EM DEFESA DO PODER EPISCOPAL: O CASO DO BISPO D. EGAS DE VISEU

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A memória da acção de D. Egas encontra-se indiscutivelmente ligada à produção da chamada *Summa de Libertate Ecclesiastica*. Bispo de Viseu entre 1288 e 1313, D. Egas não parece ter ocupado uma posição de particular influência junto ao rei nem partilhado as esferas de influência de poder régio. Pelo contrário, a imagem que a documentação nos faculta é, prioritariamente, a de um bispo remetido ao governo da sua diocese e do seu património. No entanto, o seu nome e a sua intervenção são atestadas nas negociações de algumas das concordatas que marcaram as relações entre D. Dinis e a Igreja no período que decorreu entre a década de 80 do século XIII e os primeiros anos de Trezentos e a produção de um texto como o da *Summa,* dedicado à reflexão em torno das relações entre o poder régio e o episcopado, transmite-nos a imagem de um prelado bem mais interventivo do que uma primeira abordagem permitia supor. É no equilíbrio destas duas imagens aparentemente contraditórias que o presente artigo se insere, ao partir de um estudo de caso para uma reflexão um pouco mais abrangente sobre um contexto de renovação das relações entre o epsicopadoepiscopado e o rei.

IN DEFENCE OF EPISCOPAL POWER: THE CASE OF BISHOP EGAS OF VISEU

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The memory of D. Egas is unquestionably linked to the production of what is known as the *Summa de Libertate Ecclesiastica*. Egas was Bishop of Viseu between 1288 and 1313 and seems neither to have enjoyed any position of particular influence withnear the king nor shared royal spheres of influence. On the contrary, however, the perspective contained within the aforementioned document is that of a bishop devoted to the government of his diocese and his legacy. Furthermore, his name and his role are referred to in the negotiations preceding certain agreements defining the relationship between King D. Dinis and the Church in the period that elapsed between the 1380s1280s and the early years of the 14th century and his name is certainly linked with the writing of a text as important as that of the *Summa*. This text, providing a reflection on the relationship between royal power and the episcopate, conveys an image of a prelate much more interested in the political circles and much more interventional than an earlier approach had suggested. It is within this context of establishing a balance between these two apparently contradictory viewpoints that this study was undertaken presenting the administration of Bishop Egas as a case study for a broader perspective on relations between episcopates and the king towards the end of the 13th century.

IN DEFENCE OF EPISCOPAL POWER: THE CASE OF BISHOP EGAS OF VISEU

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On the night of 11th to 12th October 1303 pope Boniface VIII lay dying in the Vatican, three weeks after the attacks launched against his person and his power in Anagni [1]. His death marked the close of a particularly violent chapter in relations between the Papacy and royalty, in this case the French king, Philip IV, the Fair. The conflict, which had begun in the final stages of the 13th century and centred on the right to tan ecclesiastical bodies, was drawn out until the death of the pope [2], and affected many spheres of activity of both powers.

In fact, the reassertion of pontifical power by Boniface VIII challenged the institutionalisation of royal power in the kingdoms of central Europe and the assertion of legitimacy developed by the counsellors and jurists who surrounded the nascent royal power [3]. Thus, the policy followed by the Papacy in the final stages of the 13th century and the first few decades of the following century alternated between the constant reassertion of spiritual supremacy and the necessity of establishing alliances and pacts with reigning monarchs, namely those whose importance was crucial in terms of international and papal policies.

In this connection, issues concerning a relatively peripheral kingdom, such as Portugal, did not really compete in terms of importance and centrality with the conflicts which pitted the pope against the French and English monarchs. The predominant climate at the time with regard to relations between Portugal and

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1 On this pontificate and this pope there are various studies; the best of these, providing an overview of current knowledge and a current bibliography, is the biography by PARAVICINI BAGLIANI, Agostino – *Bonifacio VIII*. Torino: Giulio Einaudi Editore, 2003.

2 It is in the first stage of this conflict, regarding the discussion of the possibility of the taxation of the clergy, that Boniface VIII promulgated the bull *Clericis Laicos* in February 1296, in which he cited the need for the agreement of the pope for the levying of taxes on the clergy. On the importance of this document and the context within which it was produced, see LOT, FERDINAND and FAWTIER, Robert – *Histoire des Institutions Françaises au Moyen Âge*. Vol. 3: *Institutions Ecclésiastiques*. Paris: PUF, 1962, p. 324-330.

3 For the English case, see the study by GENET, Jean-Philippe – *La genèse de l'État Moderne: culture et société politique en Angleterre*. Paris: PUF, 2003, and, among other numerous works, the analysis by HARDING, Alan – *Medieval Law and the Foundations of the State*. Oxford: Oxford University Press, 2002.

the Papacy had little or nothing in common with the dealings between pontiffs and the French kingdom, and the level of dissention was nowhere near that which characterized mid-13th century Portugal, leading to the excommunication of King Afonso III.

By the beginning of the 14th century, many points of conflict with the Portuguese bishops inherited by the reigning monarch, King Dennis, seemed to have been largely resolved by the establishment of general or specific agreements involving the several parties. These concordats, which were later brought together in the *Ordenações Afonsinas* , compiled in the 15th century [4], regarded as exemplary general agreements between the parties, undoubtedly constituted at the time attempts at establishing harmony and resolving the latent problems existing between the kings and bishops of Portugal [5].

Thus, the articles comprising them highlight areas of friction and conflict between the two powers and demonstrate that the concerns underlying the concordats signed in 1289, 1292 and 1309 by King Dennis and his bishops did not differ greatly in substance from the themes inherent in the central conflict between the Papacy and Philip the Fair. In fact, what was at stake was similar: the definition of the relationship between the spiritual and temporal powers and their respective scope of action.

This short paper seeks to examine the government of Dom Egas, bishop of Viseu in the interior of Portugal from 1288 to 1313, one of many bishops who are identifiable during the long reign of King Dennis [6], within the context of the assertion of both royal and ecclesiastical power and the definition of their respective limits.

At first glance, neither is Dom Egas a figure whose memory has been preserved by particularly eloquent or original writing, nor does there exist much

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[4] *ORDENAÇÕES Afonsinas*. Introductory note by Mário Júlio de Almeida Costa. 5 books. Lisboa: FCG, 1972.

[5] Conflict between Portuguese monarchs and the episcopate, or at least some bishops, was a feature of the reigns of all the first kings of the first dynasty up until that of King Dennis. For an overview of the chronological evolution of these conflicts, repeatedly mentioned in different works and studies, see the now classic article by ANTUNES José; OLIVEIRA, António Resende de; MONTEIRO João Gouveia – Conflitos Políticos no reino de Portugal entre a Reconquista e a Expansão: estado da questão. *Revista de História das Ideias*. Coimbra. 6: 1 (1984) 25-160.

