

**Hermínia Vasconcelos Vilar** (University of Évora – CIDEHUS)

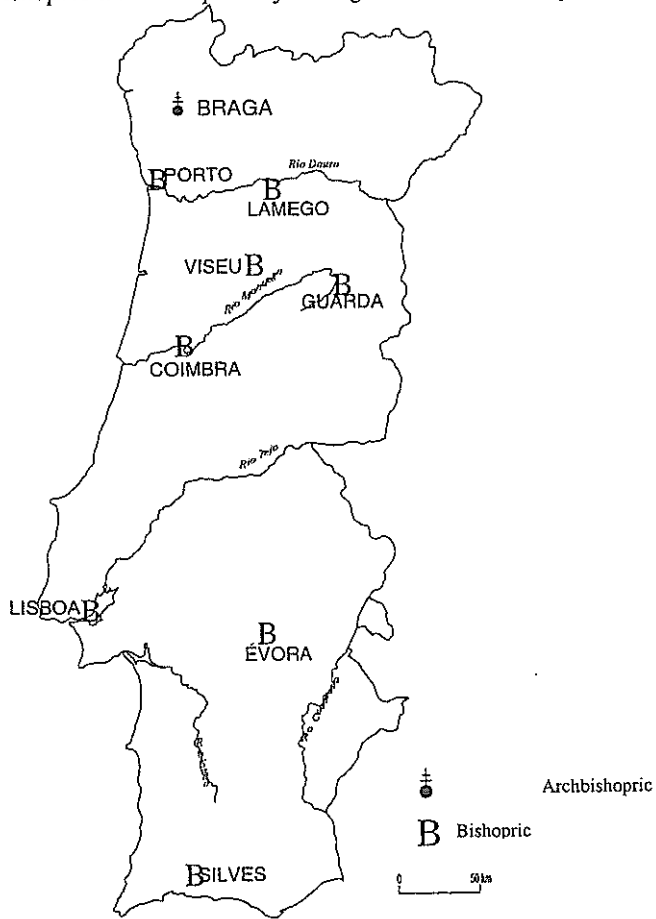
### **Patronage, parochial, rights and military orders in medieval Portugal. Some analytical perspectives**

The final decades of the 13th century, especially the 1270s and 1280s, saw the establishment of the last great accords between the military orders of Avis and of the Temple and the diocesan powers of Évora. By that time there was in question an enormous variety of privileges claimed by the friars of the orders, particularly by those of Avis, as well as an ever underlying concern on the part of the bishops of the diocese to see recognised their rights over the churches included in the area of their jurisdiction. But the road followed by these institutions to reach the establishment of documents of conciliation at the end of the 13th century had not been easy. A series of partial concordats, established during the earlier decades, particularly with the Order of Avis, reflect the successive attempts made by these institutions towards establishing the bases for a balance between powers, although, in truth, without great results<sup>1</sup>.

It would be necessary to reach the end of this century and a strengthening of diocesan power itself for that more general and more enduring agreements would be established. This introduction notwithstanding, we will not, in this case and in contrast to other studies undertaken, be interested in the detailed analysis of the resulting texts of these concordats<sup>2</sup>, established between the prelates of Évora and the four military orders who retained properties within the diocesan area. They will serve more as a point of departure for reflection on the importance that the religious rights acquired by the orders could assume in the context of their economy, particularly the rights that result from the exercise of the right of patronage and that over the possible forms of appropriation of these revenues. This analysis is based on a case study centred on Portugal and especially on the territory between the River Tejo (Tagus) and the mountains of Algarve included in the area of the Diocese of Évora (cf. map 1 ).



Map nº 1 – Archbishopric and bishoprics of Portugal in the Middle Ages



Thus, we will be interested, first of all, in exploring the global importance of the patronage acquired by the military orders in the kingdom and its dispersal, and in a second moment we will study this right in the zone of the south of Portugal, but more specifically, as referred to earlier, in the area subject to the jurisdiction of the diocese of Évora, an area ideal for the establishment and settlement of military orders in the Portuguese kingdom. To establish the dispersion of the churches belonging to the military orders, we have had recourse to the already known *Lista de Igrejas* (list of churches) *de 1320–1321*, drawn up as a consequence of an endowment made by Pope John XXII to King

D. Dinis of a tenth of all ecclesiastical revenues in Portugal, with the exception of the properties and belongings of the Order of St John of the Hospital, with the aim of supporting the monarch in his fight against the Muslims<sup>3</sup>, and to data dispersed through various monographs<sup>4</sup>.

The list of churches of 1320 referred to results from a compulsory survey of religious institutions, particularly churches dispersed throughout the kingdom and of the value of their taxes. This particular document provides valuable indications about the dispersion of these institutions as well as about the relative value of their revenues, but the information, in many cases, has little reference to those who owned the right of patronage or who benefited from their revenues<sup>5</sup>. Thus, and despite the many doubts and questions concerning the accuracy of the data presented<sup>6</sup>, it will serve us once more as one of the points of departure for the study we intend to realise.

## 1. The military orders and the ownership of churches

Generally, in assembling the possibility of presenting the parish priest to the collection of dues, the right of patronage is, still today, a relatively little-known right in terms of its exact execution, particularly when we face the reality of Portugal in the 13th century. The fluctuations of power, the variation in the holders of this right, the bestowal of endowments or appropriations, the allotment of presentations that commonly existed, especially within the heart of collegiate institutions where the presentation of priors and beneficiaries could be the lot of different institutions, means that it is never easy to understand this network of patrons, or the exact way this right was exercised. In this particular case, the information gleaned from the 1320 list is not always very clear in identifying the holders of the patronage and, especially, in identifying the beneficiaries of the income for each church.

Accepting these limitations and taking into account that not always does a reference to a church in the list signify that we are necessarily in the presence of a parish church and therefore one endowed with its own clergy and with all of the elements that allow us to characterise it as such, it is, however, possible to establish a framework for the dispersion of the churches under the management of each of the military orders.

