



OS ECLESIÁSTICOS E AS QUESTÕES PORTUGUESAS JUNTO À CÚRIA ROMANA: A INFLUÊNCIA DOS CARDEAIS HISPÂNICOS (1213-1254)

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Este artigo procura analisar as redes de interrelacionamento entre os eclesiásticos que assessoravam os primeiros reis portugueses e os cardeais hispânicos que na Cúria Romana representavam e julgavam causas relacionadas com o recém-nascido reino de Portugal, procurando definir quais as origens e repercussões desse interrelacionamento nos acontecimentos políticos. Tomando como ponto de partida a doação dos dízimos reais às dioceses do Reino que Afonso II levou a cabo em 1218, procura-se retrair as origens de uma familiaridade evidente e o percurso daqueles mencionados nessas doações, no seu relacionamento com Gil Torres, que nelas é referido, assim como com Paio Gaitán, de importância fundamental. Analisando as carreiras dos dois cardeais, a composição das suas casas e as causas em que se envolveram, é possível recuperar alguns elementos explicativos de processo complexo que se desenrolaram desde a morte de Sancho I (1211) até ao afastamento de Sancho II da dignidade régia (1245). E que nos permitem compreender com mais alguma clareza como anteriores ligações pessoais e afectivas, nomeadamente ao chanceler Julião Pais, podem esclarecer a presença de Gil Torres em 1218 nas doações de Afonso II, as eleições disputadas da Lisboa de 1233, a escolha de Tibúrcio como bispo de Coimbra e até o processo despoletado contra Sancho II, que encontrou o seu ápice no concílio de Lyon em 1245.

PORTUGUESE ECCLESIASTICS AND PORTUGUESE AFFAIRS NEAR THE SPANISH CARDINALS IN THE ROMAN CURIA (1213-1254)

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This article aims at exploring the origins and repercussions of the relationship of the Portuguese Ecclesiastics who accompanied and advised the first Portuguese Kings with the two most influent Spanish Cardinals at the Roman Curia, in the years between 1213 and 1254: Pelayo Gaitán and Gil Torres. Starting with the 1218 grant of the royal tithes to the Portuguese dioceses, in which cardinal Gil is mentioned three times, this article tries to assess the possible origins of the relationship of Gil and the Portuguese ecclesiastics at that time, and to analyse the importance of both him and Pelayo in the causes dealt with in Rome, during the years 1212-1216, in order to solve the question between the King and his sisters. It then proceeds by looking at the remaining evidence related to the causes audited by Gil and Pelayo concerning Portugal and the remaining Iberian Kingdoms, and by trying to see how the composition of the “houses” of both Cardinals might help to reflect the turn of events in the future, namely the contested and disputed elections in Lisbon, in 1233, the accession of Tiburtius to Coimbra’s episcopate, the almost general “take over” of the Portuguese episcopate, in the 30s of the thirteen century, by canonists who had been close to these cardinals and the Roman Curia, and the deposition of Sancho II in 1245, at Lyons where cardinal Gil Torres and a relevant number of those present in 1218 were again together.

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If we look, even superficially, at the list of works which mention the earliest Iberian cardinals, we will immediately notice that one of the most disputed questions regarding their lives, is the topic of their origins: Their place of birth has been consistently disputed between Spanish and Portuguese Historians, as if claiming to be the *patria* of these cardinals could add a significant point to the glories of national identity. The “nationality” of cardinals such as Pelayo Gaitán, Gil Torres or Ordoño Alvarez has been a subject which promoted passionate discussions and many lines of learned commentary¹.

The belief that these cardinals were all Portuguese, reinforced by Fortunato de Almeida’s corroboration of that “status” in his *História da Igreja em Portugal*² has been shattered by a number of recent studies, which have proposed, with sound arguments, that instead of being of Lusitanian birth, they must have come originally from either León or Galicia³...

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¹ SOUSA COSTA, A. D. – Cultura Medieval Portuguesa: português, o cardeal Gil?. *Itinerarium*. 1 (1955) 296-306, tries to explain the history of the myth that all the first “Spanish” cardinals of the 12th-13th centuries were Portuguese; as the same author also realises, the idea that all of them were of Portuguese origin seems to stem from CARDOSO, Jorge – *Agiologio Lusitano dos Sanctos e Varoens illustres em virtude do reino de Portugal e suas conquistas, consagrado aos gloriosos S. Vicente e S. Antonio insignes patronos desta inclyta cidade de Lisboa e a seu illustre cabido sede vacante*. Lisboa: Officina Craesbeeckiana, t. 1, 1652. For those who believe these men to be exclusively “Spanish” see, the long article by MANSILLA, Demetrio – El Cardenal Hispano Pelayo Gaitán (1206-1230). *Anthologica Annuaria*. 1 (1953) 11-66, where it is extensively debated whether this cardinal was “español” or “portugués”. In Spain (see, in the same work, p. 12, n. 1), as well as in Portugal, this debate seems to be retracable back to the 17th century, when historians of that period were already claiming the “*spanishness*” of the cardinals.

² The first edition of this work dates from 1922, and was reedited later. For the reference, see ALMEIDA, Fortunato de – *História da Igreja em Portugal*. Ed. revised by Damião Peres. Vol. 1. Porto: Portucalense Editora, 1967, p. 256. The author states, without a shadow of doubt, that they were all “Portuguese”, thus eternalising a “truth” which can still be hard to contradict.

³ For Gil Torres, see LINEHAN, P. – *Columpna Firmissima*: D. Gil Torres, the Zamoran cardinal. In CROSS, *Crescent and Conversion: Studies on medieval Spain and Christendom in memory of Richard Fletcher*, forthcoming. I thank the author for letting me see this work before it has been published. For Ordoño Álvares, see LINEHAN, Peter; TORRES SEVILLA, Margarita – A misattributed tomb and its consequences: cardinal Ordoño Álvarez and his friends and relations. *Rivista di Storia della Chiesa in*

Not that, in those days, and especially if you were a cardinal, it mattered much from which of the Spanish Kingdoms you came from. Nobody ever seems to have addressed that topic, at all, in any of the remaining contemporary documents. What actually seems to have mattered, and that is recurrently stated in many of the charters we possess, is the fact that they came from *Hispania*. Indeed, during the last decades of the twelfth century and the first half of the thirteenth, an almost incomprehensibly high number of canonists and ecclesiastics teaching and learning in Bologna and working in the Papal Curia, were *Hispani*. And so were the two cardinals which bring me here today.

The fact that so many of these men were of Iberian origin, may be quite difficult to explain, but, nonetheless, it also opens the possibility of understanding much better how that “*Spanishness*” might have influenced the ways, forms and results of their handling of Iberian matters in the Papal Curia.

The lives, families and *clienteles* of Pelayo Gaitán and Gil Torres, the two cardinals whose actions I wish to analyse here (1213-1254), seem to be a good example of how instrumental, their “*natio*” proved to be, in the management of the affairs they were summoned to deal with.

Although they shared careers of “*universal*” breath, as it was so often the case in those years, dealing with cases and problems which emerged all over, in the whole of Medieval Christendom, and although they actually lived most of their lives outside the Iberian Peninsula, they both had houses and ecclesiastical families in which ecclesiastics of Spanish origin seem to have always been present. Whenever possible, they both favoured their acolytes and nephews to an almost scandalous extent⁴, and they were both very often nominated by the Pope as auditors for many of the cases involving Hispanic actors. What role did the Portuguese affairs play in the whole of their actions? How closely connected were these two cardinals with the Portuguese ecclesiastics and with the Portuguese questions and Kings?

My intention today is not to revise the data concerning their biographies, a work which has already been done, very competently, by others,⁵ but instead, to focus on the much narrower subject of trying to determine the contours of their unquestionable familiarity with the Portuguese affairs. It is possible to retrace the close contacts both the cardinals had, either with the recently created Portuguese Monarchy, i.e., the royal family and their political problems, or with the

Italia. 57 (2003) 53-63. For Pelayo, see the above mentioned article by MANSILLA, Demetrio and FERNÁNDEZ CATÓN José María – El cardenal leonés: Pelayo Albanense (1206-1230). *Archivos Leoneses*. 7 (1953) 97-113.

⁴ As we shall see, this feature is much more apparent in the case of Gil Torres, but it is nevertheless also attestable for Pelayo Gaitán. Cf. LINEHAN, Peter – *The Spanish Church and the Papacy*. Cambridge: CUP, 1971, p. 276-300.

⁵ Cf. works by Peter Linehan and Demetrio Mansilla cited above, notes 1 and 3.

ecclesiastics who served the Kings, as their councillors, chancellors and lawyers, notaries or proctors, and whose work in helping the King certifying his authority over the Realm and his entitlement to rule over it, has already been proven to have been very consistent ⁶.

