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## Archbishop Ató of Osona: false metropolitans on the Marca Hispanica

### 1. Introduction: the tenth-century papal Bulls of Vic

In the Arxiu Capítular de Vic, north-west of Barcelona in modern-day Catalonia, there proudly hang in a room by themselves five tenth-century papal privileges, on papyrus, for Vic's bishopric of Osona. All the bulls, despite their restoration in 1928 along with other surviving original papyri at the order of Pope Pius XI, are somewhat damaged. The most faded of all dates from 998, and conveys the judgement of Pope Gregory V in the disputed succession of Bishop Arnulf of Osona (998-1010)<sup>1</sup>.

Before that comes a Bull of 978 to Bishop Fruià (971-994) setting the boundaries of his see<sup>2</sup>. The first three, undated but in the name of a Pope John, are all considered to relate to a voyage to Rome in 970 by Count-Marquis Borrell II of Barcelona, Girona, Osona and Urgell (945-93) and Bishop Ató of Osona (957-71), and they record, report or arrange Ató's promotion to a new metropolitan dignity based on his see and his being given in charge of the neighbouring bishopric of Girona, where the local clergy and population had elected a neophyte to the vacant see<sup>3</sup>. Two other Bulls that survive only in later parchment copies communicate the two appointments to Ató's new suffragans<sup>4</sup>.

The four papyri are however valuable not just for the ecclesiastical politics which gave them their causes, but because they are almost the only original papal privileges preserved from the whole of the tenth century. One more survives on parchment, which has led its authenticity to be questioned; another tiny papyrus fragment is preserved in France; and a further papyrus that burned at the Bibliothèque Nationale de Paris in 1871 is known from a facsimile engraving<sup>5</sup>. The diplomatic import of these Catalan survivors is therefore huge and their continued preservation a matter of great fortune.

The Bulls also have a great import for the history of Catalonia, however, and have been recognised in such terms since the sixteenth century<sup>6</sup>. They have been made to fall into a series of episodes of ecclesiastical separatism by a supposed Catalan Church struggling to escape from the Frankish over-rule imposed by the Carolingian conquests of the eighth-to-ninth centuries, and thus to speak for the

<sup>1</sup> *Diplomatari de la Catedral de Vic, segles IX-X*, ed. E. JUNYENT I SUBIRÀ & R. ORDEIG I MATA (1980-1996), Nr. [hereafter Vic] 624 or *Papsturkunden* 896-1046, ed. H. ZIMMERMANN (*Veröffentlichungen der Historischen Kommission 3-5/Osterreichische Akademie der Wissenschaften., Denkschriften, Phil.-Hist. Klasse*, 174, 177 & 198, 1984-1989), no. [hereafter *Papsturkunden*] 357, facsimile editions, before restoration in P. KEHR, *Die ältesten Papsturkunden Spaniens, erläutert und reproduziert* (Abh. Berlin 1926, 2) [hereafter *ÄPS*] Nr. 7 and after in *Pontificum Romanorum Diplomata Papyracea quae Supersunt in Tabulariis Hispaniae Italiae Germaniae phototypice expressa iussu Pii PP. XI* (1929), Tab. [hereafter *PRD*] 10.

<sup>2</sup> Vic 445/*Papsturkunden* 245, facsimiles *ÄPS* 6 & *PRD* 9.

<sup>3</sup> Vic 405-407/*Papsturkunden* 206-208, facsimiles *ÄPS* Nr. 3-5 and *PRD* 6-8. I must here thank Frau Britta Herman at the Berlin-Brandenburgische Akademie der Wissenschaften for providing me with reproductions of these facsimiles after I discovered that Cambridge University Library's copy of *ÄPS* has had its plates clipped out.

<sup>4</sup> Vic 408 & 409/*Papsturkunden* 209-210.

<sup>5</sup> *Papsturkunden* 175, where refs to the debate over its authenticity, a facsimile *Specimina Selecta Chartarum Pontificum Romanorum*, ed. J. von PFLUGK-HARTTUNG, pars prima (1885), Taf. VIII; *Papsturkunden* 325, facsimile in L. DELISLE, *Mélanges de Paléographie et de Bibliographie* (1880), Atlas Nr. III; *Papsturkunden* 127, facsimile PFLUGK-HARTTUNG, *Specimina* Taf. VII.

<sup>6</sup> *Catalunya Carolíngia IV: els comtats d'Osona i Manresa*, ed. R. ORDEIG I MATA (Institut d'Estudis Catalans, *Memòries de la Secció històrico-arqueològica* 53, 1998), 1 S. 25-33.

early self-consciousness of a Catalan nation<sup>7</sup>. The existence of such a national consciousness this early has been doubted, especially by foreign scholars. The patriotic intellectuals of a territory whose identity and language have repeatedly been suppressed by larger government in its modern history, most especially under Franco with a lasting effect on modern scholarship in the area, have nonetheless continued to cite them in this respect, even when propounding a view of national development that is revisionist in other ways<sup>8</sup>. These Bulls merit their share of scepticism, however, and not only their own tale but the wider tale of separatism that they are used to support can be questioned in favour of a more nuanced, individualised and pragmatic history of these fascinating counties at the time of their final separation from the Carolingian Empire.

## 2. The ecclesiastical and political context of Carolingian Catalonia

The bishopric of Osona was the last in what is now 'old Catalonia', Catalunya Vella, to be created in the Carolingian era<sup>9</sup>. It was based adjacent to the old Roman and Iberian civitas of Ausona in a new settlement that rapidly became known as Vic, and still is, although it has now swallowed its antecessor. The reestablishment of its bishopric occurred shortly after 879, when the half-legendary Count Guifré the Hairy (870-98) of Urgell, Cerdanya, Barcelona and Girona reasserted control of the frontier territory around the city, which had been lost to Frankish rule in a rebellion in 826. It became his fifth county, and a bishop is attested there from 885 onwards<sup>10</sup>.