Thus, one of the first pieces of evidence from its establishment is that the map of the distribution of the churches belonging to these institutions closely follows the network itself of the dispersion of the property nuclei in the ownership of the orders. Ownership that was gradually defined through the second half of the twelfth century and during the 13th, particularly based on royal and private gifts<sup>7</sup>. It is not surprising that north of the River Tejo, the natural frontier of the Portuguese kingdom until the first decades of the 13th

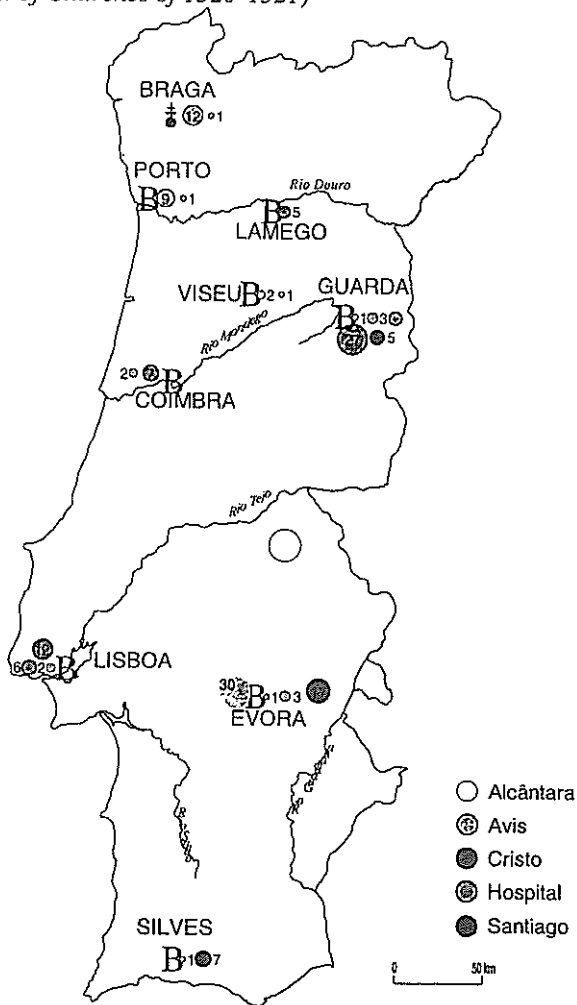
century, we can find predominantly well endowed by the orders of the Hospital and of Christ, heirs of the Order of the Temple in Portugal (see map 2 ).

The wealth and, before long, the churches belonging to these orders were dispersed among the dioceses of Braga, Porto, Lamego, Guarda and Viseu, in a predominant and almost exclusive form, since no other military order is mentioned as owner of ecclesiastical benefices in the region covered by these dioceses, with exception of the diocese of Guarda<sup>8</sup>. Furthermore, the map of the dispersal of the churches already referred to, allows us to make another no less important statement which has to do with the relative importance assumed by these churches in the context of each of the diocese being considered.

In truth, when we talk of the areas included under the jurisdiction of the Archbishop of Braga and the Bishops of Porto, Lamego, Viseu and Guarda, we are talking of a relatively extensive territory which at that time, at the beginning of the 14th century, comprised more than a third of the kingdom of Portugal and was marked by a multiplicity of churches which were dispersed throughout the area under consideration. They were churches which, as was mentioned earlier, did not always coincide with parish churches, a fact that is clearly, in some cases, mentioned in the source. As far as others are concerned, doubts remain without which a clearer notion of their statute would be possible.

Whatever is the case, almost all of these dioceses represent a very large number of churches and chapels within the diocesan area, following and reflecting a model of habitation dispersed through small population nuclei. In the area under the jurisdiction of the Archbishop of Braga, the number of churches mentioned exceeds five hundred, and even smaller and poorer dioceses such as Lamego comprised more than one hundred churches. With numbers of such importance, it becomes clear that the capacity for influence of the military orders, at least at the level of owning and apportioning ecclesiastical rights, would have been of relatively little importance since, as much in Braga as in Porto, the Hospitallers had fewer than ten churches and the Order of Christ had an even smaller presence. Thus, and in spite of some accords between the Braga powers and the Order of Hopitallers being celebrated<sup>9</sup>, the discussion about the rights of appropriation of ecclesiastical revenues is not on the same lines as that found in territories where the presence of the military orders was more effective and competed directly with the diocesan powers already in place.

Map nº 2 – Number of churches of the military orders by diocese ( according with the List of Churches of 1320–1321)



However, in the framework of the dioceses indicated, an exception could be found in respect of the diocese of Guarda. Occupying an interior territory and late in being defined and restored in terms of its rights and privileges<sup>10</sup>, the Guarda diocese and its prelates soon encountered the presence and influence of the Order of Christ, owner of vast areas entrusted to its protection and defence. In truth, the possessions of this institution extended from the northern half of this diocese through the regions of Proença and Idanhas to the southern banks of the Tejo and the confines of Portalegre, the town as far as which the prelate of

Guarda extended his jurisdiction. The Order of the Temple, and later the Order of Christ, had interests here, possessing the church of Santa Maria of Portalegre, as well as a series of surrounding benefices. This privileged place allowed it to enjoy a position of importance and enabled it to establish advantageous agreements with the diocesan prelates as far as sharing the entitlements provided by the churches in its possession was concerned<sup>11</sup>.

Besides this, and in contrast to what happened in other more northern dioceses, the churches in the possession of the friars of Christ are not assumed to be subsidiary churches or of secondary importance in the context of the revenues expressed in the taxes of 1320, but, on the contrary, are found to be the most lucrative in the diocese, a fact that would very probably not have been strange in the context of the accords that were established<sup>12</sup>.

The special position of this diocese is also true in what concerns the importance of the military orders of Avis and Santiago in this territory and which numbers announce a model of property specific of the south of Portugal. Gradually, another reality was imposed on this universe insofar as it spread south. Indeed, we need to descend to the frontiers that mark the crossing over to the south, or rather to the diocese of Coimbra, to find the first references to the Order of Santiago and the Order of Avis. In the Coimbra diocese, together with a significant number of churches in the possession of the Order of Christ and a smaller group of churches belonging to the Hospitallers, we find the first reference to the Order of Avis<sup>13</sup>.

But it is in the Lisbon diocese, the fulcral diocese between the two areas, that the Order of Santiago arises as patron of multiple institutions, particularly located in the southern part of the diocese around Palmela, seat for the first moment of the Portuguese order at its beginning<sup>14</sup>, its possessions beginning here and soon multiplied as they meet the plains of southern Alentejo (cf. map 2). In effect, the collection of churches subject to the Order of Santiago is grouped along the Setúbal peninsula and extends along the adjacent coast, groups of churches that have significant importance in the context of the diocese.