This search is made even more interesting if we consider that the period of time during which both these men were acting as cardinals and displaying their power and influence in Rome coincides with the period of time during which the Kingdom and the Kings of Portugal were being challenged, respectively, in its right to exist as an independent Kingdom and in their entitlement to rule over it. The question raised many complaints, which were to be taken to Rome, as usual, and defended by Portuguese lawyers and jurists in courts where the “*Spanish cardinals*” might be involved as auditors.

Some of these latter ecclesiastics, who advised and accompanied the Kings in their policies, were well acquainted with either of the two cardinals and/or the Pope himself. These were to be, as we shall try to prove, the mediators of pressure, those through whom we may understand a little better the mechanisms of influence and decision making used at every instance.

Nurtured by bonds of personal friendship, familiarity and service, these relationships can be traced back to a time previous to their gathering in the Papal Curia. They had roots in events and places which are, to some point, retracable to years when they were all much less important people.

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We need to go back to Good Friday of the year 1218.

In that very same day and year, according to ten charters, all dated 13th of April⁷, King Afonso II (1211-1223) granted the tithes of the royal rents of each of the dioceses of the Kingdom to their respective bishops and chapters⁸. In the

⁶ Cf. MATTOSO, José – *Identificação de um país: ensaio sobre as origens de Portugal 1096-1325*. Vol. 2: *Composição*. 5^a ed. Lisboa: Estampa, 1995, p. 87-90; BRANCO, M. J. – The King’s Councillors’ two faces: a portuguese perspective. In *THE MEDIEVAL World*. Ed. Peter Linehan & Janet Nelson. London-New York, Routledge, 2001, p. 518-533. (paperback reprint 2003). and VILAR, Hermínia – *Afonso II: um rei sem tempo*. Lisboa: Círculo de Leitores, 2005, p. 205-214.

⁷ In 1218, Good Friday fell on the 13th of April. These letters were all recorded in the Royal Register Instituto dos Arquivos Nacionais/Torre do Tombo (IAN/TT, *Reg. Afº II*, fol. 39-41), except the one addressed to the archbishop of Braga, of which we only possess the Braga original (Arquivo Distrital de Braga (ADB), *Col. Cronol*, pasta 1, nº 29); They were all published in COSTA, A. D. Sousa – *Mestre Silvestre e Mestre Vicente, juristas da contenda entre D. Afonso II e suas irmãs*. Braga: Franciscana, 1963, n. 107 (Braga), 146 (Porto), 147 (Coimbra), 148 (Tui), 149 (Évora), 150 (Lamego), 151 (Viseu), 152 (Monastery of de Santa Cruz of Coimbra, the tithes of Leiria), 153 (Lisbon) except for the one which was addressed to the bishop of Egitânia (IAN/TT, *Reg. Afº II*, fol. 40v-41).

⁸ Adding to the eight sees which, by then, composed the whole of the “Portuguese” cathedral churches (Silves had been lost to the almoravids in 1191) the grants favoured two other institutions: the see of Tui, (COSTA – *Mestre Vicente*, n. 148) a suffragan of Braga, whose loyalty kept on alternating between León and Portugal, and the ever faithful Monastery of Santa Cruz de Coimbra (COSTA – *Mestre Vicente*, n. 152).

documents issued then, the king stated, in the first person, to be acting moved by the friendship and love he had for some of his most influential and esteemed councillors, who, as the text itself explains, had been instrumental in interceding in favour of one or another of those specific grants. In each and all of these ten royal charters, it is explained that the privilege being given to this or that prelate, had come out of the request and for the love of four ecclesiastics, whose names are always singled out, individually. In fact, the names of these men, who always appear in groups of four, as well as those of the prelates and dioceses which received the donation, are the only varying elements in charters which are, otherwise, all perfectly identical, in the *formulae*, the terminology, and the structure used⁹.

The fortunate circumstance that these documents all survived until today, and that they were all issued on the same day, allows us to see, as if a slice had been cut from the remaining flow of events, who, on that precise moment, were the King's "men", how numerous they were, and how they apparently related, to each other, to the King and to the dioceses which received the privileges being granted at their request.

In the mid-1980s, in his *Identificação de um País*¹⁰, Mattoso had already suggested that the group of men identified as the King's men in these grants, should be seen as the basic *nucleus* of the royal advisers. According to him, these should be seen as the select few who supported and even, likely, defined the King's policies, and who supplied him with the *know-how* in matters related to the Law, which only an elite of men educated in it could handle, at a time when that expertise was absolutely fundamental in the negotiation and solution of every problem¹¹.

⁹ The only exception is Braga, who has five men interceding in its favour, as opposed to all the remaining ones, with four. Nevertheless, the *formulae* are exactly identical in all of these documents. Take the example of the grant to Oporto: "*Ego, A. Dei gratia Port. Rex, inclite memorie Regis domini Sancii filius et uxor mea domna Vr., una cum filijs nostris infantibus domno S. et domno A. et domno F. et domna Alionorj facimus cartam donationis et perpetue firmitudinis vobis domno M. Port. Episcopo et ecclesie Portugalsensi de decimis omnium redditum et prouentuum ad ius regale in tota diocesi Port. pertinentium, illorum uidelicet reddituum et prouentuum qui tempore antecessorum nostrorum non consueuerant decimari.(...) Hoc autem facimus pro amore Dei et beate Uirginis Marie et pro remedio animarum nostrarum et filiorum nostrorum et pro amore Magistri Egidij Cardinalis et Magistri Pelagii Cantoris eiusdem ecclesie Port. Magistri Silvestri Archidiaconi Bracarenensis et magistri Roderici fisici mei et ut partem habeamus bonorum que in ecclesia supradicta facta fuerint (...)*" (publ. in COSTA – Mestre Silvestre, n. 146, p. 67).

¹⁰ MATTOSO – *Identificação de um país*, p. 89.

¹¹ For one of the most significant studies on this sort of royal officials, see the work of CHENEY, Christopher – *From Becket to Langton: English Church Government 1170-1213*. Manchester: Manchester University Press, 1956, or the book by the same author, *Hubert Walter*. London: Nelson, 1967. See also, BALDWIN, J. W. – The penetration of University personnel into French and English administration at the turn of the twelfth and thirteenth centuries. *Revue des Études Islamiques*. 46 (1976) 199-215, and, of course, MILLET, H.; MORNET, E. – Jalons pour une histoire des chanoines au service de l'État: résultats de l'exploitation de la base de données commune. In *I CANONICI al servizio dello stato in Europa, secoli XIII-XVI*. Modena: Franco Cosimo Panini Editore, 1992, p. 255-290.

In the late 1990s, further study on each of these individual's careers confirmed Mattoso's intuition in full¹². More recent work on the biography of King Afonso II has just reinforced those views¹³.

A certain number of the twenty two men listed in the ten documents issued by the King of Portugal, on the 13th of April of 1218, were men whose close connections to the royal curia can be traced back to the times of King Sancho I (1185-1211)¹⁴. They had been in the service of the King, either in the royal chancery, or dealing with matters related to other judicial questions, or even acting as judge delegates to the Pope. But, above all, for most of the cases we can identify under this category, they are men somehow related to chancellor Julião Pais and to his influence in the modernisation of the royal chancery.

Even if we cannot find their footprints in Sancho I's court, most of the men listed in the 1218 documents seem to have come from that group of royal advisers which started to be "visible" by the end of the 12th century, and to take part in the very fast evolution which promoted a considerable number of learned men to the statute of royal councillors and influent members of the royal curia and hierarchy of the Church in the first half of the 13th century.

The vast majority of those listed in 1218, were either canons or dignities of cathedral chapters, or were, or had been, notaries of the Royal Chancery. In the near future, one of them, Vincentius Hispanus, would be appointed royal chancellor, another one, Silvestre Godinho, would become archbishop of Braga, and most of the remaining ones would become prominent members of either the

¹² BRANCO, Maria João – *Poder Real e Eclesiásticos: a evolução do conceito de soberania régia e a sua relação com a praxis política de Sancho I e Afonso II*. Lisboa, 1999, p. 505-565. Dissertation PhD: Universidade Aberta, and FLEISCH, Ingo – *Kirche, Königtum und gelehrtes Recht im hochmittelalterlichen Portugal*. Bamberg, 1998. Dissertation MA: Otto Friederich Universität Bamberg.

¹³ See VILAR – *Afonso II: um rei sem tempo*, p. 205-214.