[6] On the episcopate in the reign of King Dennis, see studies by HOMEM, Armando Luís de Carvalho – Perspectivas sobre a prelazia do Reino em tempos dionisinos. *Revista da Faculdade de Letras da Universidade do Porto. História*. 2ª série. 15: 2 (1998) 1469-1477; and VILAR, Hermínia – O episcopado do tempo de D. Dinis: trajectos pessoais e carreiras eclesiásticas (1279-1325). *Arquipélago, História*. 5 (2001) 581-694. An overview of the reign can be found in PIZARRO, José Augusto – *D. Dinis*. Lisboa: Círculo de Leitores, 2005. In what concerns D. Egas we hope that the work that has been prepared by Anísio Saraiva on the diocese of Viseu will give us more information and some answers to the questions put in this paper.

information concerning his life or career[7]. However, his activities are recorded in numerous letters written during the period of his administration of the diocese, and there are records of a significant number of purchases of goods, in addition to a detailed list of properties he owned[8] and, most importantly, a text on ecclesiastical liberties and relations between the episcopate and civil power[9]. It is this short text, known as the *Summa de Libertate Ecclesiastica*, rather than information scattered in a wide variety of documents, that provides the *raison d'être* for this study. Probably written in the early 14th century, it is not only valuable on account of its content, covering the defence of ecclesiastical liberties and privileges, but also because it throws light on the relationship between King Dennis and his bishops, which was not always easy, despite the many the concordats signed.

Meanwhile, Dom Egas's writing cannot easily be understood without reference to the context of European Christendom at the beginning of the 14th century, in which paramount issues included the reassertion of spiritual power by Boniface VIII and the tacit acceptance of consensual solutions with monarchs by Clement V from 1305 onwards[10]. In a sense, as we shall see, the text deals with the great issues of the era which pitted kings against popes, although it relates these to local conflicts between the bishopric and the Portuguese king, of which Egas would have had detailed experience.

1. THE UNKNOWN BACKGROUND OF A BISHOP

As bishop of Viseu during the period spanning the end of the 13th century and the beginning of the 14th century (1288[11] to 1313), Dom Egas was

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[7] In fact, there are no dates available for Dom Egas of Viseu which can be compared with those which Peter Linehan provides, in a somewhat singular analysis, for "his" archbishop, Gudiel. cf. HERNÁNDEZ, Francisco J.; LINEHAN, Peter – *The Mozarabic Cardinal: the life and times of Gonzalo Pérez Gudiel*, Florence: Sismel; Edizioni del Galluzzo, 2004. Although a contemporary of Gudiel, Dom Egas was much less prudent in the preservation of his memory than the illustrious archbishop of Toledo.

[8] The documentation regarding this bishop is held in the national archives (Arquivo Nacional da Torre do Tombo) and the Viseu county archives (Arquivo Distrital de Viseu).

[9] This text, to which we shall return later, was published by GARCÍA Y GARCÍA, Antonio – *Estudios sobre la Canonística Portuguesa Medieval.* Madrid: Fundación Universitaria Española, 1976, p. 257-281, and later used by the same author in his article "Fastos e nefastos de la Summa de Libertate Ecclesiasitica de Don Egas de Viseu". *Revista de História das Ideias. O Estado e a Igreja. Homenagem a José Antunes.* Coimbra. 22 (2001) 71-95.

[10] On Clement V, see MENACHE, Sophie – *Clement V*. Cambridge: Cambridge University Press, 1998.

[11] There is some discussion about when exactly Dom Egas began his administration, as the earliest documents which provide evidence of his status as bishop of Viseu date only from 1289. However, the papal letter appointing him is dated 2nd October 1288, according to information provided by COSTA António Domingues de Sousa – D. Frei Telo, arcebispo-primaz e as concordatas de D. Dinis. In *IX*

responsible for a diocese in the interior of the country which was relatively extensive but did not have the political strength and influence of Braga, Lisbon or Coimbra. These were dioceses whose bishops or chapter members were frequently recruited from among those in royal circles or those who frequented them: king's clerics or members of the central administration, while in other dioceses such as Viseu, there is not always such a direct link [12].

In fact, Dom Egas' career may have begun and ended in Viseu, which apparently contradicts the renown that is attributed to him in some instances of opposition to King Dennis. Although García y García draws attention to the fact that the private life of Dom Egas constitutes a profound enigma, he states that he was a canon of the diocese of Viseu, in accordance with the text of the bull of appointmet [13], and not dean as Eubel claimed [14]. Nevertheless, it is not easy to trace the career trajectory of Dom Egas before his ascent to episcopal power. The documentation referring to his governance throws little or no light on his past, and the absence of any patronymic or family name enabling kinship or social ties to be established, complicates the task of determining his ancestors. It is possible, however, that Dom Egas was the canon Egas Viegas referred to in November 1287, about a year before the papal appointment was made, the purchaser of a large estate in the region of Pinhel [15]. However, only the similarity of what was an uncommon name and the fact that the document in question was a letter of purchase, a form of contract to which Dom Egas as bishop of Viseu often resorted, as we shall see, enable this hypothesis to be advanced. But even if this were true, the single reference allows for little more than the establishment of a prior relationship with the diocese to which he was appointed: the patronymic name does not enable any further conclusions to be drawn.

Similarly, little is known about his background in the Church. The content of the '*Summa*', written by 'Dom Egas of Viseu'[16], shows that the author had a knowledge of the law, including the latest developments in the field, which is

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CENTENÁRIO da Dedicação da Sé de Braga. Actas do Congresso Internacional. Vol. II/1. Braga: Universidade Católica Portuguesa-Cabido Metropolitano e Primacial de Braga, 1990, p. 283-316. This is supported by information provided by EUBEL, C. – *Hierarchia Catholica Medii Aevi*, p. 531 and GARCÍA Y GARCÍA – *Estudios sobre la Canonística*, p. 220.

[12] The few studies of dioceses which have been carried out do not allow for an overview of the profiles of dominant bishops in terms of specific chronologies and specific diocesan spaces. However, existing studies covering Évora and Lamego are useful, and tie in with the chronology of the reign of King Dennis. See, respectively, VILAR, Hermínia Vasconcelos – *As dimensões de um poder: a diocese de Évora na Idade Média*. Lisboa: Editorial Estampa, 1999, and SARAIVA, Anísio Miguel de Sousa– *A Sé de Lamego na primeira metade do século XIV (1296-1349)*. Leiria: Edições Magno, 2003.

[13] GARCÍA Y GARCÍA – *Estudios sobre la Canonistica*, p. 219-220. Note 2 contains the bull.

[14] EUBEL – *Hierarchia Catholica*, p. 531.

[15] Viseu county archives (Arquivo Distrital de Viseu, henceforth referred to as ADV), *Pergaminhos do Cabido da Sé de Viseu*, m. 28, col. 35.

[16] See the text published by GARCÍA Y GARCÍA – *Estudios sobre la Canonística*, p. 281.

patent in citations of the principal compilations of canon law, such as *Gratian's Decree*, pope Gregory IX's *Liber Extra* and *Liber Sextus*, promulgated by Boniface VIII, dated 1298 [17], as well as citations of several jurists; but this still tells us nothing about the kind of training he had had and where he had been trained.

Thus, we know almost nothing about Egas's career trajectory up until his appointment as bishop of Viseu. As with other prelates who were his contemporaries and, in particular, his predecessors, local origins and a career pursued in the cathedral chapter of the diocese may have been factors influencing his ascent. In fact, the circumstance that his appointment had in principle depended on the chapter could explain why he was chosen in view of the fact that electoral councils, when their members were the canons of the cathedral, often tended to select a fellow chapter member, especially the dean who led the chapter community [18]. Thus, Dom Egas could have owed his appointment chiefly to his peers rather than to his training or a career in circles close to the king or the curia; but this is largely guesswork and cannot be confirmed by the sources available.