To this nucleus in the possession of the Order of Santiago is opposed another, smaller, in the possession of the Order of Christ, but set around Santarém, the city in which and around which the friars had in their possession churches such as S. Tiago de Santarém or Santa Maria de Casével and around Tomar, head of this order in Portugal, and in which surroundings, the order of Christ hold different and rentable goods<sup>15</sup>. Avis, in the contrary, had only two churches, relatively peripheral: Montargil and Alcanede.

Curiously, none of these military orders had any church within the episcopal seat and thus the strength of their influence did not compete at the point of origin of episcopal power. It is a situation we see repeated in other dioceses and other areas.

But it is within the territory included in the diocese of Évora, delimited by the Tejo to the north and the Serra of Algarve to the south, that we find most of the patrimony belonging to the military orders of Avis and Santiago and consequently the greatest number of churches within the control of these orders. In this region, the Order of Christ as much as the Order of Hospitallers would have shown themselves to be inferior powers in relation to the network of dominant owners in the area<sup>16</sup>.

In effect, in the south between the Tejo and the Algarve, patronage was a right retained especially by the military orders of Avis and Santiago, who controlled a significant slice of this territory, by the diocesan authorities and by the king.

Thus, bishop and chapter divided among themselves, at the beginning of the 14th century and through the mediation of accords carefully defined in the second half of the 13th century and the dawn of the 14th<sup>17</sup>, a differentiated range of churches. Churches which incorporated some of the most important and profitable collegiate institutions in the diocese, situated in the main urban centres of the region, especially Évora, Beja and Montemor, and a nucleus of churches spread through smaller centres of population but bordering these centres, as happened with Arraiolos.

Royal patronage in this zone, in its turn, according to data provided by the 1320–1321 catalogue, together with some of the information taken from the lists of the presentation of clergymen of the churches with royal patronage<sup>18</sup>, appears relatively small, but it becomes clear that this right suffered some decline in the region, especially in the second half of the 13th century and during the first decades of the 14th, thanks to the extensive donations of churches situated in this diocese<sup>19</sup> made by the monarchs, especially in favour of the military orders such as Avis<sup>20</sup> and Santiago.

In fact, these controlled a substantial number of the churches in the diocese and, once again, the geography of their dispersion coincides with the distribution itself of the places privileged by the establishment of wealth belonging to these orders.

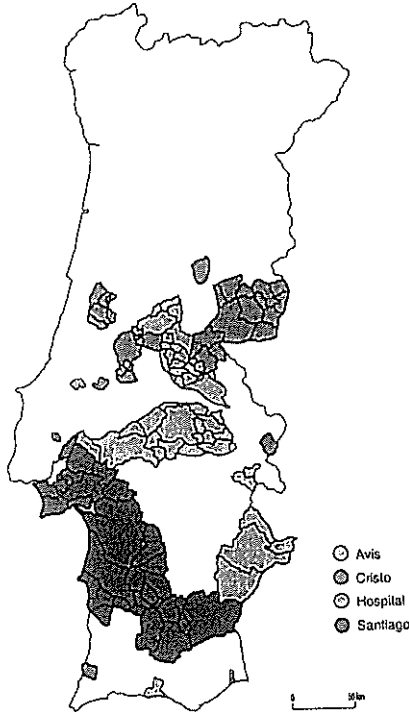
The relative importance of these churches was, however, quite variable and the relative hierarchy established by individual revenues allows for some curious conclusions.

In respect of the churches in the possession of the Order of Avis within the diocese of Évora, in which city the order established the roots of its existence<sup>21</sup>, the hierarchy established was fairly heterogeneous<sup>22</sup>. Within the conjunction, the order, founded with the prime aim of defending the Évora nucleus a little after its conquest by the Christians, had, at the beginning of the 14th century, about 30 churches, situated predominantly in the north-west region of the diocese around or within the nuclei themselves in which the friars of Avis



established many of their patrimony or centred the exercise of their seigneurial jurisdiction (map n° 3).

*Map n° 3- The patrimony of the military orders in the south of Portugal*



However, not all of the churches had the same importance nor were they equally profitable. The hierarchy that was drawn up included values that went from two thousand seven hundred and ninety five pounds to a few tens of pounds of tax<sup>23</sup>.

In the case of the Order of Santiago, the spatial distribution of the churches in its possession show different characteristics as well as the hierarchy of revenues that were established for them. The first conclusion to get from a rapid analysis is what appears to be a greater coherence and closeness in the values of the revenues, since most do not exceed seven hundred and fifty pounds.

In effect, of the 17 churches referred to, only two reveal revenues of more than a thousand pounds, while seven have revenues between five hundred and a thousand and the other 8 with a lower revenue of between five and one hundred pounds<sup>24</sup>.

At the same time, similar to what occurred in relation to Avis, the geography of the network of churches whose patronage fell to the Order of Santiago coincides, in a general way, with the southern part of this region, where the Order of Santiago had the greater part of its goods, land and property. Thus, there is a clear complementarity between the areas where property was held and the exercise of the right of patronage.

Together, the churches held by Santiago produced not a great deal more revenue than those in the possession of the friars of Avis, but the churches that Santiago had within the diocese of Évora were, without doubt, the most profitable that the order had in Portugal, more important even than those that were included in the diocese of Lisbon, among which are counted the churches in Palmela. Something similar is true of the Order of Avis, whose churches in this region are the most significant that they possessed, a fact that on its own clearly shows the importance that the churches situated in this region assumed in the context of the patrimony of these orders.