¹⁴ Such is the case of Pedro Rodrigues, mentioned in 1219 as royal chaplain of Afonso II, who was already dealing with juridical cases as early as 1202, as judge delegate to the Pope. Such is, also the case of Master Mendo, cantor of Lamego, who was most likely a *physicus* of Sancho I (1185-1211) at the same time as he was performing other sorts of functions in his service (cf. BRANCO – *Poder Real e Eclesiásticos*, p. 510, n. 6 and 512, n. 8). Such was, finally, also the case of Fernando Peres, cantor of Lisbon, a nephew of the royal chancellor Julião Pais and an ex-notary of Sancho I's chancery, since 1196 (cf. SANTOS, M^a José Azevedo – *Fernando Peres ex-chante da Sé de Coimbra*. In *ACTAS do II Encontro sobre História Dominicana*. Vol. 1. Porto, 1984, p. 243-258, reed. in SANTOS, M^a José Azevedo – *Vida e morte de um mosteiro cisterciense: S. Paulo de Almaziva, séculos XIII-XVI*. Lisboa: Colibri, 1998, p. 65-75). For the vast majority of these men, the service in the royal court is retracable to the times of Sancho I, especially during the last decade of the 12th century. This period roughly coincides with the time in which a new chancellor, Julião Pais, took office in the royal court (1183), and with the distinctive changes he introduced in the ways in which the services, the *formulae* and the production of the chancery started to be re-organised in a new and rationalised form. It has always been said that that fact was due to his preparation in law, but it is very likely that the presence of a group of men like the ones we find reunited by the grants of 1218 may very well have been both the motive and the cause for such a fast development. We would have to wait until the beginnings of the 13th century to witness the presence of "real" jurists near the King, in his court and as his councillors, like the ones recognisable in grants of 1218.

Royal Court or of the Church itself. Later on in their lives, in the 30s of the 13th century, a considerable percentage of the men listed in 1218 were to become prelates of the dioceses of the realm, as we will see further down. Master Vincentius Hispanus, Master Julião Juliães and Master Paio were to become so notorious for their “pernicious” influence near the King, that Pope Honorius III, would, in 1222, personally denounce them as the councillors which absolutely had to be withdrawn from the King’s company without delay¹⁵. All this speaks eloquently of the relevance of their influence and the success of careers which, probably, started not long before the grants of 1218. In the short space of less than a generation, these ecclesiastics had managed to make themselves indispensable to the King, to the point of accompanying him and advising him in decisions of the importance of the grants made by the King to all the dioceses of the Realm in that particular Good Friday.

And it is at this crux that the paths of the royal councillors and the one of Cardinal Gil seem to meet, in a documented form, for the first time.

Of course, the presence, in the royal court, of people knowledgeable in law, was neither a novelty, nor an eccentricity in the early 13th century¹⁶. But it is nevertheless significant that the analysis of the set of ecclesiastics mentioned in the donations of 1218, reveals the existence of a group whose functions near the King appear already as quite well defined, and among which a certain hierarchy, “in the King’s love” also seems to be demonstrable¹⁷.

In the already mentioned cluster of ten documents and twenty two men listed in them, only one, Vicentius Hispanus, is mentioned five times as the person on whose request the King acted; two other, Silvester Godinus and Magister Lanfrancus, are mentioned four times, and two further, Magister Pelagius, cantor of Oporto, and Cardinal Gil Torres, three times. Of the remnant seventeen men, five are only mentioned twice and the other twelve only once.

The simple assessment of the number of these occurrences is enough to allow us to propose that not all of those mentioned in the grants were equals, in the heart of the King. The remaining evidence, and what we know of their careers, does nothing but confirm this conjecture. The ones who are most cited are indeed those who were more prominent in the handling of the King’s affairs, and who seem to have been best “rewarded” on this occasion, as his closest collaborators. Jurists and canonists, acting as the King’s lawyers in Rome, Vincentius Hispanus, Silvester Godinus and Lanfrancus, had, in fact, been the main supporters of the King, in the case he held against his sister’s ambitions, from 1212 to 1216, when, after the outbreak of the civil war, the matter was to be

¹⁵ Published in COSTA – *Mestre Vicente*, p. 106-107.

¹⁶ See above, note 11.

¹⁷ BRANCO – *Poder Real e Eclesiásticos*, p. 508-513.

solved in Rome, by the Papacy. Only in 1216 would the Pope issued a definitive sentence in favour of Afonso II¹⁸. But in contemporary documents and especially in royal and papal documents, the allusions to the importance of these three men in achieving a favourable sentence to the King is explicitly stated, leaving no doubts on their roles and influence.

As to Magister Pelagius, cantor of Oporto, who, as we saw, is mentioned in three of the grants, his would be a permanent presence near the King's court, with the importance already stated before, and it is therefore not a surprise to find him together with the previous ones, being decorated with a sort of "special status" on this occasion¹⁹.

The only exceptions to the obviousness of the mentions to everybody else's name in the quality of close councillors to the King of Portugal, are the references to cardinal Gil Torres (mentioned also for three times) and the mysterious archdeacon of Toledo, who, nevertheless is only quoted once²⁰.

In the case of Gil Torres's, any previous connections with Portugal are totally unknown to us, so far, and this is reason enough to question the intentions behind the inclusion of his name in the three specific charters where he is singled out, those addressed to the sees of Oporto, Tui and Lamego²¹.

The reasons for placing him in such significant position and in such distinguished company, and consequently, for *transforming* him in a close collaborator of the King of Portugal, at such an early stage, and so shortly after his appointment to the seat of Saints Cosmas and Damian (December 1216), may, perhaps be somewhat more clarified than what has been done until now.

Could it have been a consequence of previous connections and familiarity with Portugal and the Portuguese causes, or was it just a basic strategy to try and win him over for those same causes, now that he had just been made a cardinal, and that there seemed to be good reasons for considering that the approach he would take to his role in that dignity would be very similar to the one which the other *Spanish* cardinal in Rome, Pelayo Gaitán, had got the Spaniards used to? Most likely, as it is so often the case on these occasions, a mixture of both.

¹⁸ COSTA – *Mestre Vicente*, is the most well known work on Silvester and Vincentius contribution to the case; but LINEHAN, P. A. – *History and the Historians in Medieval Spain*. Oxford: Oxford University Press, 1993, as well as MAFFEI, Domenico – Fra Cremona, Montpellier e Palencia nel secolo XII: ricerche su Ugolino da Sesso. *Rivista Internazionale di diritto Comune*. 1 (1990) 9-30, and BRANCO, Maria João – Estados Pátrias e Nações nos juristas hispânicos dos séculos XII e XIII. *Cultura*. 15 (2002) 21-46, also add something on the role of these three men, Vincentius, Silvester and Lanfrancus, for the solution of such complicated cause.

¹⁹ On this very interesting man, and his peculiar career, among which we can count being one of the King's most assiduous witnesses of the royal documents issued between 1215 and 1221, prior of the collegiate church of Guimarães, and bishop elect of Lisbon, see BRANCO – *Poder Real e Eclesiásticos*, p. 518-519.

²⁰ That is also true of another exceptional character, whose presence it is even more difficult to understand. It is Juan Peres, the archdeacon of Toledo, of whom more will be said below.

²¹ Cf. COSTA – *Mestre Silvestre*, respectively n. 148, p. 69-70 (Tui); n. 146, p. 67-68 (Oporto) and n. 150, p. 171 (Lamego).

Knowing, as we do, since the works of Demetrio Mansilla and Peter Linehan, respectively on Pelayo Gaitán and Gil Torres²², the role which they played in the solving of the affairs of the whole Christendom in general, and of the ones of the Iberian Peninsula in particular, it is not totally unsuitable to think that the King of Portugal would have been advised, literally advised, by the councillors in his Court, to include the new Spanish cardinal in the list of those for whose love he acted, as a means for gaining his good will. And surely, in doing that, to improve his situation near the Papacy, as well.

After all, Gil Torres, the man whose deeds Mathew Paris would later praise, and who, already by April 1217, was described as being close to Frederick II and Philip Augustus, was surely not an irrelevant name to have on your list of supporters, even as soon as April 1218²³.

Promoted to the seat of Saints Cosmas and Damian on December 1216, his role near the Pontiff, by May 1218, was already so strong as to justify the seriously threatening terms in which Honorius III reproached the bishop and chapter of Zamora, for not having complied with the requests of Gil. The Pope told them, then, how he thought it would have been a wiser move, to have complied with the cardinal's "requests", by accepting Gil's suggestion of promoting his *dilectus germanus* for the archdeaconry of Zamora²⁴. As if this first suggestion hadn't been clear enough, some years later, when addressing the bishop of León in order to promote another of Gil's nephews to a dignity in that see, the Pope explicitly stated that it was undoubtedly advantageous, for any chapter, to have a cardinal's nephew in one's own ranks²⁵.