Let us turn now to examine the first stage of his governance. We shall clear up some of the questions which hang over the figure of Dom Egas and his management of the diocese, before looking at the content of the *Summa* and the features of the text responsable for the preservation of the memory of his existence.

2. BETWEEN AGREEMENT AND OPPOSITION (1288-1309)

When in October 1288 Pope Nicolas IV appointed Dom Egas as bishop of the diocese of Viseu, a large number of Portuguese prelates headed by the archbishop of Braga, Dom Telo, were in the course of preparing the final version of a concordat of 40 articles that would be signed a few months later, at the beginning of 1289, by the Portuguese bishops and the king's attorneys, who were also ecclesiastics [19]. The agreement sought to put an end to the long-running conflict which had begun during the previous reign and to bring to the prolonged negotiations begun shortly after King Dennis's ascent to the throne, move at the instigation of the bishops than as the result of royal initiative [20]. The

[17] *Ibidem*, p. 246-247. BRUNDAGE, James A. – *Medieval Canon Law*. London: Longman, 1995, p. 55.

[18] This seems to be a common trend not only in Portugal, in particular in accounts covering the 13th century and the first half of the 14th century and also in other parts of Europe.

[19] COSTA – D. Frei Telo, p. 300-301.

[20] On the drawn-out negotiations involving King Dennis, the Portuguese bishops and the Papacy, see the above-mentioned biography of King Dennis by José Augusto Pizarro, as well as three studies by COSTA – D. Frei Telo; IDEM – O Concílio Provincial de Compostela realizado em 1292, com a participação de bispos portugueses e a data do efectuado no tempo do arcebispo D. João Arias. *Itinerarium*. 33: 129 (1987) 393-469; and IDEM – As Concordatas Portuguesas. *Itinerarium*. 12: 51 (1966) 24-46.

diocese of Viseu and its bishop do not seem to have played a central role in this process as a whole. Egas's predecessor, Dom Mateus, did not form part of the small group of episcopal negotiators who in Portugal and Rome defended the interests of the Church in opposition to Martinho Pires and João Martins de Soalhães, the king's clerics and attorneys. In fact, the group of negotiators included Dom Telo, archbishop of Braga and, more importantly, the bishops of Coimbra, Lamego and Silves [21], who would almost certainly have been in the Curia or about to leave for Rome at the time of Nicolas IV's appointment of Egas as bishop of Viseu.

While acting, in principle, on behalf of the episcopate, the absence of Dom Mateus from this group should be interpreted neither as symptomatic of dissonance or distance from the other bishops, nor as proof of his alignment with the king. Perhaps it should be seen as the consequence of advanced age or illness, since he would die either during the course of 1287 or at the beginning of 1288 [22]. Nevertheless, it is also true that the episcopate's positions during the period covered by this study cannot and should not be interpreted as the result of the struggle of a cohesive faction in opposition to the "centralising" policies of the monarch.

As has already been mentioned, Dom Egas was chosen by the members of his own chapter, his name having been put forward following the death of Dom Mateus and confirmed by the Pope in a bull appointing him to the post of bishop of Viseu in late 1288. However, his government as bishop can be traced only from 1289, which has led several authors to date the start of his governance in this year [23].

Whatever the case, the first part of his administration was marked by the signing of the first great agreement between the king and the bishops in February 1289. The underlying issue at the time, as has already been pointed out above, was the definition of the terms of the relationship between the two power-bases, and the agreement sought to clarify this by citing examples of royal interference and abuses and reiterating the privileges and ecclesiastical liberties challenged by monarchs. The text, comprising 40 articles, and supplemented by an additional 11 articles added later, constitutes the first stage in the *rapprochement* between bishops and kings. However, it neither represents a new basis for easy relations between the two parties nor even a victory for the bishops with regard to the claims made. In fact, the articles of the agreement do no more than reiterate the

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[21] COSTA – D. Frei Telo.

[22] EUBEL – *Hierarchia Catholica*, p. 531.

[23] See, for example, ALMEIDA, Fortunato de – *História da Igreja em Portugal*. new edition, edited by Damião Peres. Vol. 1. Porto: Portucalense Editora, 1967, p. 277-278, in which the author states that there are references to the prelate from 1289 onwards.

terms of previous arrangements and bring a degree of harmony to situations in which relations were tense or where there was friction between the episcopate and the monarch. Events of subsequent years would show that the mere signing of such an agreement did not guarantee that it would be fulfilled or even that the stability aimed at would be achieved.

In fact, Dom Egas himself played the leading role in achieving a second agreement with the king, signed early in 1292. This oft-mentioned agreement has not, however, been examined in the light of the context in which it was produced. The novelty of the agreement of 1292 does not lie so much in the content of the articles that comprise it, since the issues dealt with add little or nothing new as compared with the previous concords of 1289. Rather it lies above all in the identification of those responsible for producing it and in the chronological proximity between the two concordats.

This time we are not confronted by an agreement signed by the representatives of the king and the bishops after a long process of negotiation, sponsored by the Pope. On the contrary, the text which survives in the chancellery of King Dennis and forms part of the *Ordenações Afonsinas* seems to be the result of negotiations between the king and four of his bishops who, on some previous occasion, must have lodged specific complaints with him concerning abuses. However, rather than local questions or specific cases for which the prelates sought a solution, the content of the articles are concerned with general points of discord regarding: the judicial immunity of clerics with respect to the law and before civil judges; purchases made for or by clerics; and the right of asylum. These were issues that had, in some cases, already been tackled in the agreement of 1289. The reiteration of the subject of previous arrangements signals the fact that the provisions of the previous concordat had not been fulfilled and the practice of several years had not led to the resolution of the issues in question.

In the context of the new agreement as a whole, the most novel article concerns clergymen who had travelled abroad to study and to whom authorization was granted to have gold and silver taken out of the country; in what was a clear incentive for these ecclesiastics to continue their training abroad [24].

The retackling of controversial issues which had been the subject of agreement in 1289 indeed indicates, as mentioned above, that not all issues had been resolved over the previous three years and that, as might be expected, much of what was accorded had remained only on paper. Indeed the difference between the two concordats does not lie so much in the issues which were dealt with (in the new agreement these were again the scope of action and terms of coexistence between the two powers) but the fact that new figures were

[24] The whole text can be seen in the *ORDENAÇÕES Afonsinas*, book 2.

responsible for making of this latest document, and Dom Egas had a key role to play in this connection.

The new negotiators who signed the agreement of 1292 with King Dennis were bishops Dom Vicente Mendes of Porto, Dom João Fernandes of Lamego, Friar Dom João Martins of Guarda and Dom Egas of Viseu. The first two had already headed the group that went to Rome in 1289 [25], but while on that date the archbishop of Braga, Dom Telo, was accompanied by Dom Aimerico of Coimbra and Dom Bartolomeu of Silves, in 1292 these two last names were replaced by the bishops of Viseu and Guarda.