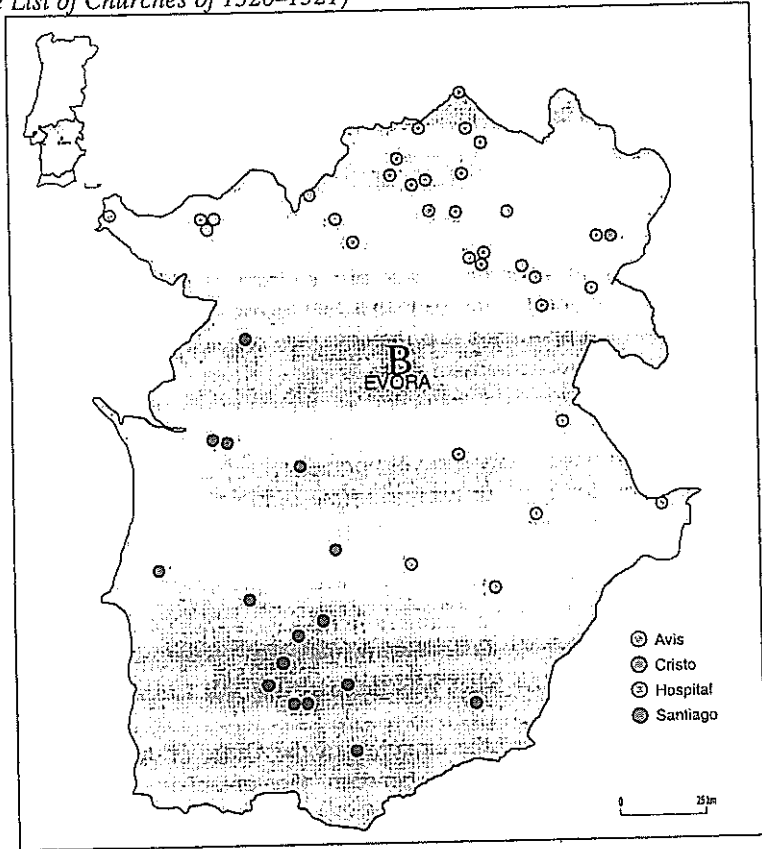
A similar situation was extended to the most southerly diocese in the kingdom, the Algarve. Here, in an area that was conquered in the middle of the 13th century and where only a small number of churches existed, the Order of Santiago was predominant in exercising the right of patronage, resulting from the role it played in the conquest and the subsequent control of the area.

But, alongside the references to the revenues which were due from each church, the 1320-1321 catalogue defined, sometimes in detail and with care, particularly in the case of the churches in the possession of Santiago, the entity concerning which the amount was estimated, that is concerning the church, its vicarship or priorate, and what was the part that fell to the church or to the Master<sup>25</sup>.

However, in respect of the churches of the Order of Avis, in some cases only the division of revenues between the churches and the common beneficiaries is established, with references to ecclesiastical benefices or the revenues therefrom which had been made the object of taxation practically non-existent.

In fact, the specific mention of 'common beneficiaries' is present in the churches of Santa Maria da Alcáçova of Elvas, of S. João, S. Pedro and S. Miguel of Coruche and in that of Santa Maria of Beja, urban churches with notable revenues in which the existence of a body of more or less numerous beneficiaries is explained by the economic importance of the church in question, but which for itself determined only one model of its own for sharing revenues, as we will see later.

Map nº 4 – Churches of the military orders in the diocese of Evora ( according with the List of Churches of 1320-1321)



But under this apparently subtle differentiation is hidden a question which is both deep and difficult to answer, connected to the distribution of parochial revenues among the different instances which intersect at the parochial level and connected with one that is probably simpler concerning the composition of these rights. This whole panoply of references gives us an approximate idea of the many levels of appropriation to which the ecclesiastical revenues were subjected, and the multiplicity of entities which could benefit from their share in it, from the Master to the prior of each church, and including the *comendador* within whose *comenda* (ecclesiastical benefice) the church is set or the group of beneficiaries that existed in each church. Thus, the image which appears to be

outlined through the apportioning that has been mentioned is of a single hierarchy, varied and complex in the web of relationships within it.

Indeed, as has already been mentioned, the exercise of the right of patronage did not confer only the right of the appointment of the clergy to the parish or of its beneficiaries, but also the assessment of a proportion of the parochial rights, variable and difficult to quantify.

As is well known, the documentation available rarely provides us with a view, even one that is limited, of the real importance of these rights<sup>26</sup>. Only the pressure and the frequency of conflicts between institutions which controlled this assessment or which enjoyed sharing in these rights leads us to suppose that this importance would not have been derisory<sup>27</sup>.

The question to be asked is: how were these rights shared and to whom did they revert in the case of the churches of the military orders, and what was their place in the general economy of the order and in particular in the conjunction of revenues of each *comenda*.

We are thus extending what matters in this context in calculating the prevalent relationship between churches and *comendas*. In the face of the small amount of documentation available and the lacunal information that exists, we propose to follow only certain lines of inquiry which are valid for a context which extended until the first decades of the 14th century.

## 2. The division and appropriation of parish income

As well as the income resulting from land management, the military orders enjoyed a relatively large variety of dues collected in the churches, over which they exercised rights of patronage, and the value of these dues, though not known to us, should not be deemed worthless. Among them the tithe would, without a doubt, have constituted one of the most important and also one which gave rise to complaints concerning its collection.

Sanctioned by the Latrão councils of 1123 and 1139, the payment of the tithe did not become obligatory, according to Jesus da Costa, until the second half of the twelfth century, thus "becoming the principal source of revenue of the churches"<sup>28</sup>. However, it was only in 1218 that Afonso II of Portugal subjected the royal income to the payment of the tithe<sup>29</sup>. This reservation notwithstanding, it would not be wrong to assume that the second half of the twelfth century and, more especially, the 13th century, witnessed the distribution of the obligatory tithe, applying to produce from the land and livestock (land tax) and on human activity (personal)<sup>30</sup>.

As well as the tithe, and we shall later return to the polemic over its collection and subsequent division, the churches enjoyed a further, varied combination of dues, if less substantial and permanent. We are speaking of the dues paid for the celebration of masses, sacraments and anniversaries, of the

oblations, especially in the middle and final centuries of the Middle Ages, of the *mortuarium*, paid at the time of death, and the *primitiae*, whose documental trace seems so rare in Portugal<sup>31</sup>.

From all these elements the income of a parish church was made up, although the comparative values had little or nothing in common, when comparing an urban collegiate to a small, rural church.

In the same way, the means of appropriation and distribution of these dues also varied. The usual division among bishop, *fabrica* and the parish clergy was not always carried out efficiently<sup>32</sup> because, although they were ecclesiastics, the patrons' interference in this trinity usually resulted in the diminution or even the disappearance of the proportion originally intended for the clergy and *fabrica*. However, the question was rarely settled easily with the diocesan powers either.

Apart from the third which usually fell upon the tithe, churches were also bound to a manifold variety of tributes paid to the bishop. That, in several cases, resulted in a severe burden to the churches that sustained it.

It was usual that in a situation where the income of the patronage was being divided by multiple demands, the bishop tended to keep for himself a third part of the tithe, as well as a variable set of tributes, which could have ranged from the *quarta mortuarium*, (that could be the quarter or the third), the *bragal*, the *cathedraticus*, the *sinodaticus*, the *calendairo* and to the *procuraciones* or *jantar*, taxes collected when the Episcopal visit takes place<sup>33</sup>.