The role played by Gil, in promoting his candidates to ecclesiastical posts, solving difficult questions and arranging for the accumulation of benefices to his close family has been sufficiently emphasised²⁶ for me to repeat it once more. Suffice it to say, cardinal Gil Torres was not shy in advancing the interests of those close to him²⁷.

It does not, therefore, seem difficult to take the view that the option for including the cardinal's name in the lists of those present in the grants of 1218, had, surely, the intention of gaining his good graces.

²² LINEHAN – *Columpna firmissima*; MANSILLA – *El cardinal Hispano*.

²³ As mentioned by LINEHAN – *Columpna firmissima*, p. 10, n. 39, quoting a reference taken from DAVIDSON, R. – *Philipp II. August von Frankenreich und Ingeborg*. Stuttgart, 1888, p. 318, 320, which I couldn't consult directly.

²⁴ As noted also by LINEHAN – *Columna firmissima*, p. 3, n. 11. For the text of the papal bull, see MANSILLA, D. – *La Documentación Pontificia de Honório III (1216-1227)*. Rome, 1965, doc. 169, p.131-132.

²⁵ LINEHAN – *The Spanish Church*, p. 290-291.

²⁶ LINEHAN – *Columpna firmissima*.

²⁷ The same thing was already noticed, although shyly, by COSTA – *Português, o Cardeal Gil?*, p. 296-299.

There is, nevertheless, a question which needs to be answered, regarding the reasons for the presence of Gil in this group as compared to the absence of his senior in the Curia, Pelayo Gaitán who had been directly involved with the Portuguese affairs as far back as 1209²⁸.

Contrary to what happens with Cardinal Gil, for whom there is an almost total lack of information, up to the year 1218, for Pelayo Gaitán, we have important elements. We know that he had been given as *auditor* for Portuguese cases, mainly relating to the quarrels between the regular canons and the cathedral clergy of Coimbra²⁹ and, that he was present in the issuing of very important privileges to the Portuguese King, like the reissue of the *Manifestis Probatum* in 1212³⁰. His presence in acts relating to Portugal, during the years 1209-1212 is further attested by his presence in several other documents³¹, and in most of them we can recognise a familiarity with the men representing the Portuguese affairs, like when the proctors of see of Coimbra and the Monastery of Santa Cruz of that same town came to him for a hearing³².

If up until 1212, it had been to Cardinal Pelayo Gaitán that the Portuguese causes reverted to, why had the Portuguese King chosen to mention Gil's name instead?

Complex as we could make the answer to this question, it actually seems to be quite simple: in 1218, Pelayo Gaitán was simply not acting as cardinal in the Papal Curia. After the success of his legacy to the Latin Empire, between August of 1213, and June of 1215, and several other "minor" tasks as papal legate, Pope Honorius III was about to appoint him as legate for the Fifth Crusade, a role for which he was appointed as soon as May of 1218. He would not return to Rome until the end of 1222³³.

²⁸ Having been appointed Cardinal-deacon of Saint Lucia in Septisolio in 1206, we are informed, in a bull of Innocent III, dated August 1209 (*Inter dilectos filios*, MARQUES, M.^a Alegria; COSTA, Avelino – *Bulário Português. Inocência III (1198-1216)*. Coimbra: INIC, 1989 [=Bul], doc. 139, p. 271) that he had been given as auditor to mediate a quarrel between Santa Cruz de Coimbra and the see of Coimbra regarding the nomination of a priest for the church of Saint Mary, in Montemor. After the hearings, the cardinal confirmed the sentence previously given by the judges of Zamora (a usual duet, with a newcomer bishop Martin, dean Juan and the cantor of the same see).

²⁹ *Bul.* docs. 139, p. 271-272; and 184, p. 334 (where "P" stands for Pelagius, not for Petrus); see also reference to this role in IAN/TT, *Sé de Coimbra*, m. 20, doc. 1

³⁰ *Bul.*, doc. 176, p. 325-326.

³¹ He also testifies to the issuing of other papal bulls, concerning privileges given to Portuguese monasteries, as is the case with the one of Salzedas and Alcobaca (*Bul.* docs 141, p. 277 and doc. 151, p. 292).

³² Perfectly attested in the text describing the case brought before his audience as related in the bull of August 1209 mentioned above (*Bul.*, doc. 139, p. 271).

³³ Cf. MALECZEK, Werner – *Papst und KardinalsKolleg von 1191 bis 1216: die Kardinäle unter Coelestin III und Innocenz III*. Wien: Akademie der Wissenschaften, 1984, p. 167-169. According to Mansilla (*El cardenal Hispano*, p. 50-52), he must have returned to Rome shortly after the loss of Damietta. He already attended, in Verona, the meeting between Frederick II and the Pope, in the year 1222. In 1229 Cardinal Pelayo was leading one of the Pope's armies in Italy, against that same Emperor.

The King of Portugal and his councillors surely didn't know, in April of 1218, how long it would take for Pelayo to return from his complex legacy. What they must have known was that he was going to go on a legacy again and that there was another *Hispanus* acting as cardinal at the Roman Curia, since December 1216. And that one was Gil Torres.

The above mentioned bull of Innocent III, issued on the 7th of April of 1216 on the case of the King against his sisters, having Lanfrancus of Milan as the King's lawyer, decided in favour of Afonso II, in an almost definitive form³⁴. Yet, as history would prove it, and all the King's men surely knew, such cases were never really "closed". The King's sisters and the dangerous allies they had, his very fit brother, Pedro Sanches, his half brother Martim Sanches and, above all, Alfonso IX of León, would prove such assumption to be correct³⁵.

In 1217 and 1218 the King received important privileges from Honorius III, the same Pope who promoted Gil to the cardinalate, confirming the previous sentence of 1216³⁶, which would be of great assistance in the King's cause.

It is surely not by chance that these bulls were issued after the Papacy had received the messages sent to Rome, as soon as the conquest of Alcácer do Sal was achieved, in October of the year 1217, portraying the King as a major *victor* in that conquest, in which many other *true* Christians had been involved, such as the Knight Templars, the Crusaders in their way to the Holy Land, and the celestial armies of Santiago *Mata-moros*. This campaign must have helped Afonso II in obtaining Rome's good will, so badly needed in order to be given the confirmation of the sentences of Innocent III against the sisters, and of yet another *Manifestis probatum*. The *Manifestis Probatum* in which Pelayo Gaitán sat as one of the witnessing cardinals.

The need for support from the papal curia would, therefore, never really cease. Finding another way to convey to Rome the image of the Portuguese King as a monarch deeply concerned with the welfare and prosperity of the Church within his realm, and as a noble and faithful vassal of Rome, was an opportunity not to be missed. A very well tested stratagem used by the predecessors of Afonso II, with success, his councillors seem to have thought it wise to resort to the same old tactic, at a time like 1218, in the "after-crisis" of the civil war, after a major victory against the Moors, and in a time of temporary pacification of the Kingdom's internal tensions.

³⁴ *Bul*, doc. 214, *Cum Olim*, dated Lateran, 7th April 1216.

³⁵ As soon as November 1216, the Pope was issuing a privilege of protection to Teresa, the older sister involved in the question (COSTA – *Mestre Silvestre*, p. 36-37, n. 80), and the following diplomatic manoeuvres of the sisters proves this to be so.

³⁶ Cf. Bull of Honorius III, issued on the 8th August 1217 (MANSILLA – *La Documentación Pontificia de Honório III*, doc. 77) and the one issued in January of 1218 (MANSILLA – *La Documentación Pontificia de Honório III*, doc. 124, and *Mestre Vicente*, p. 39, doc. 82).

Having cardinal Gil named as a supporter of the King was probably just another element in a campaign in favour of the promotion of the image of Afonso II as the legitimate King of Portugal, a campaign which seems to have been part of a much wider programme³⁷.

All these arguments are very logical, and they may well have been part of the justification for the role played by Gil Torres in the grants of 1218. But there are also good reasons for believing that his relations with Portugal had previous roots.