Of course, some of the changes occurring from 1289 to 1292 are due to the replacement of prelates responsible for dioceses in the kingdom. For example, the death of Dom Telo and the disputed election of his successor, which dragged out until 1292 culminating in the election of one of the royal attorneys, explains the absence of the archbishop of Braga [26]. Likewise, in the diocese of Silves, Dom Bartolomeu probably died around 1292; meanwhile, although Dom Aimeric was still bishop of Coimbra his name does not figure among those responsible for negotiating the 1292 agreement. These two bishops' names disappear and there are two new signatories, one of them, Dom João, having already served as bishop of Guarda from the beginning of the 1280s, and the other, Dom Egas, having been appointed bishop about three years previously.

What circumstances or conditions determined how this new group was made up, or rather, what reasons provided the basis for the choice of Dom João and Dom Egas? At first glance, the geographical scope of recruitment of the bishops who comprised the group is relevant. All its members, without exception, headed dioceses located in the north of the country, in which the degree of royal influence as regards the appointment of bishops tended to be smaller or, at least, less pressing than in dioceses such as Lisbon. In fact, the appointment of Dom João Martins and Dom Egas, on the death of their predecessors [27], seems to have basically been due more either to papal

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[25] COSTA – D. Frei Telo.

[26] A brief account of the process by which the Dom Telo's successor was designated can be found in CUNHA, D. Rodrigo da – *História Eclesiástica dos Arcebispos de Braga.* Facsimile reproduction, with an introduction by José Marques. Vol. 2. Braga, 1989, p. 168-169, while José Augusto FERREIRA, covers the account and provides more information in his work, *Fastos Episcopais da Igreja primacial de Braga (século III-século XX)*. Vol. 2. Braga: Ed. Mitra Bracarense, 1931, p. 91-96. Maria Justiniana Maciel LIMA also examines the account, comparing it with other archive sources in *O Cabido de Braga no tempo de D. Dinis (1278-1325)*, Cascais: Patrimonia, 2003, p. 89-93.

[27] COSTA – D. Frei Telo, p. 284; Dom João Martins was transferred to Guarda in late 1277, although he only took up office in about 1279. His predecessor died at the curia so responsibility for appointing the new bishop passed to the pope; see ALMEIDA – *História da Igreja em Portugal*, vol. 1, p. 272-273. On the other hand, the bull appointing Dom Egas states that his name had been put forward by the chapter and confirmed by the pope; cf. GARCÍA Y GARCÍA – *Estudios sobre la Canonística*, p. 220-221.

interference or nomination by the chapter than royal influence, although though this does not mean that they can be conveniently labelled as members of a hypothetical pro-papal faction.

However, a group of this nature is nevertheless symptomatic. It is obvious that the continued involvement of the bishops of Porto and Lamego in negotiating the new agreement demonstrates that not all the points of that had been agreed in 1289 had been fulfilled and therefore there was a need to reiterate some points. At the same time, the continued presence of bishops with experience in the practice of negotiation, a knowledge of the corridors of papal power (as part of the process begun in 1282, many rough edges were smoothed out in Rome) and the necessary training for laying claim to ecclesiastical rights and privileges, can indeed reasonably be expected. Reasons that could have dictated the continued presence of Dom Vicente and Dom João and may also have been the base of the choice of Dom João Martins and Dom Egas. In fact, the Castilian, Dom João Martins, formerly bishop of Cadiz and a Franciscan [28], was an experienced ecclesiastic and knowledgeable in the art of negotiation involving the Church and royal power. He had been a witness and player in the conflicts between Alfonso X and Prince Philip and Dom Nuno González de Lara, the protagonists of a noble revolt that revealed the rifts within the dominant elites in Castile in the last quarter of the 13th century [29]. Meanwhile, little is known about the previous experience of Dom Egas, but perhaps his training and knowledge qualified him for such an important role.

However, returning to the question regarding the area of recruitment of these prelates, events which occurred between 1289 and 1292 led to the removal of some of the leading figures involved in forging the agreement of 1289 but also the emergence of situations in which there was a prolonged impasse. This was the case of Braga and Silves, as is mentioned above. Meanwhile, the bishops of both Lisbon and Évora, Dom Pedro Martins and Dom Domingos Eanes Jardo, were closely aligned with the royal court, in terms of connections and career trajectories, and had no intention of jeopardising this advantage [30].

Thus, in the circumstances, the four bishops whose names appear at the top of the agreement of 1292 could be regarded (through the exercise of their power

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[28] Cf. COSTA – D. Frei Telo, p. 284.

[29] NIETO SORIA, José Manuel – *Iglesia y poder real en Castilla: el episcopado 1250-1350*. Madrid: Universidad Complutense, 1988, p. 77-79, and JIMÉNEZ, Manuel González – *Alfonso X el Sabio*. Madrid: Ariel, 2004, p. 239-272.

[30] Few studies have been carried out on the career trajectories of these bishops. For Dom Pedro Martins, bishop of Évora and future prelate of Coimbra, see VILAR – *As dimensões de um poder*, p. 66-68; for the bishop of Lisbon, Dom Domingos Eanes Jardo, the best reference work continues to be CUNHA, Rodrigo da – *Historia Ecclesiastica da Igreja de Lisboa: vida e acçoens de seus prelados e varoens eminentes em santidade, que nella florecerão*. Lisboa: Manoel da Sylva, 1642. Some information can also be found in VILAR – *As dimensões de um poder*, p. 61-66.

and the type of dioceses they controlled – Viseu, Lamego and Guarda were dioceses in the interior of the country with limited incomes; Porto was a diocese that often faced the problem that the city was a seat of privilege for the bishop) as being more directly affected by the impact of royal policies and abuses by the king's officials than the others, and were also therefore those with, at the time, a greater necessity for laying claims at the king's door and bringing to his notice the problems that affected them.

In fact, in the early 1290s, King Dennis had already introduced some basic measures reflecting his policies towards the Church and the episcopate with the promulgation of laws of *desamortização,* although their degree of effectiveness is doubtful, and the launching of numerous inquiries of both a general and a particular nature, to which the king's documentation often refers [31].

Likewise, King Dennis, by ordering inquiries and confirmations of the property held by ecclesiastics, limited their acquisitive capability or tried to influence their elections, while he also sought to circumvent hypothetical bones of contention and conflict. Only in the light of these measures can the letters sent by the king a few days before the signature of the agreement of 1292 be understood.

On 20th August of that year, just three days before the signature of the agreement, King Dennis addressed three letters to the bishops of Lamego, Viseu and Guarda [32] in which he granted goods and rights, many of them subject to recent inquiries and, very probably, appropriated by the king's officials. The letters sent to the prelates of Lamego and of Viseu specified in detail goods that had been officially inquired and expressed the need for their return to their previous owner. Moreover [33], all three letters confirmed or granted new privileges to the bishops or their men and, in case of the missive addressed to Guarda, King Dennis agreed to give up Alter do Chão in exchange for the goods and estates of São Pedro de Vila Corça, an arrangement that the bishop and the chapter approved of and indeed had requested from the king.