Nevertheless, the application of this very much depended on the balance of power in each diocese, the previously mentioned diversity of which could not always be attested to in the same way in all the dioceses. In the particular case of Évora, a relatively limited variety of tributes seemed to dominate, particularly when compared to other dioceses in the North and which results, principally, from the accords established with the other proprietary institutions of privileged patronage in the region.

The third, often turned into quarter, fifth or even *decimae*, that usually fell over the tithe and *mortuaria* with its goods minutely defined, was joined by the *procuracione* which was almost always paid in money. The *procuraciones* in goods are only known in churches that lay in the northern part of the diocese and in a chronology that doesn't go beyond the second half of the 13th century<sup>34</sup>. The documentation omits further information and there is no explicit reference to other general tributes.

In effect, in Évora the capacity for appropriation exercised by the bishop over churches not included in his patronage was less, because it was concurrent with other institutions, as in the case of the military orders, whose influence was profound.

It is true that one of the most salient features of weakness to be seen in this geographical area was the relationship between these orders and the diocesan

powers, a conflict which became to be repeatedly observed and which, especially it is said with regard to Avis, lasted well beyond the temporal frontiers of the Middle Ages<sup>35</sup>.

At the heart of this conflict were the privileges conferred upon Avis by an act of exemption which distinguished the order of Cister, with which the friars of Avis were affiliated<sup>36</sup> and the application of which normally led to long and complicated conflicts between the religious-military institutions and the diocesan authorities<sup>37</sup>. The exemption which Avis claimed rendered its goods exempt from payment of the tithe claimed by the bishops<sup>38</sup>, but which was also intended to create religious supremacy for the order and a preponderance in certain aspects of religious life, as with respect to the consecration of the altars, the confirmation of parish priests presented in the different churches falling under their patronage and the refusal to recognise the prerogative of the bishops on the collecting of parish rights held by the friars.

In this way, the discord and recurring settling of a sequence of accords constituted the touchstone of relations among many of the bishops in the dioceses where the presence of military orders that were followers of Cister and their institutions were present, for at least throughout the 13th and 14th centuries. And in the text of these accords it was not only a religious supremacy that was sought, notwithstanding all the privileges conferred by the Pope that were claimed by the bishop, but also the concretisation of this recognition in the right to appropriate a part of the parish dues, while being an integral part of the diocesan income<sup>39</sup>.

The third should, in principle, fall upon the tithe but also upon the *mortuaria*, and sometimes the products to be included in this right were defined in detail.

For example, in the accord celebrated in 1255 with the church of Coruche, it was established that the bishop would receive a third only of some dues, as well as from payments in money<sup>40</sup>. In 1279 the proposal made by the church of Estremoz, belonging to the Order of Avis, stipulated that it would be possible for the bishop of Évora to have a third of the tithes and burial dues, apart from some goods not included<sup>41</sup>.

And if indeed the quantity did not always reach this proportion, established theoretically as a third of the revenues, and varied from a fourth to a fifth or even to a tenth, as happened in the case of agreements celebrated with the Order of Santiago in the middle of the 13th century<sup>42</sup>, the truth is that a different appropriation was exercised over the rest, with the presence and the intervention of different protagonists.

In fact, while the bishop's part was the subject of more or less detailed accords, resulting from the appraisal of strength between powers, the division of the remainder in the churches which belonged to the orders is not at all clear

and, above all, is not really susceptible to being the object of a common typology.

If we have as our base the various 13th century accords between the bishops of Évora and the orders of Avis and Santiago concerning the sharing out of rights, from the outset an indirect source because it is not concerned with the remainder after the collection of the episcopal rights, we understand that the mention of revenues which remained in the church, discounting the episcopal part, were entrusted in an indifferent way to the Master and to the friars with scant reference to the clergy who served the church.

This is what happened with the church of Benavente of the order of Avis, in 1201, where, clearly, there is reference to the bishop's part being discounted, *magister et fratribus suis* having the rest and in that case nominating the chaplains, as also happened with Seda and Fronteira in 1236 and with Estremoz in 1250<sup>43</sup>.

According to what is contained in these accords, the sustenance of the clergy contracted to each of these churches would have been the whole responsibility of the order and, in effect, at least from the 15th century, according to Cristina Pimenta, the *comendador* of each *comenda* was obliged to provide sustenance for the prior if there was a priorate in his benefice<sup>44</sup>. Furthermore, this responsibility of the *comendador* in relation to the churches included in his benefice was certainly much earlier.

In respect of the Order of Hospitallers, already, during the period of Estevão Soares da Silva as Archbishop of Braga in the middle of the 13th century, an agreement had been established according to which it fell to the *comendador* to designate the presbytery, which would have been confirmed by the archbishop<sup>45</sup>. Nevertheless, in other cases the presentation was made by the Master and by the order, perhaps according to the statutes of the church under consideration<sup>46</sup>.

Whatever the situation, it is obvious that, in most cases, this majority would be so much greater the more we progress through the 13th century. Members of the orders themselves would be chosen as priors, if not even as vicars of the churches that Avis and Santiago were slowly gaining control over<sup>47</sup>, a fact that transformed these places into forms of additional recompense for the members of the orders themselves. But, in this context, the remuneration of the friars presented could have included other modes not common in the case of parochial clergy with diocesan appointments. Nonetheless, its place in the hierarchy of the distribution of rights does not appear very defined or safeguarded from the start.

And the existence of certain exceptional cases, treated as such, could exactly be an indication of this major appropriation on the part of the Master and the *comendadores*.

Thus, of particular note is the case of Coruche and the document which in 1255 was signed by both D. Martinho, Bishop of Évora and Master D. Martinho

Fernandes. Here also was established the right of the bishop to a third, as was referred to earlier, and to *procuracione*. However, it was stipulated that from the tithe of the church, before the division, a part of goods should be withdrawn with which the clergy of the church were remunerated. The rest of the tithe was divided into three parts: for the bishop, friars and beneficiaries, in case of bread, wine, oil and cattle and the same occur with the payments in money<sup>48</sup>. In the case of other goods, the tithe would be divided only between the friars and the beneficiaries<sup>49</sup>.

The special place occupied by the rectors of the Coruche churches would have been repeated in the church of Santa Maria of Beja, given to the Order of Avis in 1270, but with effect only after the death of João Moniz, rector of the church. João Moniz who, at the beginning of that year had established an agreement with the bishop, D Durão, according to which he was given the pontifical third and reserved for him was half of all the tithes and oblations and mortuaries, with the other half apportioned to the church<sup>50</sup>. It remains to be discovered whether, after the effective taking over of this church by the Order of Avis, this sharing was maintained on the same terms or whether the insertion of a patronage would not have, of necessity, determined a change in the hierarchy of beneficiaries.