The close connections of cardinal Gil to the Portuguese clergy, have been extrapolated and publicised for long, on the assumption that they must have been quite close, or else the canonist João de Deus wouldn't have dedicated to him one of his most important works, written in 1241³⁸, nor would Silvester Godinus, then the archbishop of Braga, have made him the sole executor of his will, written in Civitá Castelana, in July 1244³⁹. But the evidence we have retraces his acquaintance with the Portuguese ecclesiastics and affairs to, at least, three decades earlier

To start with, Gil was, probably, originally from Zamora⁴⁰. Combining what we know about the intromission of Zamoran ecclesiastics, in the form of judge delegates, in most of the more intricate cases involving Portugal and Portuguese ecclesiastics and Kings⁴¹, with what we know about the close connections established between that diocese and the Portuguese clergy and royalty, which made Zamora almost a place of *refrigerium* for Portuguese exiles, for bishops fleeing from Portuguese violent Kings just as for queens and royal infants who often lived there for long periods of time⁴², it is not unwise to imagine that his association with the Portuguese ecclesiastics and affairs could have started precisely during his early years, in his home town. It is perhaps interesting to

³⁷ Cf. BRANCO, M. J. – A conquista de Lisboa na estratégia de um poder que se consolida. [Introduction] in *A CONQUISTA de Lisboa aos Mouros: relato de um cruzado*. Ed. Aires Augusto Nascimento. Lisboa: Vega, 2001 and IDEM – The General Laws of Afonso II and his Policy of «centralisation»: a reassessment. In *THE PROPAGATION of Power in the Medieval West*. Ed. M. Gosman, A. Vanderjagt, J. Veenstra. Groningen: Egbert Forsten, 1997, p. 79-95.

³⁸ *Notabilia cum Summis super Titulus Decretalium*. Cf A. GARCÍA Y GARCÍA – Canonistas Portugueses. In *ESTUDIOS sobre la canonística portuguesa medieval*. Madrid, 1976, p. 113-115. Further details on other references to the cardinal in the works of João de Deus may be found in COSTA – *Português, o Cardeal Gil?*, p. 299-300.

³⁹ ADB, *Livro 1º dos Testamentos*, fol. 6-6v, pub. by COSTA – *Mestre Silvestre*, p. 15, n. 50.

⁴⁰ LINEHAN – *Columpna firmissima*, p. 1-4.

⁴¹ For their role as judge delegates in Portuguese causes, and the number of cases in which they were involved, especially during the years 1206-1216 see BRANCO – *Poder Real e Eclesiásticos*. Vol. 2: *Apêndices*, p. 135-136 and 201-202.

⁴² As was the case of counts Teresa and Henrique of Portugal, Afonso Henriques, Urraca Afonso, the wife of Fernando II and mother of Alfonso IX of León, Teresa Sanches, the wife of Alfonso IX, and her daughters, Sancha and Dulce, as well as the bishops of Coimbra and Oporto, who were regulars, when they fled from the Portuguese King's persecutions.

notice that, on a first instance of the problems between Afonso II and his sisters, it was upon the shoulders of bishop Martin of Zamora, together with the archbishop of Compostela and later on the bishop of Burgos and the abbots of Espina or Oseira that fell the responsibility of confirming the will of Sancho I to the two sisters⁴³. It, therefore, seems to be possible to advocate that this “geographic area”, so near to the place where Gil had been born and so closely related to the see in which he is recognisable as archdeacon since 1209, was deeply involved in the Portuguese affairs since very early.

It could have started in Zamora. But we have no clear evidence of it. What we do have evidence for, is for how easy it would have been for him to meet several of the people with whom he appears associated in the love of the king of Portugal in 1218, long before that year, in a considerable number of places, other than Zamora.

To begin with, as we have already mentioned, before he was made a cardinal, in December 1216, he had been archdeacon in Burgos, somewhere between March 1209 and November 1210⁴⁴. Risky as this hypothesis may be, it is perhaps not entirely speculative to think that, as bishops Garcia and Mauritius’s archdeacon, he might have been familiar with the case of Afonso II and his sisters. After all, bishop Mauritius, together with Bernardus, the dean of Compostela, were summoned several times to act as judges in that specific quarrel, in 1216, 1217, 1218⁴⁵.

Of course, Gil was already in Rome, at that time, but, even if he hadn’t paid any attention before, he couldn’t have avoided becoming familiar with these problems from then on. As soon as June 1217, he was subscribing a papal privilege to the Monastery of Santa Cruz... together with cardinal Pelayo Gaitán⁴⁶.

Let us return to the three documents of 1218 in which he is mentioned, and try and see if and when he could have met the other men with whom he appears associated with as mediator for the King’s prodigality, and also what his relation could have been with the bishops of the sees in whose grants he was mentioned.

In the grant to Tuy, whose bishop was Estevão Viegas, Gil’s name appears grouped with those of Master Lanfrancus of Milan, *the* Lanfrancus of Milán, widely known for his role in the University of Palencia and for winning the King’s case against his sisters, as his lawyer, in Rome, in 1216⁴⁷, with Godinus, the dean of Braga who went to Rome on many occasions, accompanying several

⁴³ *Bul*, docs. 159, 166, 182, 183, 194.

⁴⁴ LINEHAN – *Columpna firmissima*, p. 2.

⁴⁵ *Bul*, docs. 214, MANSILLA – *La Documentación Pontificia de Honório III*, docs. 77, 124, 171.

⁴⁶ IAN/TT, *Santa Cruz de Coimbra*, Docs. Eccl., m. 1, n° 25. This reference was given to me by Peter Linehan, whom I thank.

⁴⁷ See above, note 18.

archbishops, between 1175 and 1213, and whom we know spent at least two years in Rome, after his studies at Bologna⁴⁸, and, finally, with Master Vincentius Hispanus, of whom very little else needs to be said, as the role he played, either as the King's lawyer and close advisor, or as lawyer and canonist, in Rome and elsewhere, after his studies and his teaching in Bologna, is sufficiently well known to need further comment.

In the privilege issued to Oporto, whose bishop Martinho Rodrigues (1190-1235) was, Gil shows up in the company of Master Silvestre, then archdeacon of Braga (1217-1223) and later on its dean (1223-1228) and archbishop (1229-1244). He was another canonist who taught in Bologna, and also a lawyer in the Roman Curia and elsewhere, co-responsible for winning the King's case in the Curia, where he had been extremely active in 1212. Sidding them appears Master Paio, cantor of Oporto, and one of the most famous pernicious influences near the King, as well as a permanent presence in the royal documents, as a witness, from 1215 to 1221. This Paio is the same Master Paio, who would be chaplain of Pelagius Gaitán in Rome, in 1226, the same whose election as Prior for the collegiate church of Guimarães would be contested, who would be accused of scandalous pluralism and who would also be the future bishop-elects of Lisbon in the complicated elections of 1233⁴⁹. Finally, Master Rodrigo, one of the King's physicians, of whom we do not know anything else.

In the charter issued to Lamego, then ruled by bishop Paio Furtado, two of the other three King's men are also King's physicians, and they are both called Master Melendus. This may set us wondering about the influence of physicians in the court of an ill King, and remark on the irony of the fact that it seems only too appropriate for the cardinal of St. Cosmas and Damian to be associated with so many physicians... but it still does not explain any previous acquaintance between them. If the two doctors of Lamego do not appear to have had any connection with our Cardinal, the same cannot be said about the third man in this party. He is the very famous archdeacon of Toledo, Johannes Petri, whose close relations with archbishop Rodrigo Jiménez de Rada have made him such a controversial figure, and whose career has been studied carefully by Peter Linehan and Ingo Fleish⁵⁰.

The dealings regarding the affairs of the King, in Rome, during the years 1212-1216 where all these men surely met, or at least where we find Vincentius, Silvester, Godinus, Lanfrancus, Paio Furtado of Lamego and Juan Perez, would be more than enough to explain their familiarity. If we start looking for relatives of

⁴⁸ *Bul. doc.* 220, pp.391-393, where he himself affirms this, and claims to have accompanied archbishops Godinus (1175-1188), Martinus (1189-1209) and Setphanus (1212-1228). He would have been going to Rome from 1175 to 1213.

⁴⁹ BRANCO – *Poder Real e Eclesiásticos*. Vol. 1, p. 510-511, n. 5; IDEM – *Reis, Bispos e Cabidos: a diocese de Lisboa durante o primeiro século da sua restauração*. *Lusitania Sacra*. 10 (1998) 84-86.

⁵⁰ LINEHAN – *The Spanish Church*, p. 26-27. FLEISCH – *Kirche, Königtum*, p. 133-135.

these men in other sees, in León and Castille, as well as in Portugal and in Rome, the result will confirm the certainty of this previous acquaintance. If more proves were needed, the marriage of Afonso II with Urraca of Castille (daughter of Alfonso VIII), in 1208, and the expressive presence of some of the ecclesiastics who came with her, like one of the witnesses of her will of 1214, the dean of Palencia, Johannes⁵¹, remind us once more of the places in which most of these men were educated or have been at some point in their lives.