This revived see joined those of Barcelona, Girona, Urgell and Elna in the Carolingian territories of the Spanish March. There had previously been others, under the metropolitan rule of Tarragona, still Muslim-held in Guifré's time and largely ruined since its sack by the armies of Tarīq ibn Ziyād in 714. The Frankish conquest had brought rearrangement, however. These sees did not map exactly to their associated counties, but over-spilled them, because the see of Egara at what is now Terrassa

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<sup>7</sup> Presented in its classic version in work as recent as A. PLADEVALL, *La organización de la iglesia en Cataluña*, in: *Cataluña en la Época Carolingia: arte y cultura antes del románico (siglos IX y X)*, hg. von J. CAMPS (1999), S. 53-58, transl. as 'Church Organization in Carolingian Catalonia', Ebd. S. 444-448, at S. 55 of the Castilian, and M. RIU Y RIU, *La organización eclesiástica*, in: *Historia de España Menéndez Pidal*, tomo VII: *la España cristiana de los siglos VIII al XI*, volumen II. *Los Nucleos Pirenaicos (718-1035): Navarra, Aragón, Cataluña*, hg. von J. M. JOVER ZAMORA & M. RIU I RIU (1999), S. 613-648.

<sup>8</sup> Foreign sceptics z. B. P. FREEDMAN, *The Symbolic Implications of the Events of 985-988*, in: *Symposium internacional sobre els orígens de Catalunya (segles VIII-XI)*, hg. von F. UDINA I MARTORELL (1991-1992), also published as: *Memorias de le Real Academia de Buenas Letras de Barcelona 23 & 24 (1991 & 1992)*, 1, S. 117-129 at pp. 117-122; P. BONNASSIE, *Sur les origines de la Catalogne : quelques remarques et orientation de recherche*, in : Ebd., S. 437-445; or M. ZIMMERMANN, *La rôle de la frontière dans la formation de Catalogne (IX-XII<sup>ème</sup> siècle)*, in: *Las sociedades de frontera en la España medieval. Aragón en la edad media: sesiones de trabajo, II seminario de historia medieval (1993)*, S. 7-29. Local resilience z. B. J. M. FONT I RIUS, M. MUNDÓ I MARCET, M. RIU I RIU, F. UDINA I MARTORELL & J. VERNET I GINÉS, *Procés d'independència de Catalunya (ss. VIII-XI). La fita del 988 (Textos i Documentos 5, 1999)*, stating (S. 9) an aim 'de provar documentalment l'existència d'un poble diferenciât i conscient del que era ara fa mil anys'.

<sup>9</sup> For background, R. d'ABADAL I DE VINYALS, *Els primers comtes catalans (Biografies catalanes: sèrie històrica 1, 1958, Nachdr. 1980)*; J. M. SALRACH I MARÉS, *El Procés de formació nacional de Catalunya (segles VIII-IX) (Llibres de l'Abast 136 & 137, 1978)*. In English, M. ZIMMERMANN, *Western Francia: the southern principalities*, in: *The New Cambridge Medieval History volume III: c. 900-c. 1024*, hg. von T. Reuter (1999), S. 420-456 at S. 441-449, or R. COLLINS, *Early Medieval Spain: unity and diversity, 400-1000 (2<sup>e</sup> Dr., New Studies in Medieval History, 1995)*, S. 250-263.

<sup>10</sup> A. PLADEVALL I FONT, A. BENET I CLARÀ & M. PAGÉS I PARETAS, *El marc historic*, in: *Catalunya Romànica II: Osona I*, hg. von J. VIGUÉ (1982), S. 24-45, 49-63, 68-71, 76-77 & 85-104 at S. 96-98.

had been amalgamated into that of Barcelona, while the see of Empúries was suppressed and its territories divided between Urgell, Elna and Girona<sup>11</sup>. Furthermore, though Tarragona was briefly reconquered in 809 it was not held, and instead the revived or surviving sees were placed under obedience to the metropolitan of Narbonne, itself not long ex-Muslim<sup>12</sup>.

Subsequently, and unconnectedly, the family of Guifré came to achieve a solid dominance over most of this area. One line of descent retained the triple bloc of Barcelona, Girona and Osona, and after a while also Pyrenean Urgell on Osona's other border, while another consolidated the more mountainous counties of Cerdanya and Besalú and the pagi of Berguedà and Conflent. A third family, whose genealogical connection to Guifré's line has been asserted but is very uncertain, ruled over the counties nearest to Narbonne, Roussillon (now in France, and the location of the see of Elna) and Empúries, with the associated pagi of Vallespir and Fenollet<sup>13</sup>.

The effect of this division, as may be observed from Map 1, was that the Barcelona branch of Guifré's family came to rule over all the episcopal sees of this territory except Elna. Not only did this place them in a strong position over their own churchmen, the extension of the sees of Urgell and Girona over territories in the counties of Cerdanya, Besalú and Empúries meant that they had substantial scope to interfere in territories not their own.

Consequently, as we shall see, elections especially to the sees of Osona and Girona were politically charged and often contested. It is in this light that Borrell's and Ató's trip to Rome, which is recorded by the chronicler Richer of Rheims because his master Gerbert of Aurillac was thus first conveyed to the Eternal City, must be seen: Girona was vacant and disputed, Narbonne was out of Borrell's reach and Tarragona was recently (again, as we shall see) likewise<sup>14</sup>. Ató's metropolitanate can thus be seen as an attempt by one ruling house to increase its power to intervene in the territories of the others'. Nonetheless, there are problems beyond the merely political with any reading of the Bulls at face value.