These apparently exceptional circumstances, further confirmed by the specific revenues which, according to the 1320-21 catalogue, explicitly placed a burden on the part of the "prebendaries's common share", could, however have been not unique and have been repeated in other collegiate institutions. This appears to correspond to the concrete situations of churches that had already been formed with, probably, an influential body of beneficiaries, located in privileged situations within the context of the order, and who took part in agreements specific to their exceptional situations.

Nevertheless, these accords do not appear to question a more dominant rule and they are contemporaneous with situations of appropriation of the greater part of the parochial revenues by the patron.

Such affirmation does not necessarily imply that the clergy or priors named by these churches did not accede to a part of the parochial revenues accruing from their religious activity. What appears clear is that this proportion would have been variable, even in the case of the vicar while delegate or representative of the person responsible for the curing of souls, being summarised as a fixed amount or even as rights that are not that of the tithe revenue.

With the division of wealth between the Master and the order, with the creation of respective "shares"<sup>51</sup> and the establishment of the system of *comendas* (ecclesiastical benefices) as a way of organising the detention of the patrimony<sup>52</sup>, the situation could have been changed. The attempt to make a *comenda* correspond with a *comendador* or to group them around the Share



(*Mensa*) of the master of a military order<sup>53</sup> after their creation also led to the realignment of the divisions of the ecclesiastical revenues.

In relation to the group of rights covered by each *comendador* and included in his revenues we certainly find, in many cases, the ecclesiastical rights deriving from the churches situated there, but the references connected with this are full of gaps and are imprecise. But, very probably, the definition and settlement of a territorial network of *comendas* and their expansion into the area in the possession of the military orders could have conveyed a multiplicity of instances of the appropriation of ecclesiastical rights, since we do not know up to what point the hierarchy of appropriation of revenues covered in each benefice corresponded to the hierarchy of appropriation of the rest of the revenues deriving from the exploitation of fixed assets.

Thus, when once again we make use of the information contained in the *Catálogo das Igrejas de 1320-21*, particularly that referring to the Order of Santiago, we see that the references are scarce, and do include, apart from mentioning the church, the priorship or vicarship, reference to the part of the "Comenda of the same church", or the Master, who were equally taxed. This leads to the supposition of, firstly, a premature settlement of the network of *comendas* and, secondly, a spatial connection between these and the church network itself.

In effect, if we try to interlink the network of churches in the possession of the orders of Avis and Santiago with the network of *comendas* known for these two orders, the *comendas* that did not have within them one or more churches were few or none. In a logic that has to be seen together with the distribution of the land and property itself, and with the choice of population centres as the organisational poles of the benefices and which, in general, coincide with the population centres where the churches were already established or were about to develop.

At bottom, the system of *comendas*, while trying to manage a dispersed patrimony, came to include within its frontiers limits which, in origin, had had nothing to do with the system and which ended up constricted by it.

Therefore, to assume that the *comendadores* would progressively consider themselves, throughout the 14th century, to be additional beneficiaries to these parochial rights, integrating themselves in its appropriation structure, seems to be a logical and inevitable process.

What still remains to be grasped, from the scantily available sources produced by the parochial churches themselves, are the true contours of this appropriation, its protagonists and the evolution of their roles throughout the 13th and 14th centuries and of trying to understand how these churches, the places that they brought succour and the revenues which allowed them to flourish, functioned within the patrimony of the military orders.

## Notes

<sup>1</sup> A chronology of these accords can be seen in H. Vilar, *As dimensões de um poder. A diocese de Évora na Idade Média*, Lisboa 1999, pp. 289.

<sup>2</sup> The monographic studies about the relationship between the military orders and the diocesan powers are not very numerous. However, references to the conflicts which often marked this relationship can be found in most of the analyses that were made and which had the military orders as the object of study. Among the specialised monographs on this theme, see articles by D. Lomax, *El arzobispo don Rodrigo Jiménez de Rada y la Orden de Santiago*, *Hispania* 19 (1959), pp. 323–365; id., *La Orden de Santiago y el obispo de Cuenca*, *Anuario de Estudios Medievales* 12 (1982), pp. 303–310. In the case of Portugal see, among others, H. Vilar, *A Diocese de Évora e a Ordem de Avis: dois poderes em confronto na centúria de Duzentos*, in: *As Ordens Militares em Portugal e no Sul da Europa- Actas do II Encontro sobre Ordens Militares*, Lisboa 1997, pp. 271–284. In relation to some of the general questions that frame these conflicts, see the pages written by C. de Ayala Martínez, *Las órdenes militares hispánicas en la Edad Media (siglos XII-XV)*, Madrid 2003, especially pp. 676–683.

<sup>3</sup> *Monumenta Henricina*, 15 vols., Coimbra 1960–1974, 1, docs. 70–72, pp. 133–142 and A. Marques, *Portugal na crise dos séculos XIV e XV*, in: *Nova História de Portugal*, Lisboa 1986–1997, 4, p. 494.

<sup>4</sup> Among the monographs that served as a basis, of particular note are those executed by M. R. Cunha, *A Ordem militar de Santiago ( das origens a 1327)*, Porto 1991 (a Master's dissertation), by M. C. Cunha, *A Ordem militar de Avis (das origens a 1329)*, Porto 1989 (a Master's dissertation), by P. Costa, *A ordem militar do Hospital em Portugal, séculos XII–XIV*, Porto 1993 (a Master's dissertation) and by M. Fernandes, *A ordem militar de Santiago no século XIV*, 2 vols., Porto 2002 (a Master's dissertation).

<sup>5</sup> This list was published, although with errors, by F. de Almeida, *História da Igreja em Portugal*, ed. D. Peres, 4 vols., Porto 1967–1971, 4, pp. 90–140. However, there is an original version in the national archive. Arquivo Nacional da Torre do Tombo (abbr.: ANTT), *Santa Cruz de Coimbra*, book 97.

<sup>6</sup> For what is said in respect to this, particularly about the too low values presented by some institutions, see Marques (see n. 3), p. 15.