The presence of the Toledo archdeacon in this list of 1218 might even be considered stranger than the one of cardinal Gil. It seems very difficult to understand what such a man might be doing there. And, yet, it may be of assistance to us, in the quest for the reasons of Gil's presence. Ingo Fleish has tried to show that the connecting link in this case would be the chapter of Toledo and the closeness of Juan Perez to another Gil, Gil Julianes, the son of chancellor Julião, whom he believes was also a canon of Toledo⁵², and closely associated with the Bishop of Osma, the canonist Melendus of Osma.

This being the case, the presence of the three "non-Portuguese" elements in the group of men close to the king in 1218 (Lanfranc of Milan, Gil Torres and Juan Pérez – all of them present in, at least one of the three grants in which Gil was mentioned) brings us back to the royal interests and to the royal chancellor once more, whose son, Gil Juliães, canon of Viseu and Toledo, like bishop Mendo of Osma, might have been the missing keys. This line of thought seems more likely than the one trying to see in these inclusions an attempt to connect directly with Rome and Toledo, which would have been awkward, especially if we consider that the recent developments of the relations between Braga, Compostela and Toledo were going through a tense period⁵³. In fact, the issue of the Primacy of Toledo had been propped up once more, by a Rodrigo of Toledo empowered by the successful effects of his theatrical staging of the rights of his archdiocese in front of the bishops present in Lateran, 1215⁵⁴.

The IV Lateran Council, as it has been often pointed out, might very well have been another basis for the establishment of contacts between all these men, at an early stage.

⁵¹ IAN/TT, *Mosteiro de Alcobaca*, m. 15, doc. 336.

⁵² FLEISCH – *Kirche, Königtum*.

⁵³ The same sort of devious reasoning can be found in the first will of the King, dated June 1214, where he makes both the archbishop of Compostela and the archbishop of Toledo beneficiaries of his will and keepers of copies of it (IAN/TT, *Mitra de Braga*, cx.1, nº 48, written in Portuguese), at a time when the relations between the three sees were not too good.

⁵⁴ For the account of this episode, see GARCÍA Y GARCÍA; KUTTNER, Stephan – A new eyewitness account of the Fourth Lateran Council. *Traditio*. 20 (1964) 115-178, reprinted in KUTTNER, Stephan – *Medieval Councils, Decretals and Collections of Canon Law*. London: Variorum, 1980, IX, p. 115-178, and Antonio GARCÍA Y GARCÍA – *Iglesia, Sociedad y Derecho*. Salamanca: Publicaciones Universidad Pontificia, 1985, p. 61-121.

After all, cardinal Pelayo Gaitán was there, and so might the future cardinal Gil Torres have been, accompanying the bishop of Burgos, who did go to the council⁵⁵. The archbishop of Braga, Estêvão Soares da Silva, the bishops of Oporto, Coimbra, Lisbon and Egitânia (Martinho Rodrigues, Pedro Soares, Soeiro Viegas, and Martinho Pais), as well as the Portuguese Bishop of Osma, Mendo, were present. So were Petrus Salvatoris and Melendus Gunsalvi, canons of Oporto, and the archdeacon of Toledo, Juan Perez. The bishops of Burgos, Mauritius, of León, Rodrigo, and of Salamanca, Gonzalo, just as the archbishop of Compostela, Pedro Muñoz, and, of course, the archbishop of Toledo, were there too. All people who had been or would be connected to cardinal Gil somehow.

If indeed, as Linehan seems to be confident, Gil Torres was in Lateran IV, promoting his own career, meeting a considerable number of those later involved in the grants of 1218, or at least some of the instrumental ones, would have been quite natural.

One thing seems clear. These men shared the same type of careers, went to similar places... meeting each other would have been almost inevitable.

The years spent in Rome, the schools of Law, the specific ecclesiastic environment where they may have found common grounds for establishing the close net of interrelation which seems to characterise the men who mastered the ways in which diplomatic affairs were to be addressed, all that would have happened naturally.

The connection here, as one could expect, seems to come from the three basic traces which define the careers of all these men: the training in Law, in Bologna or Palencia, the professional exercise in the Roman curia, the royal service. And, of course, a benefice in one of the Peninsular Churches.

Pluralists and absentees in most cases, a significant number of those named in 1218 are “retraceable” to the Rome of Pelayo Gaitán and Gil Torres, and would finish their careers as bishops of one of the Portuguese dioceses, in the 30s of the 13th century.

Apparently, either in occasions previous to the grants of 1218, when the Portuguese affairs could have crossed the path of Gil Torres, and obviously the one of Pelayo Gaitán, or in Lateran IV, the likelihood of these men having met before is rather high.

This familiarity, of which we suspect but for which we lack confirmation, is confirmed by the continuation, if not the strengthening of the same sort of relationship in years to come, and on these instances, fully documented. And with the definitive return of Pelayo Gaitán from “his” Fifth Crusade, in 1222, it wouldn’t take long until we meet both cardinals, acting as co-auditors in a multitude of Iberian cases, in which the Portuguese had significant expression.

⁵⁵ LINEHAN – *Columpna firmissima*, p. 9.

Not only is there more than sufficient evidence for the frequent intromission of the cardinals in the Portuguese affairs, ecclesiastical as well as political, but the papal documentation actually shows the presence of a considerable number of the men cited above, either in the house of Pelagius or in the one of Gil, near the Papal Curia.

Eleven years after the donation of 1218, in June of 1229, in the settlement of a dispute between two Italian abbots, in which Gil Torres was the judge, we are given a glimpse at the Portuguese components in the household of the cardinal⁵⁶. They stand there as witnesses of the sentence given, and we are suddenly faced with the presence, in person, in Perugia, assisting cardinal Gil Torres, of the archbishop elect of Braga, non other than the same Silvester Godinus, whom we had identified at Gil's side in the grant to the see of Tui, in April 1218, Master Tiburtius, the then archdeacon of Palencia, and later on bishop of Coimbra, in whose election Gil may have played a role⁵⁷; Gil, archdeacon of Santarém, Master Soeiro, canon of Coimbra, João Viegas de Portocarreiro, then archdeacon and subsequently archbishop of Braga and Pedro Pais, rector of the collegiate church of St. Thomas in Lisbon, whom, some years later, would become Gil Torres's chaplain and accumulate many other benefices⁵⁸.

Eleven years after the grants of 1218, we still find the same associations of Gil and the Portuguese ecclesiastics. In the house of cardinal Gil, we seem to find, with some consistency, members of the chapter of Lisbon, and of the chapter of Braga. An interesting sort of loyalty which would continue bearing fruit ten years on, when, as we have seen, João de Deus, archdeacon of Lisbon, dedicated one of his great works to him, and archbishop Silvester Godinho made him his sole will executor.

In the house of Pelayo Gaitán, instead, after his return from the East, the presence of bishop Soeiro Viegas of Lisbon seems to have been a constant feature. We find him in the cardinal's house from July of 1223 onwards. At that date, he was serving Pelayo as adviser for his auditorial functions, in cases related

⁵⁶ *LES REGISTRES de Grégoire IX*. Éd. L. Auvray. Vol. 1. Paris: E. de Boccard, 1896, doc. 307, col. 189-190.

⁵⁷ This suggestion is sustained by the intimacy revealed by the cardinal and Tiburtius over the years and so well attested still in 1245, when they met again in the curia in Lyons and Gil was given as auditor to Tiburtius. The circumstances of the "resignation" of Pedro Soares and of the papal nomination of Tiburtius remain very singular and seem to point out to a significant weight of an external influence, which could, logically, be Cardinal Gil (Cf. IAN/TT, *Sé de Coimbra*, 1ª incorporação, Docs. Particulares, Cx. 26, Rolo 3). This seems to be further confirmed by the papal letter addressed to the archbishop of Braga, Silvester, in which Gregory IX explains to the then archbishop of Braga, Master Silvester, that he should receive *and protect*, as well as consecrate, Tiburtius (COSTA – *Mestre Vicente*, p. 195, n. 314).

⁵⁸ Cf. DOMÍNGUEZ SÁNCHEZ, Santiago – *Documentos de Gregorio IX (1227-1241) referentes a España*. León: Universidad de León, 2004, doc 335, p. 309, where the Pope (31/05/1234), insists with the archbishop of Compostela that he allows the rector of St. Thomas of Lisbon to accumulate another benefice with cure of souls, in St. Julian of Santarém, for which he had been nominated by the King. All this, irrespective of the fact that Pedro Pais was still the chaplain of Cardinal Gil Torres, and never present in either of these churches.

to the diocese of Lisbon⁵⁹, in the cause opposing the regular canons of St. Vincent of Lisbon to the bishop himself. The bishop of Lisbon was also instrumental in promoting some of his men near the curia, as it was the case of the privilege to accumulate benefices given to Estêvão Gomes, then school master of Lisbon⁶⁰, and Master Paio, cantor of Oporto, who had become the personal chaplain of cardinal Pelayo Gaitán⁶¹.