### 3. The contents of the Bulls

The three papyri and the two other documents of this episode require some effort in exposition, not least because of their sheer volume. The first and largest of the papyri is addressed to the bishops of 'all the Gauls', and it reports Borrell's and Ató's embassy to the pope and records that Borrell brought to John's attention the fact that, since Tarragona was inaccessible, Borrell's lands had no

<sup>11</sup> M. RIU, L'església catalana al segle X, in: UDINA, Symposium internacional, 1, S. 161-189 at S. 164-165.

<sup>12</sup> Tarragona's recapture and abandonment in ASTRONOMER, Vita hludowici, ed. E. TREMP, MGH SS rer. Germ. in us. schol. 64 (1995), cap. 14, S. 320-323. Discussion SALRACH, Procés de formació, 1, S. 32-35 & E. MANZANO MORENO, La Frontera de al-Andalus en la época de los Omeyas (Biblioteca de historia 9, 1991), S. 79-80.

<sup>13</sup> S. the works in Anm. 9 above and on the genealogy, M. AURELL, Pouvoir et Parenté des Comtes de la Marche Hispanique (801-911), in: La Royauté et les Élités dans l'Europe Carolingienne (début IX<sup>e</sup> Siècle aux Environs de 900), hg. von R. LE JAN (1998), S. 467-480.

<sup>14</sup> RICHER, Historiae, ed. as Richer von Saint-Remi: Historiae, ed. H. HOFFMANN, MGH SS 38 (2000), III.43; on Gerbert and his Catalan training s. R. BERTRÁN I TORRENTS, La peregrinatio academica de Gerbert d'Orlhac (Silvestre II), in: Actes del Congrés Internacional Gerbert d'Orlhac i el seu Temps: Catalunya i Europa a la Fi del 1r Mil·lenni, Vic-Ripoll, 10-13 de Novembre de 1999, hg. von I. OLLICH I CASTANYER (1999), S. 13-16; P. RICHE, Gerbert d'Aurillac, Pape de l'An Mil (1987).

metropolitan see<sup>15</sup>. The pope therefore upgrades Ató's see to a metropolitan one, assigns him his suffragans (whose names, however, remain blank) and instructs his successors to come to Rome for the renewal of these privileges. The second, much smaller papyrus grants Ató the pallium and regulates its use by him<sup>16</sup>. The first of the parchment documents transmits this decision to Ató's suffragans, who are this time named correctly<sup>17</sup>. The second, which is addressed, significantly, to Sunyer Bishop of Elna and his father Count Gauzfred of Empúries and Roussillon, fulminates with lengthy exempla against the election of a neophyte at Girona, and appoints Ató provisor over the see, with the implication, but not the actual statement, that Ató is to oversee the election of a canonical candidate<sup>18</sup>. Lastly, the third papyrus, which is palæographically unlike the others and has been classed as a sort of half-Bull, half-letter, reports that same decision to a recipient whose name has been lost, naming Ató in passing as 'archipræsul' but not detailing that appointment<sup>19</sup>. The lost recipient has usually been taken to be Borrell, but one would assume that he already knew, and a more plausible candidate may be his colleague Marquis Oliba Cabreta of Cerdanya (928-89)<sup>20</sup>. The first two papyri have signature clauses but the half-letter does not, and none of the papyri are dated. Because they all lack the countersignature by the papal chancellor that would have conveyed this information; their approximate date has always been assigned on the basis of RICHER's testimony about the embassy. Scribal names are also omitted from the papyri, although later parchment copies of the documents assign some and KEHR's pre-restoration facsimile of the first and largest leaves this writer with the impression that one might once have been legible (see Plate 2a)<sup>21</sup>.

It is already apparent from this comparison that the Bulls as we separately have them do not all stem from exactly the same occasion. Firstly they relate to two different, although related, decisions, that about the metropolitanate and that about Girona, and the two episodes do not refer to each other as justification. Secondly, the three bulls relating to the metropolitanate appear to have been put together at times when different information was available to the drafters about the sees of Catalonia. Lastly, the letter that may be to Oliba, who was known to Pope John XIII from his own trip to Rome two years before, appears to presume that Ató's new title was known to him already,

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<sup>15</sup> Vic 405/Papsturkunden 206: '... questus est nobis', explains the Pope, 'quemadmodum Terraconensem archiepiscopatum qui olim capud in illis partibus... eo quod peccatis merentibus ipsa iam dicta civitas Terraconensem a saracenis capta et pastore destituta nulli recuperandi locum aut inhabitandi usque hactenus reperiri valeat.'

<sup>16</sup> Vic 406/Papsturkunden 207.

<sup>17</sup> Vic 408/Papsturkunden 208.

<sup>18</sup> Vic 409/Papsturkunden 209.

<sup>19</sup> Vic 407/Papsturkunden 210. The mix of charter and letter forms is not unknown: J. JOHRENDT, *Papsttum und Landeskirchen im Spiegel der päpstlichen Urkunden* (896-1046) (MGH Studien und Texte 33, 2004), S. 15. cites (Anm. 46) L. SCHMITZ-KALLENBURG, *Papsturkunden* (1913), S. 63 for like documents. Neither the Vic nor the Papsturkunden editions appear to me to reflect this text perfectly: I give a collation of them against Kehr's facsimile as an appendix.

<sup>20</sup> R. ORDEIG I MATA, Ató, bisbe i arquebisbe de Vic (957-971), antic arxiprest-ardiaca de Girona, in: *Studia Vicensia* 1 (1989), S. 61-97 at S. 77. A. M. MUNDÓ, Notes entorn de les butlles papals catalanes més antigues, in: *Homenaje a Johannes Vincke para el 11 de mayo de 1962. Festschrift für Johannes Vincke zum 11. Mai 1962* (1962-1963), 1, S. 113-120, states at S. 115 & Anm. 7 that the name is 'Borrell' and disputes readings of it as 'Borell', but the word is clearly lacking even in KEHR's facsimile of the document (ÄPS V).

<sup>21</sup> ÄPS III.

suggesting a later date of composition<sup>22</sup>. At the very least, therefore, all is not what it has often been assumed to be with respect to the issue of these documents.