<sup>7</sup> The studies mentioned above in note 4 allow us to confirm this reality in respect of the framework of dominant donors. Cf. among others P. Costa (see n. 4), pp. 74–85 where there is reference to the importance of donations made by the royal family and by private individuals to the orders. In the specific case of the order of the Hospital, Paula Costa makes reference to the monarchs and the royal family being major promoters in increasing the goods and properties of the militias, since the number of donations made by them translated into a greater quantity of property. *Ibid.*, p. 75.

<sup>8</sup> For an approximate idea of the distribution per diocese, see map 2. From the data presented here, it is obvious that the number of churches in the possession of the Hospitallers in the dioceses of Braga and Porto is clearly higher than the number in the possession of the Order of Christ. This proportion is, however, inverted in the dioceses of Lamego and Guarda, where the friars of Christ gained importance compared with the Hospitallers, thus bringing about a coincidence of the exercise of their right of patronage with the nuclei privileged by the arrangements for their

patrimony. In the case of the diocese of Viseu, the number of churches indicated as belonging to any military order is very small, which inhibits any great inferences being made.

<sup>9</sup> P. Costa (see n. 4), pp. 128–132.

<sup>10</sup> There are still practically no studies concerning the restoration of this diocese and its organisation. With the lack of more recent analysis, see J. Castro, *Diocese e distrito da Guarda*, Porto 1902 and P. Gomes, *História da Diocese da Guarda*, Braga 1981.

<sup>11</sup> H. Vilar, *Uma fronteira entre poderes: as dioceses de Évora e da Guarda no Nordeste alentejano*, *Revista de Guimarães* 106 (1996), pp. 253–274.

<sup>12</sup> Ead., *As vivências religiosas de um espaço: em torno da integração diocesana da Idanha* (being printed).

<sup>13</sup> The reference is about the comenda of Casal da Rainha.

<sup>14</sup> M. R. Cunha (see n. 4), and I. Fernandes, *O Castelo de Palmela do islâmico ao cristão*, Lisboa 2004, especially pp. 286–292.

<sup>15</sup> Almeida (see n. 5), p. 132.

<sup>16</sup> Vilar, *As dimensões de um poder* (see n. 1), pp. 276–280.

<sup>17</sup> *Ibid.*, pp. 209–217.

<sup>18</sup> B. Nogueira, *O padroado régio dionisino (1279–1321) entre a organização episcopal e a chancelaria régia*, in: *Arqueologia do Estado. Ias Jornadas sobre formas de organização e exercício dos poderes na Europa do Sul (séculos XIII–XVIII)*, 2 vols., Lisboa 1988, 1, pp. 421–446.

<sup>19</sup> M. R. Cunha (see n. 4).

<sup>20</sup> M. C. Cunha, *A Ordem de Avis e a monarquia portuguesa até ao final do reinado de D. Dinis*, *Revista da Faculdade de Letras do Porto*. II série 12 (1995), pp. 113–123; Ead., *A Ordem Militar* (see n. 4).

<sup>21</sup> For the origins of the Order of Avis and its connection with Évora, see R. de Azevedo, *Primórdios da Ordem militar de Évora*, *Boletim Cultural da Junta Distrital de Évora* 8 (1967), pp. 3–30 and M. de Oliveira, *A Milícia de Évora e a ordem de Calatrava*, *Lusitania Sacra* 1 (1956), pp. 51–64.

<sup>22</sup> In establishing the values compared here we have calculated together the values indicated as much for the priors as for the beneficiaries, as well as for the ecclesiastical benefices, even when these are divided.

<sup>23</sup> Five of these churches, situated in the most important towns of the region, had revenues that exceeded a thousand pounds, with the first church mentioned reaching as high as 2795 pounds. Below a thousand pounds but situated between five hundred and a thousand we find six churches, situated in towns or villages of intermediate importance, such as Santa Maria of Alcáçova of Elvas, Santa Maria of Vila Viçosa, Santa Maria of Sousel, Santa Maria of Vide, S. João of Moura and S. Salvador of Serpa, while between 500 and 100 pounds, ten churches are identified, spread over relatively dissimilar areas of the diocese. With revenues less than 100 pounds are identified 7 churches situated in areas of little importance and whose small revenues reflect this lack of importance or even their newly assumed identity of parish church, as is found in Pedroso, Cano and Cabeção or in their eccentricity and poverty, as is found with the church of Noudar.

<sup>24</sup> See the map with the distribution of churches in the possession of the orders in the diocese of Évora.

<sup>25</sup> Almeida (see n. 5), pp. 136–137.

<sup>26</sup> The bibliography of the parishes in Portugal is not very large, in contrast to what occurs in relation to other historiographies. As it is impossible to refer to a group of these works, the classic synthesis by M. Aubrun, *La paroisse en France, des origines au Xve siècle*, Paris 1986 is important, as well as articles such as that by J. Chiffolleau, *Sur l'économie paroissiale en Provence et Comtat Venaissin du XIIIe au XVe siècles*, *La Paroisse en Languedoc-Cahiers de Fanjeaux* 25 (1990), pp. 85–110.

<sup>27</sup> G. Constable, *Resistance to tithes in the Middle Ages*, *Journal of Ecclesiastical Studies* 13 (1962), pp. 172–185. Concerning examples of conflicts, see the cases related by, for example, M. Coelho, *O Baixo Mondego nos finais da Idade Média*, 2 vols., Coimbra 1983, 1, pp. 373–398.

<sup>28</sup> A. Costa, *O bispo D. Pedro e a organização da diocese da Braga*, 2 vols., Coimbra 1959, p. 261.

<sup>29</sup> On thirteenth April, 1218 Afonso II conceded the tithes from the royal revenue to all the principal dioceses in the kingdom, in the same manner as to Tui and the Santa Cruz monastery. The letters concerning this are recorded in the register of this monarch, ANTT, *Núcleo Antigo 479-Registo de Afonso II*, fls. 39–41 and were published, with the exception of the letter directed to the Bishop of Idanha by A. Costa, *Mestre Silvestre e Mestre Vicente, juristas da contenda entre D. Afonso II e suas irmãs*, Braga 1963, note 107, pp. 48–49 and notes 146 to 153, pp. 67 to 74. For the political situation of this years, see M. Branco, *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* (PhD thesis in Medieval History, Open University), 2 vols., 1999, pp. 502 onward and H. Vilar, *Afonso II. Um rei sem tempo*, Lisboa 2006.