Eleven years onward, João Raolis, Master Paio, Pedro Soares, Soeiro Viegas, Vincentius, and Silvester, all of them identifiable in the donations of 1218, were still dealing with important affairs in Rome, some as elements of the cardinal “families” others as elements of the house of the Pope – like Master João Raolis, others still acting on behalf of the King of Portugal. Some new elements had come into this chess board, but the basic structure of the game was being kept very much in the same lines of personal service and political protagonism.

When bishop Soeiro II of Lisbon died, in a date close to the one of the bishop of Albano, 1230, his succession was disputed between the supporters of Vincentius, which included Master João Raolis, then papal chaplain and a serious influence in Rome, and the supporters of Master Paio and Master Estêvão, the chaplain and a closely protected member of the entourage of cardinal Pelayo Gaitán⁶², who were the second and third choices of another faction of the chapter of Lisbon. Could this reflect the existence of tensions related to the different influence of the two cardinals? Could this reflect a different support of the candidates of Compostela or Braga on the basis of the two cardinal’s personal connections and their relation to the Kings of Portugal and Castille-León⁶³?

There can be no doubt that both cardinals had a considerable proximity to the royal circles. We have mentioned the reputation of Gil Torres, as soon as 1217, for his closeness to the Emperor and the King of France. As a consequence of his important and critical legacies, Pelayo Gaitán had achieved a political stature which was unquestionable. Thus the references made to him and his role, either by the author of the *Chronica Latina* or by Lucas of Tuy⁶⁴. But this

⁵⁹ As it was the case on 12 April 1223, where he is sitting by the cardinal, in the latter’s palace, in Lateran. Cf. COSTA – *Mestre Vicente*, n. 216, p. 112-113. The same bishop and Mestre Paio are present in another document, a confirmation of purchase, as witnesses, in the same occasion (MANSILLA – *La Documentación Pontificia de Honório III*, doc. 570, p. 422-424).

⁶⁰ Archivio Segreto Vaticano (ASV), *Reg. Vat.*, 12, n° 213, fol. 69-69v.

⁶¹ In February of 1226 he was already mentioned as such (COSTA – *Mestre Vicente*, n. 283).

⁶² BRANCO – *Reis, bispos e cabidos*, p. 84-85.

⁶³ It is possible that the factions in which the chapter of Lisbon divided itself, during the very long and contested episcopal elections in Lisbon, following Soeiro II’s death, could have had their own roots in the composition of the clientele of the two cardinals in Rome.

⁶⁴ Cf. *Chronicon Mvndi Lvcae Tvdensis*. Ed. FALQUE REY, Emma, *Corpus Christianorum – Continuatio Medievalis* 74, Turhout: Brepols, 2003, L° IV, cap. 95, p. 334-335 and *Crónica Latina de los Reyes de Castilla*. Ed. and transl. CHARLO BREA, Luís, Cadiz: Universidad de Cadiz, 1984, p. 82-83.

closeness with the inner circles of royal power doesn't seem to have neither started nor ended with their appointments as cardinals.

We have already seen how cardinal Pelayo had been involved in the Portuguese affairs, before he had been sent on his first legacy to the Latin Empire. But there is, of course, more.

Surely, the demand conveyed by Pope Honorius III to King Alfonso IX of León, in 1216, at the request of Pelayo Gaitán, asking the King to promote one of the cardinal's nephew, Juan Galvani, to the chancery of León, must imply the existence of a certain degree of familiarity between the cardinal and the King of León, which the alleged Leonese origin of Pelayo could help to explain⁶⁵. The nephew, by then a school master of León and a papal sub deacon, never got the appointment to the chancery of Alfonso IX, but he managed to get a lot more, by becoming a dean of Compostela after 1224, receiving several dispensations from the Papacy in order to accumulate benefices, and by being elected bishop of León, an election which Pope Gregory IX claimed he didn't accept because part of the chapter was against him⁶⁶... in fact, it was probably because Pelayo had died, and things had got very complicated for all the three nephews of the cardinal whom he had managed to place as deans of the most important sees in the Kingdom of Leon-Castile⁶⁷, creating great stir and dissatisfaction in most of the chapters affected by this *mania*⁶⁸.

And what we know about the relation between the cardinal and the first wife and daughters of King Alfonso IX, Teresa, Sancha and Dulce, just as much as with his second wife, Berenguela, only confirms his proximity to the Leonese and Castilian royal family. And from 1223 onwards, Gil Torres, who also had an immense quantity of relatives and nephews to place well within the Churches' hierarchy, is also, almost always, co-opted in all of these judgements and opportunities for interference in the course of events.

If we don't have many documents on the work and activities of either Gil Torres or Pelayo Gaitán in relation to Spanish affairs up to 1223, that changes drastically from then onwards. During the period between 1223 and 1230, when cardinal Pelayo died, after having made a will in which he nominates Gil as one

⁶⁵ On this request and its reflexions in the Castilian chancery, see LINEHAN, P. – Juan de Soria: the Chancellor as Chronicler. In *Chronica regum Castellae (1236): sources, forme, sens et influence* a conference which took place in Maison de la Recherche de l'Université Paris-Sorbonne 2-3 2006. Published in *E-Spania*. 2 (2006). Seen in <http://www.e-spania.paris-sorbonne.fr/2/ok/linehan/linehan.htm>. (15/12/2006)

⁶⁶ DOMÍNGUEZ SÁNCHEZ – *Documentos de Gregorio IX*, doc. 538, p. 440.

⁶⁷ See the case of the chapter of Zamora, complaining to the Pope, as early as 1233, that under the influence of Cardinal John of Abbeville, Pelayo Gaitán and Gil Torres, the last 13 appointees for posts in the cathedral of Zamora had all been foreign to the chapter itself. (DOMÍNGUEZ SÁNCHEZ – *Documentos de Gregorio IX*, doc. 282, p. 257).

⁶⁸ Juan Galvani in Compostela, Pedro Árias in León, and another one in Salamanca. Cf. DOMÍNGUEZ SÁNCHEZ – *Documentos de Gregorio IX*, doc. 228, p. 225.

of his executors⁶⁹, they always seem to have worked in close association, as co-auditors, whether the cases involved Portugal, León or Castile. Of course, in those years, realities as “Kingdoms” were not as clearly distinguishable as they are for us today...

King Afonso II died in March of 1223, and his very young son, Sancho II inherited an unsettled Kingdom, once more at the verge of yet another civil war, motivated by the discontentment derived from a) the ecclesiastics, because for the way in which the King had abused their “ecclesiastic freedom”, b) the nobility, for the ways in which the King was trying to get at their wealth and powers, and, finally, c) from the ambitions of the neighbouring Kings over Portugal. So the years 1223 to 1229, when the two cardinals show up more frequently as auditors in cases related to Portugal or Portuguese actors and events, have a particular significance.

Proof of this familiarity is, no doubt, the grant made by “queen” Berenguela, in 1224, to the *concejo* of Valencia of St. John, at the request and for the honour of bishop Pelayo Albanense, cardinal of the Roman Curia. The terms in which the exemption is given are quite clear as to what their relationship was.⁷⁰

In April 1223 Pelayo Gaítan and Gil Torres, are both involved in the authorization given to Martin, bishop of Zamora, to buy the little village of Bamba from the Apulian monastery of Sant’Angelo di Orsara, to whom it had been given by the “Emperor” Alfonso VII of León, in March 1147, as a reward for the abbot’s dedication⁷¹. In 1147, abbot Martinus, a *Hispanus*, had, allegedly, risked his own life to go to Italy and help the King of León. And now the village of Bamba was being recovered by the bishop of Zamora. Witness to this act, and its confirmation, two years later⁷² were the bishop of Lisbon, Soeiro, and another canon of Lisbon, Master Paio⁷³. This is another important case, which both cardinals would follow up and which would have a strange turn. In March 1229, the question comes up once more. This time, both the cardinals agree to satisfy the request of Teresa, *Illustrissima regina legionensis*, and her two daughters with Alfonso IX, Sancha e Dulce, and install the Knights of the Order of Calatrava in... the Monastery of Sant’Angelo di Orsara⁷⁴. This strange turn of events can only mean that the Spanish Kings, and in this case, what is even more interesting, the ex-wife and daughters of a Spanish King, considered themselves still the patrons of the monastery of Apulia. Teresa, of course, should by then have a

⁶⁹ COLLECCIÓN Documental del Archivo de la Catedral de León. Ed. José María Fernández Catón. Vol. 6, docs. 1966-1967.

⁷⁰ COLLECCIÓN Documental, vol. 6, doc. 1923, p. 425.