#### 4. Problems with the Bulls

There are also important obstacles to taking even the individual testimony of the Bulls as authentic. Some of these may already be apparent but it is worth stating them in full, and others rely on comparisons with other sources of information.

##### 4.1. The rights of Narbonne

The first and largest problem with these documents is that no mention is made at any point of the rights of Narbonne over the sees in question. Pope John XIII should have known that Borrell's claim that these bishoprics were without metropolitan governance was false; earlier letters from the papal see to the metropolitans of the Gauls were quite explicit in including the Catalan sees under Narbonne<sup>23</sup>. That those rights are not abrogated but simply omitted, despite the verbosity and multiplicity of the documents and the address of a Bull specifically to the relevant suffragans, is very hard to explain.<sup>24</sup>

##### 4.2 Lack of use of Ató's archiepiscopal title

Next, it should be noted that Ató is never seen using his new title in Catalan documents. This may not least be because he was murdered in 971, and the apparent silence between his return the previous year and his death may not be significant since his immediately previous recorded appearance was only in 968, but it is nonetheless expressive<sup>25</sup>.

##### 4.3 Variant testimony about Ató's death

There is, in a necrology at Vic written into the margins of a copy of the Martyrology of Ado, a record of Ató's murder ('interfectus est', it says) which does accord him his archiepiscopal title, and both on palaeographical terms and its immediate context this looks likely to be contemporary (see Plate 3); but a document at Girona, similar both in context and date, records his rank at death only as bishop

<sup>22</sup> Papsturkunden 193 is a Bull of John XIII for Santa Maria d'Arles obtained by Oliba in a visit of 968.

<sup>23</sup> Z. B. Papsturkunden 39, a letter of John X resolving a schism over the see in which one claimant had produced false papal endorsements (cf. §8.3 below). This edition is to be preferred to that in ORDEIG, Catalunya Carolíngia IV, Nr. [hereafter CC 4] 139, since it includes variations from the only manuscript copy, the eighteenth-century London, British Library, MS Harley 3570 (1), fos 12v-13v, which in some places preserves a more intelligible text than the older editions on which ORDEIG's text is based. None of the available editions however include the coda in that manuscript, which helps to explain how the privilege was used. This reads: "*Venerabilis Agamberto, nec non et Elefonso Episcopis. Agio Narbone sedis Episcopus multimodis orationes. Audiuius quod nos curtim pergere his diebus debetis. Idcirco ad deprecandum comites nostros perreximus, Ermengaudum et Raymundum quatinus vos deprecarent, ut præceptum apud Regem impetrare nobis non dedignemini Ita nos præcamur et supplicamus, ut relatum quod superius scriptum est sic apud Regem impetrare non vos pigeat, bene valete [rouche]*".

<sup>24</sup> This contradiction also noted by JOHRENDT, Papsttum, S. 197-198, although he follows the conventional explanation of this as a manifestation of separatism.

<sup>25</sup> Evidence for the murder discussed below; the previous appearance ORDEIG, Ató, ap. 29.

(and expresses itself with the phrase ‘obitum est’)<sup>26</sup>. This seems at the least to speak of contemporary dispute, even though it lends some support to the metropolitan claims of the Bulls. It should also be noted that RICHER recorded, in a marginal note in his chronicle, that Ató died while still in Rome, but this note is scratched out in RICHER’s autograph manuscript; he went on to describe the count’s and bishop’s homeward voyage (because it resulted in Gerbert being left at Rome) and may have realised that he had contradicted himself<sup>27</sup>. Confusion and dispute over Ató’s final months in post therefore appears to be general!

#### 4.4 Failure to renew Ató’s position by successors

Lastly, Ató’s successor Fruià only ever used the title of bishop, despite the provision of the Bull that Ató’s successors should be made archbishops by the pope and despite a voyage by Fruià to Rome in 978, whose outcome is recorded in two Bulls of which at least one is apparently original, when he might have been so promoted<sup>28</sup>. The second of these even specifies that Fruià showed Pope Benedict VIII the documents that he had about the see, meaning that our bulls were either not included or were not credited<sup>29</sup>. While the rough politics of Osona (see below) may explain some reticence, this further weakens any belief that the Vic Bulls can be read uncritically.

#### 5. Other archbishops

Eventually, of course, there would once more be a metropolitan see in Catalonia, with the final reconquest of Tarragona at the end of the eleventh century, and it would then be a bishop of Osona, Berenguer Sunifred (1075-1108?), who would be given it<sup>30</sup>. While this might seem a plausible context for the fabrication of helpful precedents, these Bulls are not the only such precedent that has been adduced by scholars exploiting this period. Part of the plausibility of the Bulls for Ató in a wider analysis stems from the fact that at least two candidates, and lately a third, for earlier instances of this ‘national’ metropolitan see, have been identified in the documents of the era. It is worth noting, therefore, that all these cases have also been questioned except the new third one, which perhaps should be also. It is thus necessary to briefly explain these claims and their problems before resuming our attempt to understand the supposed Bulls of Ató, not least because to my knowledge no study of any of these supposed archbishops has ever recorded all the objections of other historians to the other cases.

##### 5.1.1 Esclúa of Urgell

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<sup>26</sup> The Vic notice is in Vic, Arxiu Capitular, MS XLVII<sup>A</sup>, fo. 95v, described by J. GUDIOL, *Catàleg dels llibres manuscrits anteriors al segle XVIII del Museu Episcopal de Vic* (1936), Nr. 128; printed in E. FLOREZ, *España Sagrada*, 28, hg. von M. RISCO (1774), S. 313-322 at S. 314, but this does nothing to convey the nature of the text: see below and Plate 3. I must thank Ramon Ordeig i Mata for kindly providing me with photocopies of both the original MS entry and the relevant section of Gudiol’s work. The Girona notice is Girona, Arxiu Capitular, MS 3, fo. 86, printed A. MERINO & J. LA CANAL, *España Sagrada*, 43 (1819), S. 494-497 though again this is hardly reflective of the state of the text. For discussion and context see ORDEIG, Ató, S. 78-79.