The timing of these letters is strange, and their content is also curious, above all, the justification set out in the introduction. They all begin in similar style,

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[31] On the policy implemented by this monarch, besides the above-mentioned study by José Augusto Pizarro, cf. the chapter by HOMEM, Armando Luís de Carvalho – A Dinâmica dionisina. In *NOVA HISTÓRIA de Portugal*. Dir. de Joel Serrão e A. H. de Oliveira Marques. Vol. 3: *PORTUGAL em definição de fronteiras: do condado portucalense à crise do século XIV*. Coord. de Maria Helena da Cruz Coelho; Armando Luís de Carvalho Homem. Lisboa: Editorial Presença, 1996, p. 144-164.

[32] Instituto dos Arquivos Nacionais/Torre do Tombo (IAN/TT), *Chancelaria de D. Dinis*, livro 2, fol. 39v-41v.

[33] The letter addressed to the bishop of Lamego stipulated the forfeiture of the church of São Martinho de Baldigem and the return of goods under inquire. At the same time, it authorised the prelate to appoint judges in places whose jurisdiction was returned to his possession. IAN/TT, *Chancelaria de D. Dinis*, livro 2, fol. 39v-40.

each with an introduction in which King Dennis argues that as there have been long-standing conflicts between the king and the bishop, the latter having renounced the struggle, and noting that he had asked the king to grant him some favour which would basically provide a demonstration of the king's good faith. This is the reason for the favours granted by the monarch. The letters end with a clear exhortation to the bishops that they should give up their disputes with the king, with the exception of compositions made in Rome.

Three days later, while still in Porto, King Dennis and the prelates signed the agreement of 1292 and the king sent a copy to all the bishops in the kingdom. How should the chronological proximity of these three letters and the favours granted be interpreted? Can they be, as is usually understood, a form of bribery of the king, who in return would thus accept some of the prelates' claims?

On the one hand, in these letters we glimpse an attempt to respond positively to some of the bishops' claims. These, in contrast with the articles in the agreement, are concerned with the scope of local management and jurisdiction, signifying that any immediate benefits were, most importantly, to be enjoyed by the bishops at the local level. On the other hand, the text of the agreement points to questions of a broader nature, as has already been referred to, concerned with the exercise of justice, the right of asylum and other general privileges. However, such opposition is only apparent.

Underlying the conventional text, recorded as a general agreement between the parties, there is a significant feature: specific letters addressed to individual bishops, reflecting the impact of royal measures in the local sphere. The fact that these letters were written indicates that playing a leading role in such conflicts did not always bring negative results, since they enabled bishops to negotiate local agreements which would otherwise have been difficult to obtain.

In truth, King Dennis had no interest in a tooth-and-nail struggle entailing the kind of violence which had been a feature of his father's reign, even though international circumstances and the balance of power at home were not totally unfavourable for the achieving of his aims. Nevertheless, it is possible that his attentions were centred on other matters: the promulgation of measures tending to control the power and property of the Church; the positioning, in key posts of the ecclesiastical hierarchy, of clerics who were close to him, as occurred with Martinho Pires and João Martins de Soalhães; and the bringing into his sphere of influence of discontented prelates.

Thus, these letters can be seen as a means of neutralising latent opposition or an attempt at settling disputes at the local level and removing causes of contention by accepting at the local level claims presented, strategically abandoning inquiries in progress, and meanwhile making general agreements that reconfirmed the terms of generic privileges, while it was doubtful the terms of such accords would be fulfilled.

In this way, King Dennis can be said to have divided and ruled. This was not the time to tackle the body of discontented bishops as a whole in Rome. In fact, it would have been difficult for them all to leave for the Vatican in the late 1290s, as had happened about thirty years earlier, to be near a pope who was increasingly concerned with French affairs and the conflict with Philip the Fair [34]. In the Europe of kingdoms, the path to achieving a bishopric was, at this time, that of negotiation or even alliance with one's king.

Thus, the role played by Dom Egas in the agreement of 1292 resulted in his obtaining the church of São Pedro do Sul, plus rights over the churches of São Martinho and São Pedro de Castelo Mendo, as well as estates and goods that had been subject to inquiry, besides a significant number of privileges for himself and his men, and also for the chapter of Viseu [35].

Throughout the following years, the name of Dom Egas appears on many royal documents as a witness or subscriber, while documentation originating in Viseu conjures up the image of a bishop who was present and keenly active in the management of the diocese. It is during his administration that ten half-canons are created using the income of five prebends that Boniface VIII authorised to be divided into ten parts and granted to the new beneficiaries, as and when they vacated office [36]. This measure was justified by the need to supervise the conduct of the liturgy and ministering to the needs of parishioners, in view of the small number of canons, which Dom Egas had himself confirmed in 1296, reiterating the contents of a previous letter from bishop Dom João on the reduction of the number of chapter members [37].

Nevertheless, one of the most curious aspects of his actions has to do with the large number of purchases made in his name, either by himself or his agents, of a variety of goods, mostly of a rustic nature, in a number of different places, some of these purchases costing as much as two hundred pounds. They cover a period of around twenty years, from the early 1290s to the end of the first decade of the 14th century.

On the one hand, the number and the volume of acquisitions indicates that this is someone with a great deal of purchasing power and the kind of disposable financial resources which enable him to incur expenses amounting to several

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[34] On these conflicts see, among other works, LOT Ferdinand; FAWTIER Robert – *Histoire des Institutions Françaises au Moyen Âge*, p. 324-338, and BAGLIANI – *Bonifacio VIII*, p. 279-312.

[35] IAN/TT, *Chancelaria de D. Dinis*, livro 2, fol. 40-40v.

[36] Arquivo Distrital de Viseu (ADV), *Pergaminhos do Cabido da Sé de Viseu*, m. 30, nº 89. This action, which had papal authorisation, took place in 1299.

[37] ADV, *Pergaminhos do Cabido da Sé de Viseu*, m. 28, nº 19. In this letter, Dom Egas confirmed the reduction in the number of prebends to 30, in accordance with the provisions made during the reign of King John.

[38] *ORDENAÇÕES Afonsinas*, book 2, Title XIII, p. 174-176.

hundred pounds, and this is all the more significant when purchases do not always appear in the name of the Church or the chapter. On the other hand, this practice seems to go against King Dennis's provisions contained in the law of 1286 [38] prohibiting the purchase of basic items by clergyman and religious orders, which Dom Egas thus disregarded. One might put this keenly acquisitive behaviour down to laxity of law enforcement or the possible existence of a letter of exemption. However, Egas contented himself with following the provisions of Article 2 of the eleven articles signed in 1289 prohibiting the purchase of goods, extending to monasteries and religious orders but not clergyman, the bishops arguing at the time that this was the correct reading of the law introduced by Afonso II and not one that included all ecclesiastics [39].

Whatever the case, the set of documents in question demonstrates how much economic power the bishop enjoyed and how he carried out a strategy involving the acquisition of goods in and around Viseu. These are clear signs of the times, and a society in which the use of money was growing. Another sign of the times is, very probably, the reason why two specific documents were drawn up in Viseu in October 1295 by laymen and Dom Egas concerning, once again, a purchase made, on 9th October [40].

