.

In sollempnitatibus cantores qui debent regere chorum in utrisque vespers et in matutinis sint parati cum capis sericis in ipso choro antequam incipiantur vespere vel matutini et in tercia antequam incipiatur responsum.

Hec sunt sollempnitates in quibus debent fieri processiones cum capis sericis, Natale Domini, festum purificationis, Pasche, Pentecostes, Assumptionis, Omnium Sanctorum.

No one is to serve at the great altar in the office of priest, deacon or subdeacon, unless he is a canon, or a major portionarius, or a minor or 'alms' portionarius; and these are to serve in their own persons, unless they have a proper excuse, and then he should give it to another who should serve in his place. And if anyone should go against this, he will be punished a previously determined penalty; that is to say, punishment for a priest is five solidi, punishment for both deacons and subdeacons is three solidi, which will be demanded by the cantor and distributed by him for the care of the poor who serve in the choir.

Also, the deacon and the subdeacon are to go out of the vestry together with the priest and shall assist him in confessions until the end of Mass and are to return with him to the vestry, and must support him in reciting Sext or None or Vespers, just as the nature of the hour demands. With respect to which, if any deacon or subdeacon acts against this, he is to be punished as if he had not come. In addition, the priest as well as the deacon and subdeacon, should be shaved at the start of his week, and should have respectable beard, crown and tonsure.

On solemn feast days, the cantors who ought to direct the choir for both vespers and matins should be prepared with capps of silk in the choir itself before the vespers or matins have started, and at terce, before the responsory has begun.

These are the solemn feasts on which processions must be held with capps of silk: the birth of the Lord, the feast of the Purification, Easter, Pentecost, the Assumption, All Saints.

Sollempnitates in quibus omnes canonici et omnes alii clerici qui de choro sunt debent habere barbas et coronas raras et competentem tonsuram sunt iste, Prima dominica adventus, Nativitas Salvatoris, Epyphania, Purificatio, Feria IIII in capite ieiunii, Pascha domini, festum ascensionis, festum pentecostes, Nativitas Sancti Johannis Baptiste, Assumptio Sancte Marie, Nativitas eiusdem, festum Sancti Michaelis, Festum Omnium Sanctorum. Siquis canonicus vel socius ecclesie venerit et non rarus in primis vesperis cuiuscumque predictarum festivitatum, privetur integra portione in ipso festo.

In vigilia cuiuslibet proximo scripte sollempnitatis succentor scribat in matricula nomina illorum qui cantare vel legere debeant in primis vesperis et in matutinis et in missa et in secundis vesperis, et legatur matricula in capitulo in ipsa vigilia, et postea ponatur in loco competenti et sit ibi usque post missam maiorem cantatam, et pena non cantantis vel non legentis sicut scriptum fuit vel per se vel per alium si forte rationabilem excusationem pretenderit de pera sua sit privatio integre portionis.

Solemn feasts on which all of the canons and all other clergy who are of the choir ought to have shaved beards and crowns and respectable tonsure are the following: the first Sunday of Advent, the nativity of the Saviour, the Epiphany, the Purification, Ash Wednesday, Easter Sunday, the feast of the Ascension, the feast of Pentecost, the birth of St John the Baptist, the Assumption of the Holy Mary, the birth of the same, the feast of Saint Michael, the feast of All Saints. If any canon or member of the church should come without having shaved by the first vespers of any of the above-mentioned feasts, he should be deprived of his whole portion for that same feast day.

By the vigil immediately preceding any of the solemn feasts listed, the succentor should write in a list the names of those who ought to sing or read at the first vespers and at matins and the mass and at the second vespers; and the list should be read out in the chapter at the same vigil, and afterwards should be placed in a suitable place and should remain there until after the great mass has been sung. And the penalty for those not singing or reading as has been written, either in person or by another, if he should have offered a reasonable excuse, should be the loss of the whole portion of his provisions.

Attendentes preterea Nos Episcopus et universum capitulum supradicti quod qui participes sunt laboris et servicii ecclesiastici gaudere debent rerum temporalium consolatione ad honorem Dei et gloriose virginis Marie in remissionem peccatorum nostrorum, minora beneficia qui dicuntur elemosinaria et sunt viginti, augmentavimus in hunc modum. Statuentes ut quilibet taliter beneficiatus serviens ecclesie percipiat de communitate unum denarium super duos denarios quos usque ad tempus istud percipere consueverant et pro almude et tercia que percipere consueverat unoquoque mense de trictio,¹⁰ percipiat unum almude et dimidium.

Ego autem episcopus, volens ut quilibet predictorum super iii denarios quos percipit de communitate, percipiat alios duos ut sic unusquisque eorum qualibet die percipiat V denarios, concessi in perpetuum capitulo nostro omnes redditus quos habeo vel habere debeo in ecclesia Sancti Stephani in nostra civitate. Valent autem redditus omnes ipsius ecclesie C.XV mri annuatim.