<sup>27</sup> RICHER, *Historiae*, III.44.

<sup>28</sup> S. Anm. 2 above; he also obtained Vic 446/Papsturkunden 246 which is only preserved in parchment.

<sup>29</sup> Vic 446/Papsturkunden 246: “... ostendit nobis omnibus suas scripturis, quas seriem acquisivit sui episcopatus et omnibus, qui sibi subiecti esse noscuntur.” This ought unambiguously to have included any suffragans.

<sup>30</sup> P. FREEDMAN, *The Diocese of Vic: tradition and regeneration in medieval Catalonia* (1983), online at <http://libro.uca.edu/vic/vic.htm>, last modified 16. August 2000 as of 22. August 2009, S. 29-37.

The oldest of the three cases is that of Esclúa of Urgell, who appears to have been appointed as a replacement for Bishop Ingobert when that man became ill in 890 and refused to step down when Ingobert recovered<sup>31</sup>. With his colleagues Frodoí of Barcelona and Godmar, first bishop of the restored Osona, furthermore, Esclúa oversaw the election of one Ermemir to the see of Girona even though the Archbishop of Narbonne had appointed one Servedéu to that see. Servedéu was forced to remain in exile, as is recorded in another papyrus Bull which he obtained from Pope Formosus, though aspects of this document have also been questioned<sup>32</sup>. The episcopal college also created a new see of Pallars for the twin county of Pallars-Ribagorça to the west that was cut out of Urgell's territory, and they consecrated a Bishop Adulf to it<sup>33</sup>. A Narbonne *Vita* of the relevant archbishop, St Theodard, adds that Esclúa justified these moves by arrogating to himself the metropolitan dignity of Tarragona, and also tells how he and Ermemir were summarily degraded from their false dignities by Theodard in 891 at a council at Ports once Theodard had obtained both royal and papal documents in support of his position, though Adulf was allowed to remain in position until his death<sup>34</sup>. The *Vita* gives the text of the papal ruling, which it attributes to a Pope Stephen, presumably Stephen V, and there exists a royal precept to Servedéu at Girona obtained by Theodard from King Odo (889-899) of the West Franks, although there is also an earlier one from Odo to Ermemir, obtained in embassy by that bishop along with a Count Sunyer<sup>35</sup>.

The historian Ramon D'ABADAL I DE VINYALS put all these pieces together with a council record that notes the release of a Count Sunyer from excommunication and surmised that Sunyer, whom he identified as Count of Besalú, had exploited his colleague Guifré the Hairy's reluctance to recognise the non-Carolingian Odo to obtain royal endorsement for his candidate for the see of Girona, whose appointment was first made possible by the intrusion of the friendly Esclúa into Urgell<sup>36</sup>. Subsequently, ABADAL reasoned, Guifré must have realised that he would have to recognise Odo, and Theodard had thus been able to go with suitable backing to Odo to obtain the second version of the precept that favoured Servedéu instead. Sunyer was presumably excommunicated by the council of

<sup>31</sup> J. VILLANUEVA, *Viage Literario a las Iglesias de España* tomo X: viage á Urgel (1821) [hereafter VL X], S. 74-79; ABADAL, *Primers comtes*, S. 151-168.

<sup>32</sup> ÄPS II, reg. with references to latest literature in *Col·lecció diplomàtica de la Seu de Girona (817-1100): estudi i edició*, hg. von R. MARTÍ (*Col·lecció Diplomataris* 13, 1998), Nr. [hereafter Girona] 32; doubts in M. BARCELÓ, *La pretesa al·lusió a Mallorca i a Menorca en unes butlles dels Papes Formós (892) i Romà (897) al Bisbe Servus Dei de Girona: nota sobre la fabricació d'un fet*, in: *Annals de l'Institut d'Estudis Gironins* 23 (1977), S. 247-256 at S. 250-251.

<sup>33</sup> R. D'ABADAL I DE VINYALS, *Origen y procés de consolidació de la seu ribagorçana de Roda*, in: ABADAL, *Dels Visigots als Catalans*, hg. von J. SOBREQUÉS I CALLICÓ (*Estudis i Documents* 13-14, 1969: Nachdr. 1974 & 1989), 2, S. 57-139 at S. 65-68.

<sup>34</sup> *Vita sancto Theodardi archiepiscopi narbonensis*, ed. G. HENSCHENIUS in: *AA SS Mai I* (1680), S. 141-156 or 2<sup>e</sup> Aufl. (1866), S. 143-159; see ABADAL as above and J. M. MORERA SABATER, *Un conato de secesión eclesiástica en la Marca Hispánica en el siglo IX*, in: *Anales del Instituto de Estudios Gerundenses* 15 (1962), S. 293-315. The *Vita* is defended as a source by J. MERCIER, *Les problèmes politico-religieuses en Catalogne (IX<sup>e</sup>-XI<sup>e</sup> siècles)*, in: OLLICH, *Actes*, S. 115-131 at S. 118-121, but to this writer's mind no part can be saved from the later agendas of the final redactor.

<sup>35</sup> The second precept is now most safely edited as Vic 12; the first is printed in C. DEVIC & J. VAISSETE, *Histoire Générale de Languedoc avec les Notes et les Pièces Justificatives*, augmented by E. MABILLE, E. BARRY, E. ROSCHACH & A. MOLINIER, hg. von M. E. DULAURIER (1875: Nachdr. 1973), 5, *Preuves: chartes et diplômes* Nr. [hereafter HGL V] 15.

<sup>36</sup> ABADAL as in Anm. 31 above; the council acta are printed as HGL V 36.