On this date, Viseu merchants Martim Peres, Sancha Esteves and Estevão Peres bought from some neighbours from Celorico and a clergyman from Guarda the right attached to an estate situated in Cavernães, in the region of Viseu, for 400 pounds. The estate is cited as having belonged to the master school of Guarda, and Martim Peres and Estêvão Peres bought it, apparently, for their own use. At first glance, there is nothing out of the ordinary attached to this purchase, as it was no more than a transaction between laymen. However, four days later, on 13th October, in other document, the same purchasers admitted to having bought the estate for Dom Egas with his own money, and handed over the possession of the land to him.

But the interest of the bishop in Cavernães will not stop there. A few months later, in May 1296, Durão Migueis, a citizen of Guarda, sold the bishop the right that he held in Cavernães which had belonged to the master school of Guarda [41], and in July of this year the same people, Martim Pires and Sancha Esteves, bought another estate situated in Cavernães which had once belonged to the master school of Guarda [42].

Among this series of facts and occurrences, there are several unresolved questions. Above all, how may we explain the well-known interest of Dom Egas

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[39] *ORDENAÇÕES Afonsinas*, book 2, Title II, p. 34.
[40] ADV, *Pergaminhos do Cabido da Sé de Viseu*, m. 25, nº. 85 and 91.
[41] ADV, *Pergaminhos do Cabido da Sé de Viseu*, m. 22, nº. 46.
[42] ADV, *Pergaminhos do Cabido da Sé de Viseu*, m. 28, col. 75.

in the area in question and, in particular, in the assets owned by the master school of Guarda in Cavernães? Only a more detailed analysis of the bishop's goods and management record would permit a conclusive answer. A second and no less important set of questions is related to the nature of the first operation mentioned above, that is the purchase of an estate, by an intermediate, using the bishop's money and apparently destined, from the beginning, for him. The account contained in the two documents provides a description of what in fact took place, but it is also possible that this apparent purchase conceals a loan which the buyers have not managed to pay back and a practice of loaning money on the part of Dom Egas.

Indeed, this is not the only document that provides evidence of the existence of this practice. In a will drawn up by the knight Estêvão Mendes in 1309, "proposing to go to the borderlands on God's and the king's service" [43], he pledged himself to handing over to the bishop his estate situated in the region of Tavares after his death. In return, Dom Egas gave him 200 pounds "for help towards his military expedition in the borderlands", thus providing evidence of the comfortable means enjoyed by the bishop and the existence of a practice that was not restricted to the acquisition of landholdings.

All these facts point to an aspect which has hitherto received little attention from Portuguese historians: the policy of the management of goods and income implemented by institutions whose capacity for accumulating large sums of money afforded them considerable financial means, which was uncommon but necessary among certain social strata, specially urban groups, to which the diocesan members were linked in different ways. Thus, the collection and analysis of all these references also provides evidence of the relationship, already glimpsed in other studies, between chapter and episcopal groups and sectors of the urban oligarchies [44]. A relationship that was not confined only to the sharing of common kinship ties or social origins but extended to economic links, which have as yet been little studied by historians.

All that has been said here points to the image of a bishop who, by resolving the conflict that pitted him against the king in about 1292, maintains his position, mainly, as the head of his diocese. Thus, he is definitely not one of the

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[43] IAN/TT, *Colecção Costa Basto*, livro 30 – *Tombo de casaes e propriedades deixadas a See de Viseu*, fol. 17v.

[44] The bibliography on the social composition of chapters is now relatively extensive and some works now constitute true classic studies which pave the way for those involved in research and other work. Thus, we have opted only to indicate a few studies which mark important stages in the analysis of the world of chapters and in particular regarding their relations with urban elites. cf. MILLET, Hélène – *Les Chanoines du chapitre cathédral de Laon, 1272-1412*. Rome: École Française de Rome, 1982; EDWARDS, Katherine – *The English secular cathedral in the Middle Ages*. 2nd ed. Manchester, 1967; LEPINE, David – *A brotherhood of canons serving God: the English Secular Cathedral in the later Middle Ages*. London: Boydell Press, 1995.

'curial' bishops who held administrative office close to the king, were members of groups close to the monarch and shared with him the exercise of power by counselling him and receiving his support. Thus, in contrast with other prelates who were his contemporaries, Dom Egas seems to have remained relatively distant from the circles of central power, which might be expected if we seek to understand the conditions and the motivations for the production of the *Summa* on the Ecclesiastical Liberties.

3. THE END OF THE BISHOP'S CAREER IN VISEU (1309-1313)

In 1309, after a gap of more than fifteen years, we have evidence of a new agreement made by King Dennis and the bishop of Lisbon, Dom João Martins de Soalhães and the Lisbon chapter. Dom João was an ecclesiastic who was by no means a strange to the king. A royal attorney in Rome at the time of the negotiations leading to the concordat of 1289, he coveted the post of archbishop of Braga after the death of Dom Telo, but this ambition did not come to fruition. His illegitimacy putting paid to such a move, and a colleague of his in Rome, Martinho Pires, was elected to the post. Meanwhile Dom João was elected to Lisbon and in 1313, after the death of Martinho Pires, he will reach Braga [45].

The agreement of 1309 [46], once again, comprises general clauses, some of them appearing to deal with familiar situations, very probably occurring in the diocese of Lisbon, which were at the root of the conflicts that the document attempted to resolve. Nevertheless, despite the fact that the analysis of the content of this new agreement is not strictly relevant to the present paper, two factors should be highlighted as being of importance in providing an understanding of the bases of the relationship between the king and the episcopate.

Firstly, this is the first agreement in which the parties opposing King Dennis are not only a bishop or bishops, who in all the previous concordats appear as representatives of their diocese; this time they are the bishop of Lisbon and his chapter, in other words the group of canons attached to the cathedral. This fact, apparently secondary, nevertheless shows the strength and capacity of intervention and influence of the chapter group, identified as the offended party. As the body responsible for the government of the diocese, taking into account the usual profile of the composition of the Lisbon chapter and its tradition of influence on the government of the diocese, this constitutes an indicator of the

[45] On João Martins de Soalhães, see CUNHA – *História Eclesiástica dos Arcebispos de Braga*, vol. 2, p. 172-177; HOMEM – Perspectivas sobre a prelazia; and VILAR – O episcopado do tempo de D. Dinis.

[46] The text of this agreement can also be found in *ORDENAÇÕES Afonsinas*, book 2, Title IV, p. 47-61.

continuation of the practice [47], which cannot always be surmised for other dioceses.

A second point of note, which is also an original feature of the 1309 agreement, concerns the witnesses referred to as having been present at its signing, who include the archbishop of Braga, Martinho de Oliveira, and the bishop of Coimbra, Estêvão Eanes Bochardo, besides a number of clerics close to the king, some of whom held central administrative office at the time or later. The express mention of their names as guarantors of the agreement made with the bishop and the chapter, and not as opposing parties, reflects the growing degree of commitment to the king by some ecclesiastics during the period. These were clerics who, in many cases, owed a debt of loyalty to him for favours received in the matter of advancement in their careers or who with the king's patronage had grown in influence and importance and whose insertion in the ecclesiastical hierarchy allowed for the launching of a new basis for the relationship between the monarchy and the Church.

Thus, the text of 1309 constitutes the visible evidence of a policy and a relationship marked by forced or inevitable conciliation as an alternative to a long period of violent conflict.