<sup>30</sup> Among the many works indirectly dealing with the ecclesiastical tithes, see: R. Torres, *Dizimos Eclesiásticos*, in: *Dicionário de História de Portugal*, 6 vols., ed. J. Serrão, Porto 1989, 2, pp. 328–329; Almeida (see n. 5), 1, pp. 113–116 and H. Barros, *História da Administração Pública em Portugal dos séculos XII a XV*, 2<sup>nd</sup> edn, ed. T. Soares, 11 vols., Lisboa 1945, 2, pp. 231–233.

<sup>31</sup> Research into churches rarely considers the study of parish income, above all due to the lack of sources elucidating their value, but which favour an analysis of the constitution of the fixed patrimony and the forms of acquisition of this patrimony. At most, studies of churches deal mostly with the income arising from anniversaries and chapels, once again due to the available sources. A. Rodrigues, *A formação e exploração do domínio da Colegiada de S. Pedro de Torres Vedras (fim do século XIII-fim do século XV)*, in: ead., *Espaços, gente e sociedade no Oeste. Estudos sobre Torres Vedras medieval*, Cascais 1996, pp. 101–134 or M. Silva, *A formação de um património eclesiástico: o da igreja de Santa Maria de Óbidos. A região de Óbidos na época medieval*. *Estudos*, Caldas da Rainha 1994, pp. 185–196, among others. Dealing with the variety of these dues, we may refer to Almeida (see n. 5), 1, pp. 113–116, F. Lot, R. Fawtier, *Histoire des Institutions françaises au Moyen Age*, 3 vols., Paris 1957–1962, vol. 3: *Les Institutions ecclésiastiques*, pp. 210–212 and J. Chiffolleau, *Pour une économie de l' institution ecclésiastique à la fin du Moyen Âge*, *Mélanges de l' École Française de Rome- Moyen Age-Temps Modernes* 96 (1984), pp. 247–279.

<sup>32</sup> G. Lepointe, *Dîme*, in: *Dictionnaire de Droit Canonique*, 7 vols., Paris 1935–1965, 4, pp. 1232–1244 and J. Gaudemet, *Le Gouvernement de l' Église à l' époque classique*, II Parte – *Le Gouvernement local* (*Histoire du Droit et des Institutions de l' Église en Occident* 8), Paris 1979, pp. 269–275.

<sup>33</sup> For the significance of some of these tributes, we may refer to A. Costa, *O bispo D. Pedro* (see n. 28), pp. 258–276.

<sup>34</sup> In fact, we have but a single document of agreement signed by the diocesan powers of Évora and the Order of the Temple, in 1250, about the churches of Nisa, Montalvão, Alpalhão and Ares. This document stipulates the payment of a fixed amount in money, as a substitute for the canonical third and a *procuracione* payed in kind. Vilar, *As Dimensões de um poder* (see n. 1), pp. 276–278.

<sup>35</sup> *Ibid.*, pp. 245–269; ead. *A diocese de Évora* (see n. 2), pp. 271–284; M. C. Cunha, *A Ordem militar* (see n. 4), pp. 180–184 and M. Pimenta, *As ordens de Avis e de Santiago na Baixa Idade Média. O governo de D. Jorge*, Palmela 2002, pp. 189–193 and by the same author, *A Ordem militar de Avis (durante o mestrado de D. Fernão Rodrigues de Sequeira)*, *Militarium Ordinum Analecta* 1 (1997), pp. 231–233.

<sup>36</sup> For the association between Avis and Cister see J. F. O’Callaghan, *The affiliation of the order of Calatrava with the order of Citeaux*, in: id., *The Spanish Military Order of Calatrava and its Affiliates*, Londres 1975.

<sup>37</sup> See n. 2.

<sup>38</sup> The conflict surrounding the payment of the tithe was such that the papacy itself pronounced over whether or not the goods detained by Avis were obligatory and subject to the payment of the tithe. This happened at the council of Latrão in 1215, the date of which was established as the limit for the commencement of the payment of the tithe from the goods which were not directly exploited by the friars. Ayala Martínez (see n. 2), pp. 676–678.

<sup>39</sup> What divided the bishops of Évora from the Order of Avis had nothing surprising about it. See the article about the Bishop of Cuenca: Lomax (see n. 2), and also the book by Ayala Martínez (see n. 2).

<sup>40</sup> Arquivo do Cabido da Sé de Évora (abbr.: ACSE), CEC 3–III, fls. 21–23.

<sup>41</sup> ACSE, CEC 3–III, fls. 23v–27v.

<sup>42</sup> M. R. Cunha (see n. 4) and Vilar, *As dimensões de um poder* (see n. 1), pp. 269–275. In the agreements made between the diocesan powers of Évora and the masters of the Order of Santiago, the part of the tithe which fell to the bishop varied between a tenth, in the cases of the churches of Cabrela, Torrão, Aljustrel, Cacém and Mértola and a third, which was indicated for Alcácer and, from 1301, for Almodôvar and Ourique.

<sup>43</sup> ACSE, CEC 3–III, fl. 18v, 19v–20 e 20v–21.

<sup>44</sup> Pimenta, *As ordens de Avis* (see n. 35), p. 169.

<sup>45</sup> M. R. Cunha (see n. 4), p. 58.

<sup>46</sup> M. C. Cunha, *A Ordem de avis* (see n. 20), p. 152.

<sup>47</sup> Pimenta, *A ordem militar de Avis* (see n. 35), p. 168 and ead., *As ordens de Avis* (see n. 35), pp. 115–117.

<sup>48</sup> ACSE, CEC 3–III, fls 21–23 and Biblioteca Pública de Évora, Codice CXXVIII, fólhos. 19.

<sup>49</sup> H. Fernandes, ‘Quando o Além-Tejo era ‘fronteira’: Coruche da militarização à territorialização’, *As Ordens Militares e as ordens de Cavalaria na construção do mundo ocidental*, Lisboa 2005, pp. 451–483.

<sup>50</sup> ANTT, *Ordem de Avis, Repartição de Portalegre*, n. 130.

<sup>51</sup> Concerning the conditions which dictated the creation of a Master’s *Mensa* as a way of reinforcing the bases of his authority, see Ayala Martínez (see n. 2), pp. 205–208, 221–241.

<sup>52</sup> *Ibid.*, pp. 332–347 and Ph. Jossierand, *Église et pouvoir dans la Péninsule Ibérique. Les ordres militaires dans le royaume de Castille (1252–1369)*, Madrid 2004, especially when the

author draws attention to the chronology of the inauguration of this system and to its characteristics, particularly in the first phase, pp. 320–339.

<sup>53</sup> Pimenta, *A ordem militar de Avis* (see n. 35), pp. 188–191.