Ports, and later released after making who knows what amends. ABADAL, despite in other respects such as language or political jurisdiction denying the existence of anything that could be called a Catalan nation this early, still saw this and the subsequent episode of Ató as evidence of a collective identity among the Catalan bishops that craved independence from Frankish rule.

In 1961, however, Robert-Henri BAUTIER, fresh from editing the documents of King Odo, published a paper that cast doubt on this whole scenario, claiming that both precepts of Odo appeared to be later interpolations of a far smaller original core and that Étienne GRIFFE had already demonstrated the falsity of the *Vita sancti Theodardi* in 1933<sup>37</sup>. He proposed instead that Sunyer should be seen as the Count of Empúries, and Ermemir not as a bishop of Girona but as the prelate of a revived see for that county, in parallel with the recent creation of Osona and that of Pallars. While that might be disputed, he admitted, the *Vita*'s claims of a metropolitanate, as well as that of Esclúa's degradation which was in any case precluded by long-known later documents recording him as bishop, certainly had to be discarded<sup>38</sup>.

Ironically, parallel work by Josep MORERA I SABATER was published the next year tracing Esclúa and Ermemir to Sant Martí d'Empúries where the former, but not the latter, may have finished his career as a personal bishop for Sunyer<sup>39</sup>. It seems clear from the Bull of Pope Formosus that Ermemir was considered a genuine rival for the see of Girona, whatever BAUTIER may have thought, but it should also be noted that a document of the period from the monastery of Sant Esteve de Banyoles speaks of properties apparently reclaimed from Santa Maria de Girona (*'ad matrem'*) which they now secured by this document and its sanction against all interlopers including *'episcopiis vel coepiscopiis'*, an almost unique formulation suggesting that some unusual power-sharing solution had been found at Girona either before or after Servedeu's election<sup>40</sup>. In any case, whatever really happened here was not either the Catalan bishoprics acting as a self-determinate college or a revival of the dignity of Tarragona, and it cannot be taken as a precedent for the appointment of Ató.

### 5.1.2 Delà of Girona

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<sup>37</sup> R.-H. BAUTIER, La prétendue dissidence de l'épiscopat catalan et le faux concile de « Portus » de 887-890, in : Bulletin philologique et historique (jusqu'à 1610) du Comité des Travaux Historiques et Scientifiques 1961 (1963), S. 477-498; his edition of Odo's precept in: Recueil des actes d'Eudes, Roi de France (888-898) (Chartes et diplômes relatifs à l'histoire de France, 1967), Nr. 5, cf. R. ABADAL I DE VINYALS, Catalunya Carolíngia II: els diplomes carolingis a Catalunya (Institut d'Estudis Catalans, Memòries de la Secció històrico-arqueològica 2 & 3, 1926-1952), 1, Vic, I. Griffe's earlier demonstration E. GRIFFE, Histoire religieuse des anciens pays de l'Aude (Bibliothèque d'Histoire Ecclésiastique de la France, 1933), 1, S. 252-263.

<sup>38</sup> This theory is expanded by MERCIER, Problèmes, S. 124-125, who suggests that Esclúa should be seen not as a bishop of Urgell but as bishop of a new and unevidenced see of Berga. Esclúa's recorded actions however include appointments to churches in the Vall de Lord, outside Berga (VL X ap. 13) and all other sources indicate that his see was Urgell (notably the will of his brother, VL X ap. 12, also ed. MORERA, Conato, ap. 4, and Els documents, dels anys 1093-1100, de l'Arxiu Capitular de la Seu d'Urgell, ed. C. BARAUT, in: Urgellia 7 (1985), S. 7-218, ap. 6).

<sup>39</sup> MORERA, Conato, S. 305-310; MERCIER is the only subsequent historian of the episode to cite MORERA, in: MERCIER, Problèmes, S. 124-125, but appears not to have observed this part of the article.

<sup>40</sup> BAUTIER was well aware of the 897 Bull (Anm. 32), since it is discussed by him in BAUTIER, Prétendue dissidence, S. 490-491, so he presumably did not share my impression of the wording. The relevant lines are: '... veniens iam dicte servedei ven[er]abilis episcopo ad sedem apostolicam et ecclesia gerundensi iuste et kanonice recepta expulso inde herememiro deposito et excommunicato...'. The Banyoles document is Diplomatarium de Banyoles, ed. L. G. CONSTANS I SERRATS, hg. von J. FORT I OLIVELLA (1985) [hereafter Banyoles], Nr. 16, also ed. MORERA, Conato, ap. 2, whence I owe the suggestion of a relevance to this episode.

The peculiarity of the situation of Girona would be re-emphasised at the death of Servedeu in 908, when in an unique response to a presumable dispute over the succession a royal candidate was preferred to the see, one Guiu, whose act of election has him being physically carried into the cathedral and stresses that he was '*regia aula prolatum*' and '*regio... palatio enutritum*'<sup>41</sup>. King Charles the Simple, who was fond of emphasising his claim to this 'Gothic kingdom', must have leapt at the chance to intervene at Girona but the fact that it was offered testifies to the particular difficulty of appointment to the see.

It is this contest and division that Ramon MARTÍ has lately used to explain a document that appears to record an Archbishop Delà of Girona in the year 954<sup>42</sup>. At that time Guiu's successor Godmar II was recently deceased, and MARTÍ argues that since Godmar is never seen acting with the chapter of his see, he should be seen as an unpopular comital candidate who gave rise to resentment among his supposed congregation at the cathedral<sup>43</sup>. As a result, he argues, Delà should be seen as a short-lived expression of this resentment in the promotion of one of their own, a deacon who is seen in several contemporary documents, to a supposedly unassailable rank whence he might resist his colleagues' or the counts' attempts to remove him<sup>44</sup>. If so, this was a vain hope, but it is also a hope solely recorded in one charter, which exists only in a thirteenth-century copy and whose copyist was apparently unfamiliar with the orthography of his source's day. Whether it should be seen as anything other than a mistake, therefore, albeit a consistent one, is extremely doubtful and again, it seems unlikely to provide any greater context for the episode of 970 except inasmuch as it may record Gironès, rather than Catalan, self-determination.