Meanwhile, Dom Egas can be seen as a character who is apparently distant from all these meanderings, in particular those of the court of King Dennis. Even though his name appears as a witness on royal documentation, his absence from the groups that surround the monarch is obvious. Strangely, however, Egas would come to know and deal closely with one of the influential clerics of the king, who became the king's chancellor. The name of Dom João do Alprão is often mentioned in royal documents, first in the course of the second half of the 1280s as the king's cleric, and later as chancellor, from 1291 to 1295 [48]. In the closing years of the 13th century he is referred to as dean of Viseu, and holding this office at this time, he must have served as dean until around 1312, when Dom Egas removed him and replaced him.

In fact, in a document dating from 1312, Dom Egas appointed a new dean by the name of João Eanes to the cathedral. This appointment was made following the removal of João do Alprão due to his lack of observance of a previous judgement dealing with offers and envisaged resolving a conflict between the treasurer and the chapter of the cathedral. By the same document, the bishop appointed a new cantor and a new treasurer, proceeding with a reorganization of

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[47] BRANCO, Maria João – Reis, bispos e cabidos: a diocese de Lisboa no primeiro século da sua restauração. *Lusitania Sacra*. 10 (1998) 55-94, and FARELO, Mário Sérgio – *O cabido de Lisboa e os seus cónegos (1277-1377)*. Lisboa, 2003. Dissertation, MA in Medieval History: Faculdade de Letras da Universidade de Lisboa.

[48] There are numerous references to João do Alprão in the chancellery of King Dennis. The dates for his tenure of the office of chancellor can be found in PIZARRO – *D. Dinis*, p. 282.

the group responsible for the chapter, in accordance with the text at the request of the chapter group, made up of twelve canons who were present, in an action that can, however, be seen as a sign of forceful intervention within the body of the chapter, with the replacement of all the leading members [49].

Rather than the reconstitution of the specific outlines of this conflict [50], what is of interest is the fact that this opposition was embodied in the person of an influential cleric at the court of King Dennis, an ecclesiastic whose presence in Viseu would have been much less effective than that of the bishop himself and whose disregard for the local decisions of which he was accused by Dom Egas in 1312 could reflect a degree of friction between a cleric who was the king's chancellor and a bishop who afforded greater importance to the government of his diocese, either as a matter of choice or out of necessity.

Meanwhile, Dom Egas gained renown as the author of the text entitled *Summa de Libertate Ecclesiastica*, a short treatise on the concept and amplitude of the ecclesiastical liberties or rights and the relations between prelates and monarchs. Curiously, it would have been in the last years of his life and government, if we are to believe the dates provided by García y García, that Dom Egas produced this text. He may have written it in Viseu, or elsewhere in the diocese, in which he seems to have preferred to remain, probably in 1311 [51].

However, there is no direct reference in the text indicating where he wrote the texts he produced. It is possible that Dom Egas had in his diocese copies of the legal works mentioned in the text: Gratian's Decree, the decretals of pope Gregory IX, and the *Liber Sextus* of Boniface VIII, along with studies by some

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[49] ADV, *Documents from the national archives (Torre do Tombo*), m. 2, nº. 37. In view of the lack of studies on Viseu it is difficult to identify those appointed by Dom Egas. Whatever the case, the juggling of office-holders is somewhat strange as he appoints the previous choirmaster, João Eanes, to the deanship, and the former treasurer, Lourenço Esteves, as the new choirmaster, as well as appointing Master Gonçalo, a mere canon, as treasurer. At the same time, witnesses mentioned in the document include, besides those appointed, archdeacon Pero Vicente, usually identified in the Viseu Anniversary Book as canon of Viseu, and his name appears along with that of Dom Egas in the commemorations ordered for the soul and a group of 11 canons, among whom are some who are particularly close to the bishop. IAN/TT, *Livros da Colecção Costa Basto*, Book 29. On Lourenço Esteves de Formoselha, appointed choirmaster in this letter, see the study by MORUJÃO, Maria do Rosário; SARAIVA, Anísio Miguel de Sousa – O Chantre de Viseu e cónego de Coimbra Lourenço Esteves de Formoselha (...1279-1318): uma abordagem prosopográfica. *Lusitania Sacra.* 13-14 (2001-2002) 75-137.

[50] Control by the bishop of chapter life would have been common. In fact, a few years previously, in 1300, Dom Egas had entered into a dispute with one of the canons, Estêvão Martins, from whom he had removed all the prebends and privileges he held in the chapter after accusing him of having caused various profanities and interfering in the life of the chapter. This decision was only reversed after the contrition of the canon and a promise given by him not to cause any more problems. ADV, *Documents from the national archives – Torre do Tombo,* m. 1, nº. 28 and 29.

[51] See GARCÍA Y GARCÍA – *Estudios sobre la Canonística*, p. 241-243, in which the author lists the reasons which lead him to adopt the dating of 1311.

jurists [52]. Some of these works, in particular the first two, are referred to in an inventory carried out in 1331 at the cathedral of Viseu by bishop Dom Miguel Vivas, who had recently been appointed [53], and it is possible that others existed in private collections of which we have no evidence. But more important than the location of the place where he wrote, what we lack is an explanation of the reasons why he wrote this treatise.

Normally, in view of its content, the text has frequently been regarded as a reaction, which was not entirely conciliatory in tone, to the policy of King Dennis towards the Portuguese episcopate and the rifts that divided the bishops throughout these years. Exactly as noted by Antonio García y García, his importance derives neither from the erudition that is patent in his writings nor the quantity of authors mentioned, which is actually a relatively limited number, but rather in the way he made his assertions with reference to the local context, since, without mentioning Portugal, the predominant concern of the author seems to have been that of explaining the ins and outs of the relationship between the episcopate and the civil authorities, whose power derived from the king [54].

Thus, he does not seek to discuss the opinions of jurists or comment on different passages of law. His objective seems to be much less ambitious and the reach of his action much shorter. In fact, as referred to above, the text seems to restate and underline the importance of the ecclesiastical liberties and immunities, pointing to actions and attitudes that could be taken as breaches of and attacks on these liberties, often citing specific cases which might easily be based on his own practical experience.

Therefore it is not surprising to find an apparent analogy between the breaches referred to in the text of the *Summa* and the articles of the agreements signed in 1289 and 1292 and even the complaints included on the list of 1267-68 addressed to the pope by the discontented bishops during the reign of Afonso III [55].

In this connection, Dom Egas's reasons for writing such a text could lie not only in the continuous disregard shown by King Dennis for the concordats signed, to which reference has been made and which is patent in the latest agreement made with the bishop of Lisbon in 1309, but also, as García y García claims, in the need to react to the council which met in Compostela in 1292, at which the rift between the Iberian bishops had been visible [56].

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[52] *Ibidem*, p. 246.

[53] SANTOS, Ana Paula Figueira; SARAIVA, Anísio Miguel de Sousa – O Património da Sé de Viseu segundo um inventário de 1331. *Revista Portuguesa de História*. Coimbra. 32 (1997-1998) 137.

[54] GARCÍA Y GARCÍA – *Estudios sobre la Canonística*, p. 244-245.

[55] MARQUES, Maria Alegria Fernandes – *O Papado e Portugal no tempo de D. Afonso III (1245-1279)*. Coimbra, 1990, p. 499-521. Dissertation, PhD – History of the Middle Ages: Faculdade de Letras da Universidade de Coimbra; which contains this list of complaints dated, by the author, 1268.