Assigno preterea eidem capitulo nostro XLV mri annuatium, percipiendis in redditibus quos habent episcopus et capitulum in civitate Burgensi de decima portatici regalis et calumpniarum, quos redditus dividunt per medium. Residuum vero ipsius medietatis reddituum, Episcopo remanebit.

Additionally, we the bishop and the whole chapter aforementioned, considering that those who are participants in the work and service of the church ought to rejoice in the consolation of temporal things, for the honour of God and of the glorious Virgin Mary, for the forgiveness of our sins, we have increased the smallest benefices, which are called 'alms' and of which there are twenty, in the following way. Establishing that whoever is beneficed in this way, serving the church, should receive from the community one denarius on top of the two denarii which until this time they had been accustomed to receive, and regarding the *almud* and a third of wheat that he had been accustomed to receive each month, he should receive one *almud* and a half.¹¹

Furthermore, I, the bishop, wishing that any of the aforementioned who receives three denarii from the community should receive another two, so that each one of them should receive five denarii on any day, have conceded to our chapter in perpetuity the income that I have or ought to have from the church of St Stephen in our city. Moreover, all the income from that same church is worth 115 maravedís a year.

Additionally, I assign to our same chapter 45 maravedís a year, which are to be earned through the revenues which the bishop and chapter receive in the city of Burgos, from the tithe on royal customs and the courts, which proceeds they divide in half. But the remainder of this half of the revenue will stay with the bishop.

¹⁰ The 'tercia' refers to a third of the tithe; see Linehan, *Spanish Church and the Papacy*, 111–12.

¹¹ There is some uncertainty about what precisely constitutes an 'almud'. Alonso claims that 'almud' comes from Arabic, 'al-mudd', as a term for the measure of grains and cereals (Alonso, *Diccionario Medieval Español*, vol. 1, 257). This should be compared with Fort Cañellas, who suggests that it could be an arabisation of the Latin 'modius' (Fort Cañellas, *Léxico Romance*, 60).

Tam illos XLV mr quam predictos redditus ecclesie Sancti Stephani capitulo nostro, sicut suprascriptum est, assigno et concedo in perpetuum possidendos, eadem conditio remanebit in huius beneficiis que optinuit ab antiquo quantum ad hoc quod non dabitur scholaribus extra civitatem studentibus.

Volentes etiam honorem ecclesie ampliare statuimus ut qualibet die post prefactionem cum vivifica sacramenta incipiunt consecrari, duo pueri sint parati cum turibulis ad incensandum altare maius usque post susceptionem sacramentorum et tunc ibunt ambo pueri ad chorum et incensabunt eos qui fuerint in choro, pro quo labore uterque puer percipiet denarium unum quolibet die, quos denarios dabit sacrista; et incensum ministra[b]it et luminaria sicut honestum fuerit ampliabit, et pueris camisias decentes et succintoria et amictus ad hoc servicium idem sacrista providebit. Propter hoc enim omnia assignavimus sacristie ecclesiam Sancte Marie de Vieia rua. Pueri autem a succentore providabuntur ad hoc servicium grandiusculi, qui apti sint ad hoc servicium adimplendum, et sicut alii servitores septimanis singulis inittabuntur.

Ut autem omnia suprascripta firma stabilitate permaneant in perpetuum inconvulsa, duas cartas eiusdem tenoris fieri precepimus, quarum utraque sigillis nostro et capituli sigillata est. Una permanebit in sacristia perpetuo cum aliis instrumentis ecclesie, altera conservabitur in archis pontificalibus.

Facta carta mense Novembri, anno ab Incarnatione Domini nostri Ihesu Christi millesimo ducentesimo tricesimo.

Both those 45 maravedis and also the aforementioned revenue from the church of St Stephen, I assign and concede to our chapter, as mentioned above, to be possessed in perpetuity. The same condition shall remain concerning benefices of this kind, which was in force from antiquity up until these days, that it shall not be given to scholars studying outside the city.

Indeed, wishing to increase the honour of the church, we decree that on any day, after the preface,¹² when the life-giving sacraments are beginning to be consecrated, two boys should be prepared with thuribles to incense the great altar until after the reception of the sacraments, and then both boys will go to the choir and will incense those who are in the choir, for which work each boy will receive one denarius each, no matter what the day is, and the sacristan will give the denarii to them. And he will administer the incense and he will increase the lighting as is appropriate, and the same sacristan will provide seemly albs, cinctures and mantles to the boys for this purpose. Therefore, because of all these things, we have assigned to the sacristy the church of Saint Mary of Vieja Rua. Indeed, boys old enough for this service and who are able to fulfil this service will be provided by the succentor, and just like the other servers, they will be engaged on a weekly basis.

Therefore, so that all these things above-written should remain in lasting stability, unshaken for perpetuity, we have ordered two copies of the same document to be made, each of which is sealed by our seal and the seal of the chapter. One will remain in the sacristy for perpetuity with the other instruments of the church, the other will be conserved in the pontifical archives.

This page was made in the month of November, in the year 1230 from the Incarnation of our Lord Jesus Christ.

¹² 'Prefaction' or preface, that is, the prayer that precedes the Eucharist.

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