### 5.1.3 Cesari of Montserrat

The last and oddest case of possible precedent is that of Cesari, Abbot of Santa Maria de Montserrat. Here we have what we lack in the other cases: corroborating documentation. There survive records, though not the originals, of five charters for Montserrat dating between 956 and 981 that call Cesari, the then-abbot, either *archiepiscopus* or *archipræsul*<sup>45</sup>. Added to this there is an extremely peculiar

<sup>41</sup> J. VILLANUEVA, *Viage Literario a las Iglesias de España* tomo XIII: viage á Gerona (1850), ap. 9, reg. as Girona 38.

<sup>42</sup> The document is Girona 90, also ed. as Annex to R. MARTÍ, *Delà, Cesari i Ató, primers arquebisbes dels comptes-prínceps de Barcelona (951-953/981)*, in: *Analecta Sacra Tarraconensia* 67 (1994), S. 369-386 at S. 385-386. This paper was previously printed in *I. Congrès d'història de l'església catalana* (1993), which I was unable to locate; I must therefore thank Dr Martí himself for directing me to the later printing on my enquiry.

<sup>43</sup> MARTÍ, *Delà, Cesari i Ató*, S. 369-373.

<sup>44</sup> A Girona Delà appears as follows: 936 as subdeacon in Girona 71; 939 likewise in: *El monestir de Sant Feliu de Guíxols (segles X-XI). La formació del domini*, ed. J. BLANCO (Col·lecció d'Estudis Guixolencs 6, 1991), ap. 2 (reg. Girona 73); 948 as priest in ORDEIG, *Ató*, ap. 2 (reg. Girona 80); 949 as deacon Ebd. ap. 4 (reg. Girona 85); as archbishop 954 in Girona 90; thereafter only once, as deacon, in Banyoles 37 (reg. Girona 94). The priestly appearance should perhaps be reckoned someone else, given the priest of this name who appears with the count of Girona in F. UDINA MARTORELL, *El Archivo Condal de Barcelona en los Siglos IX-X: estudio crítico de sus fondos* (CSIC, Textos 18/Publicaciones de la Sección de Barcelona 15, 1951), No. [hereafter *Condal*] 90 from 928.

<sup>45</sup> *El diplomatar del monestir de Santa Cecília de Montserrat, I: Anys 900-999*, ed. F. X. ALTÉS I AGUILÓ, in: *Studia Monastica* 36 (1994), S. 225-303, Nr. [hereafter *Montserrat*] 34 ('archipræsul', regestum only), 37 ('archiepiscopus', regestum only and 'archipræsul' in later regesta), 53 & 68 ('abba vel/et archipræsul'), 65 ('archipræsul gratia domno') & 73 ('gratia Dei archipræsul').

document that purports to be a letter from Cesari to a Pope John, which claims that Cesari had some time before been appointed Archbishop of Tarragona by a synod at Santiago de Compostela, but his should-be suffragans had refused to recognise him<sup>46</sup>. Cesari, if it can taken to be he, gives two lists of these, one as of the date of the synod, which the letter dates to 940, and one as of the date of writing, which includes Godmar II of Girona and Ató of Osona, and appears therefore to imply that the intended recipient was John XIII. The document is extremely strange in a number of ways: its wording is uncertain and often confused, it letters what were presumably thought to be important phrases in uncials and it lays a peculiar emphasis on the personal beauty of the Leonese bishops<sup>47</sup>. These and a number of other qualities led José María MARTÍ BONET to condemn it as a forgery in an article of 1974, in which he asserted that the script was too late, the description of Cesari's ordination too ignorant, the imperial title awarded to King Sancho the Fat of León too implausible, the lists of bishops given too inconsistent, the subtext of apostolic succession at Santiago too inappropriate for a letter to the Pope and the canonical citations used in support of Cesari's position too downright wrong, for the letter to be anything other than a late and clumsy fabrication<sup>48</sup>.

The document's latest editors disagree with MARTÍ BONET about the script, however; the ordination would have been almost unprecedented in Catalan territories and certainly without example in living memory; and Ramon D'ABADAL, doing the same exercise with episcopal dates, thought that a window for the Leonese synod could in fact be found in 959<sup>49</sup>. Furthermore, in more recent work Martí BONET himself has used the document as evidence of Santiago's pretensions to a pan-Iberian primacy, which seems difficult to extract from this document if it is false, as he previously argued<sup>50</sup>.

There is also the little-recognised fact that for a period between 942 and 961, at least, Tarragona was back in the hands of the Counts of Barcelona<sup>51</sup>. This is known from the contemporary historian AL-MAS U'DĪ, albeit through later citation, who records that Tarragona was lost to the Muslims in

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<sup>46</sup> Now ed. as Vic 404, with partial facsimile in: M. S. GROS I PUJOL, *Làmines*, in: JUNYENT & ORDEIG, *Diplomatari*, S. 681-808, lám. 90; another edn. with painstaking discussion in J. M. MARTÍ BONET, *Las pretensiones metropolitanas de Cesáreo, abad de Santa Cecilia de Montserrat*, in: *Anthologica Annua* 21 (1974), S. 157-182 at S. 164-165, but see Anm. 66 below.

<sup>47</sup> Vic 404: '... Ermegildus... aspectu pulcherrimus...', '... Vviliolfus fulgidissimo viro... clarissimo vultu...', '... Adlactantius abba, vir sanctissimus et timoratus hylari aspectu...', noted also by MARTÍ BONET, *Pretensiones*, S. 173 Anm. 46.

<sup>48</sup> MARTÍ BONET, *Pretensiones*, *passim*.