[56] COSTA – O concílio provincial de Compostela.

However, his reasons may not have been this limited. It is natural to see a relationship between the context of King Dennis's reign and this text, but it would be as well to take into consideration a detailed examination of these years of Dennis's reign in order that the context in which this text was produced may be properly understood, and also an investigation into whether the date of 1311 is the best estimate in the light of the range of policies implemented.

The agreement with the bishop of Lisbon signed in 1309 must, on the one hand, be assumed to act as a backdrop to the production of this text, or rather the reassertion of aspects already set out in previous concordats indicated that not all the articles of previous agreements had been accepted and fulfilled by the end of the first decade of the 14th century. Meanwhile, these years marked a growing enthusiasm for legislation on the part of royal power which was a feature of the years from 1309 to 1315 [57]; all this new legislation had an influence on relations with the Church, as did the impact of the general inquiries of 1307-1311.

Along with this backdrop was ranged the whole difficult and shared dispute concerning the knights Templars, its extinction and the appropriation of its goods, a process in which King Dennis brought his influence to bear by attempting to safeguard for the Crown goods resulting from the future extinction of the order. In fact, a year previously, in Salamanca, the bishops of Guarda and Lisbon had drawn attention to the fact that the immunity provisions, privileges and goods of the Church were jeopardised by this process as a whole [58].

All these things would have had an effect on Dom Egas and his production of the *Summa*, which could have acted as a means of asserting, once and for all, in writing, the opinion of a prelate of a diocese in the interior of the country, far removed from the corridors of power of King Dennis's government, and also a member of a episcopate "forced" to deal with his king and feeling the pinch of royal pressure.

Nevertheless, the text produced constitutes neither a libel against the king nor a set of accusations clearly levelled at a monarch. Rather, his objective seems to be to enumerate, with an almost pedagogical and demonstrative aim, the different privileges and liberties that the ecclesiastical body enjoyed, carefully enumerating and recalling the different breaches which could be committed. In order to do this, he cites some of the great canonical collections, as is mentioned above, referring to some recent works such as the *Liber Sextus* of Boniface VIII,

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[57] PIZARRO – *D. Dinis*, p. 175, and HOMEM – A Dinâmica dionisina, p. 144-163; and IDEM – Dionisius et Alfonsus, dei gratia e communis utilitatis gratia legiferi. *Revista da Faculdade de Letras da Universidade do Porto. Letras.* 2ª série. 11 (1994).

[58] PIZARRO – *D. Dinis*, p. 177 and BARROS, Henrique da Gama – *História da Administração Pública em Portugal*. 2nd ed. Ed. by Torquato de Sousa Soares. Book 2. Lisboa: Livraria Sá da Costa, 1945, p. 131- 133.

but strangely not the bull *Clericis Laicos* issued by the same pontiff and kept in the archives of the Cathedral of Viseu [59].

Indeed, this was the bull which caused such pandemonium at the end of the 13th century by reasserting the prohibition of the taxation by the lay administration of the goods and persons of the Church; it marked a turning--point in relations between the Papacy and some sections of the European royalty.

Nevertheless, even though not directly cited, the principles extolled in the bull as well as in the action carried out by the Papacy during the years immediately before and after the turn of the 13th century were neither far nor absent from the principles which guided Dom Egas in the writing of his text. Even though orientated around relations between the episcopate and the lay powers, the concerns present in the *Summa* are the same as those present in arguments over the freedom of the Church at the highest level. So the originality of the text could lie after all in its relatively simple, succinct and didactic form of exposition, in which some essential points are repeated and others are avoided, as if Dom Egas's target audience were not the group of distinguished jurists and canonists who were his contemporaries but rather a less demanding and less well-prepared audience and his objective were not the discussion of these limits but the reassertion of their existence.

Of course it is difficult to assess the value of a work produced by someone about whose training we know almost nothing. Nevertheless, the impact of this work seems to have been restricted in scope and quite limited in impact. Strangely, surviving examples of the text are today held in five Spanish archives, while none is exists in Portugal [60], which points to the dissemination of the work in the nearby kingdom of Castile and a curious lack of dissemination in Dom Egas's native land.

The manuscript might have reached Castile by a variety of routes: through the Study of Salamanca, as proposed by García y García, and perhaps also through some ecclesiastics from Castile serving as canons in Viseu [61]. It is difficult to see how this short text would not have been disseminated in Portugal, not only within the diocese of Viseu but also in other circles. Nevertheless, it is true, as far as the author is aware, that the presence of the text in documentary collections which have been examined has yet to be confirmed.

From all this there emerges a diffuse image of Dom Egas's aims in producing this text. If, in the first place, the purpose was, undoubtedly, clearly to mark the

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[59] GARCÍA Y GARCÍA – *Estudios sobre la Canonística*, p. 245.

[60] The relevant Spanish archives are the Biblioteca Universitária de Salamanca, the Biblioteca do Cabido de Burgo de Osma, the Biblioteca do Cabido de Córdova, the Biblioteca Nacional de Madrid and the Biblioteca do Cabido de Segóvia. Cf. *Ibidem*, p. 249-250.

[61] For the period of the administration of Dom Egas there are references to some Castilian canons who came from Galicia and Zamora.

limits of ecclesiastical liberties and privileges, to draw attention to their existence, reasserting them, and also the need of royal power to fulfil its duties to the Church, in the context of the assertion of royal power both within Portugal and abroad and the loss of central authority of a Papacy increasingly dependent on the schemes and strategies of the French royalty, it seems likely that this such a move might be made, as already referred to, by a bishop in a diocese in the interior of the country and, above all, by a prelate who was at a relative distance from the complexities of the court of King Dennis and, as such, not always able to make his voice and his message heard in circles of royal power. Thus, the *Summa* can be seen as a text that could not easily interfere with or influence the course of events and the clear limitation of its scope of dissemination seems to reflect the relative lack of importance that the work had over the following decades, even though the conditions for its survival are debatable.

On the whole, the *Summa* should be seen as a reaction to the policies of King Dennis, especially the policy implemented by the king from the end of the 13th century, marked by the assertion of royal prerogatives, as well as a reaction to an international context that made members of the Church increasingly dependent on interests and local pressures which were unique to individual countries.

It cannot easily be regarded and interpreted without taking into account the profile of the bishop examined in this paper and the characteristics of the diocese that he headed. In fact, the analysis of the trajectory of Dom Egas neither enables him to be linked to power-centres nor allows for the different stages of an auspicious and rising career in the ecclesiastical hierarchy to be traced.

Dom Egas neither had favours at his disposal as the result of birth into a noble family, nor enjoyed the advantages deriving from royal service, so the position of bishop of Viseu represented for him the maximum point in a trajectory that may have bound him to his diocese of origin. Thus, neither is he one of the king's clerics, nor does he occupy any key positions in King Dennis's administration, or even assume the role of king's counsellor. He was thus denied a leading role in the course of events for most of his career, either by option or imposition. The short text that he wrote in the final years of the first decade of the 14th century can perhaps be seen as the ineffectual expression of a cleric who was incapable of surmounting obstacles and influencing the course of events during the best part of his career.