⁷¹ LINEHAN – *History and Historians in Medieval Spain*. Oxford, 1993, p. 231-232.

⁷² MANSILLA – *La Documentación Pontificia de Honório III*, doc. 570, p. 422-424.

⁷³ Cf. COSTA – *Mestre Vicente*, n. 216.

⁷⁴ DOMÍNGUEZ SÁNCHEZ – *Documentos de Gregorio IX*, doc. 98, p. 118.

reputation as someone who could continuously expel an Order from a monastery to install there another monastic Order, as had been the case still in the time of her father Sancho I, shortly after her repudiation by Alfonso IX, in Lervão⁷⁵. But it is also rather tempting to establish the connection of this request with the grant which Alfonso IX did to his daughters, in 1217, in Ciudad Rodrigo, where he had given a very generous dowry, in which several of the fortresses of Calatrava were included⁷⁶ – perhaps the Queen and the *infantas*, in a moment when their previous situation as putative heirs of Alfonso IX's throne was getting less and less plausible, and in the eve of the agreement they would sign with Berenguela over the succession of León, would have considered it wise to enlarge their “range of action”. This is not the right place to look at this in detail, but the non compliance of the Master of the order of Santiago to obey to the Papacy when, short after 1231, he was commanded by Gregory IX to return his loyalty from the two sisters of Fernando II to Rome, by means of Zamora⁷⁷, seems to indicate some tensions asking to be studied, and may have some bearing with what was happening in 1229, in Orsara.

But these sort of events were not the only ones in which they were involved. If we turn to the more routinely activities of these cardinals, between 1223 and 1229 we will find that, in July, Pelayo is made auditor of the case concerning the accumulation of benefices of a man of the bishop of Lisbon, Estevão Gomes⁷⁸. The informant of the cardinal is the bishop of Lisbon himself; on the 12th of February 1224, João Raolis interceded near Pelayo in favour of the concession of a further benefice to a canon of Coimbra, immediately granted⁷⁹; three months later, the Pope designates Gil as the auditor for the dispute between the Monastery of St. Vincent and the bishop of Lisbon, and Gil asks Pelayo Gaitán to instruct the process⁸⁰. The following month, it would still be the cardinal bishop of Albano who would be in charge of evaluating the results of the reports made by archbishop Estêvão of Braga and Laurentius of Orense – Laurentius Hispanus, the canonist, of course – on the case of the transference of the see of Mondonhedo to another location⁸¹; In February of 1226, the bishop of Lisbon and the representatives of the monastery of St. Vincent were summoned to the Curias, to face the reevaluation of the sentence given by Pelayo, some years before⁸²; in 1228 the questions between the regular canons of Lisbon and its

⁷⁵ MARQUES, Maria Alegria – Inocência III e a passagem do Mosteiro de Lervão para a ordem de Cister. *Revista Portuguesa de História*. XVIII (1980) 231-283.

⁷⁶ GONZÁLEZ, Júlio – *Alfonso IX*. Vol. 2, doc. 342, p. 448-449.

⁷⁷ IDEM, doc. 108, p. 81-84.

⁷⁸ ASV, *Reg. Vat.*, 12, fol. 69-69v, n° 213.

⁷⁹ ASV, *Reg. Vat.*, 12, fol. 166v, n° 310.

⁸⁰ ASV, *Reg. Vat.*, 12, fol. 191v-192, n° 443.

⁸¹ MANSILLA – *La Documentación Pontificia de Honório III*, 510, p. 377-378.

⁸² COSTA – *Mestre Vicente*, n. 248.

bishop were still being mentioned and the sentences of the cardinals reissued⁸³. All these sentences are registered in the papal registers, together and side by side with the common requests for provision and accumulation of benefices and resolutions of disputed elections, so characteristic of these years.

Speculative as it may be, it still seems legitimate to suppose that this sudden rise in cases being given to the Spanish cardinals as auditors might have had some relation with the difficult situation that the Kingdom was facing, after the death of Afonso II in 1223 and the accession of his son Sancho II to the throne.

After Pelayo Gaitán's death, in Perugia, in 1230, Gil Torres rose to an even more powerful status. The legacy of John of Abbeville to the Iberian Peninsula⁸⁴, during the years 1228-1229, shows up in the documentation of the Spanish sees frequently associated with the names of the two cardinals, and the constitutions which they both made for several of the Hispanic cathedrals, and subsequent problems derived from their application, make that the presence of their names all over the "Spanish" documentation, a very common element⁸⁵.

The 30s of the thirteen century were years of great change in the Kingdom of Portugal, plagued with excommunications and interdict, leading to the events which would ultimately bring up the King's deposition from the administration of the Kingdom, as *rex inutilis*, a week after Frederick II's deposition as a *tyrannus*⁸⁶.

How are we to evaluate the role that a cardinal such as Gil Torres might have had in these events? Directly, once more, we have no clear evidence. But indirectly, there can be no doubt that he must have been involved in it.

The thirties had also brought an almost complete renovation of the Portuguese episcopacy. And the men who occupied those posts were precisely the ones whom we had met before, first in the King's grants of 1218 and, later on, in 1229, in the house of cardinal Gil.

Those who took over the episcopal sees of Portugal, during the pontificate of Gregory IX as Pope and the one of Vincentius Hispanus as Chancellor of the Kingdom, were all closely connected and similar in their cultural lineage and education.

Master Silvestre Godinho became archbishop of Braga in 1229; Master Tiburtius, became bishop of Coimbra in 1234, after the resignation of Pedro Salvadores, deemed crazy; Master Pedro Salvadores, bishop of Oporto in 1235; Master João Raolis was made bishop of Lisbon in 1239.

⁸³ DOMÍNGUEZ SÁNCHEZ – *Documentos de Gregorio IX*, doc. 43, p. 76.

⁸⁴ LINEHAN, P. – A papal legation and its aftermath: cardinal John of Abbeville in Spain and Portugal. In BIROCCHI, I., [et al], ed. – *A Ennio Cortese*. Roma, 2001, p. 236-256.

⁸⁵ See, for example, DOMÍNGUEZ SÁNCHEZ – *Documentos de Gregorio IX*, docs. 43, p. 76.

⁸⁶ FERNANDES, Hermenegildo – *Sancho II: Tragédia*. Lisboa: Círculo de Leitores, 2006.

All of these five bishops were appointed by papal provision, after difficult and contested elections, and they were all still in post in 1245, when the King was deposed (except Silvestre Godinho, and João Raolis, who had recently died but were replaced by people of similar profile – and similar connections – João Viegas de Portocarreiro, and Airas Vasques – two other of those whom we met in the cardinal’s clientele). These five, who surely changed the face of Portuguese episcopacy during these years, as well as their successors in 1244-1245, were all known to each other from the times and the milieu of Bologna, Rome and the service at the papal court or the Spanish cardinal’s houses, as well as the service of the King of Portugal. Of a total of eight bishops, five were either canonists or men who had served the Pope.

And this surely needs to be seen as one of the factors why the episcopacy in the late 30s and the 40s of the 13th century Portugal all reacted so violently against the king’s abuses, all used ecclesiastical sanctions against him and all aligned so coherently with each other when the time came to ask for the king’s deposition⁸⁷.

In the face of these simple facts, we do not need, perhaps, have any further proof of the involvement of cardinal Gil in the events of 1245, which led to the deposition of the King of Portugal.

But we do have some elements which may help us further. In the extraordinary long witness enquiries preserved in the equally extensive roll, written in Coimbra, in order to establish the facts related to yet another episode in the quarrels between the regular and the cathedral canons of Coimbra, most of the witnesses describe how bishop Tiburtius had been summoned to go to the council of Lyons, and how he was in cardinal Gil’s hearing audience. Old friends meet again. The enquiry being on the problems between the See and the monastery of Santa Cruz, all the information we have is concerned with the role Gil Torres played as auditor, given by the Pope, to defend the see of Coimbra, and the party of Tiburtius⁸⁸. But we are also informed of the other Portuguese bishops who were there, for the council, and of how this took place “more or less a week after the closing of the council”. Strange coincidences...

Do we really need much more evidence of the role that cardinal Gil, who should have been very old by then, must have kept on having on Portuguese affairs?

The same story which started in a documented form in 1218, was still going on in 1245, in a similar form, the same men still very much in touch with each other. Proving, once more, that these nets of influence, then as today, could sometimes last more than a generation.

⁸⁷ Cf. BRANCO – *Estados, Pátrias e Nações*, p. 44-46 and IDEM – *The King’s Counsellor’s*, p. 528-530.

⁸⁸ IAN/TT, *Sé de Coimbra*, 1^a incorporação, Docs. Particulares, cx. 26, rolo 3 and 4.