<sup>49</sup> JUNYENT & ORDEIG, *Diplomatari*, S. 335; R. D'ABADAL I DE VINYALS, *El Pseudo-Arquebisbe de Tarragone Cesari i les Preteses Butlles de Santa Cecilia*, in: *La Paraula Christiana* 6 (1927), S. 316-348, Nachdr. L'Abat Cesari, *Fundador de Santa Cecília de Montserrat i Pretès Arquebisbe de Tarragona. La Falsa Butlla de Santa Cecília in* ABADAL, *Dels Visigots als Catalans*, 2, S. 25-55. I cite the reprint hereafter, where the comparison of episcopal dates is at S. 32-33.

<sup>50</sup> J. M. MARTÍ BONET, *Entre dues obediències: Roma i Compostela*, in: *Analecta Sacra Tarraconensia* 67 (1994), S. 387-397.

<sup>51</sup> This has been disputed, including by an anonymous reviewer of an early version of this paper, but also by E. MORERA LLAURADO, *Tarragona Cristiana: historia del arzobispado de Tarragona y del territorio de su provincia (Cataluña la Nueva)* (1897: Nachdr. 1981), 1, S. 263 Anm. 5, where he called the report an 'amplificació del texto arabigo, que carece de todo fundamento'. However, as the discussion below shows there are several sources, and the fact is accepted by scholars both Arabist (MANZANO, *Frontera*, S. 85; De Quan Erem o No Musulmans: *textos del 713 al 1000. Continuació de l'Obra de J. M. Millàs i Vallicrosa*, ed. D. BRAMON (2000), S. 284-286) and Hispanist (A. BENET I CLARÀ, *Castells, guàrdies i torres de defensa*, in: UDINA, *Symposium Internacional*, 1, S. 393-407, at S. 386-388) who are aware of them.

941/2, and from the rather later IBN KHALDŪN, who while recounting the greatness of Caliph ‘Abd al-Rahmān III (912-61) by listing the embassies that came to him included one sent by the King (*mālik*) of Barcelona and Tarragona<sup>52</sup>. This should have been Marquis Sunyer of Barcelona, Girona and Osona (898-911), youngest son of Guifré the Hairy and according to a copy of a 936 document in receipt of *raficae* from Tortosa as of 936, in which year another Arabic source records a ‘Frankish’ raid on Saragossa that killed the *qādī* there<sup>53</sup>. Sunyer’s career appears to have contained an amount of military effort sufficient to explain AL-MAS U’DĪ’s record, therefore, and although IBN KHALDŪN’s names are garbled and his chronology mangled, that some genuine recollection of the times underlay his statement is suggested by the fact that at the next mention of ambassadors from Barcelona and Tarragona, the kings had become plural, indicating an awareness somewhere in the transmission of Sunyer’s succession by none other than Borrell II alongside his brother Miró I (947-66)<sup>54</sup>. That second embassy however saw the end of the brothers’ grasp on the old city, as following a recent raid by the newly-succeeded Hishām II (961-76) the Barcelona counts were forced to hand back numerous frontier fortresses in order to obtain peace, including the still-ruined metropolitan see<sup>55</sup>.

Such is the variety of sources that seem to support the claim about Cesari, therefore, that it does not seem impossible that at some point, not 940 but perhaps c. 960, he had genuinely managed to obtain archiepiscopal consecration from the Leonese court, perhaps on Borrell II’s and Miró’s instruction (the Leonese bishops are made to claim a request from ‘*principibus vestris*’), to the recently-recaptured metropolitan see<sup>56</sup>. If this much may be believed, and the documents from the

<sup>52</sup> Collected BRAMON, *Quan Erem o No Musulmanes*, S. 306-307 & 309-312. For the latter s. also A. CHRISTYS, *Christians in al-Andalus (711-1000)* (2002), S. 108-113. The only English version of the text of IBN KHALDŪN available is from the eighteenth-century history of AL-MAQQARĪ, whose text is the principal but not the earliest witness of IBN KHALDŪN’s text and who was writing without recourse to his library. The English version is: *The History of the Mohammedan Dynasties in Spain*; extracted from the *Nafhu-t-Tīb min Ghosni-l-Andalusi-r-Rattīb wa Tarikh Lisānu-d-Dīn Ibni-l-Khattīb*, by Ahmed ibn Mohammed al-Makkarī, a native of Telemsán, hg. von. P. DE GAYANGOS (1840-1843). This translation extensively reorganises AL-MAQQARĪ’s material and omits much of the verse, but the relevant extract is there 2, S. 139-140. On the title of *mālik*, R. PUIG, *El concepte musulmà d’estat*, in: UDINA, *Symposium Internacional*, 2, S. 103-115 at S. 108-109.

<sup>53</sup> The 936 charter ed. in *Diplomatari de la Catedral de Barcelona: documents dels anys 844-1260. Volum I: documents dels anys 844-1000*, ed. A. FÀBREGA I GRAU (*Fonts Documentals* 1, 1995), no. 30. Ramon MARTÍ has suggested that the ‘*raficae*’ were coming not from the Muslim city of Tortosa but a village of similar name in Montbui de Caldés; Albert BENET I CLARÀ disagrees, and the reader must make their own decision, but it is clear at least that Sunyer’s hand was strong on the border at this time. See BRAMON, *Quan Erem o No Musulmans*, S. 307-308 Anm. 171, citing R. MARTÍ, *Concreció territorial del comtat de Barcelona*, in: *III Congrés d’Història de Barcelona: La ciutat i el seu territori, dos mil anys d’història* (1993), S. 247-253, and pers. comm. from BENET, whose views are otherwise set forth in e. g. BENET, *Castells i llinies de reconquesta*, in: UDINA, *Symposium Internacional*, 1, S. 365-391.

<sup>54</sup> BRAMON, *Quan Erem o No Musulmanes*, S. 316-317 & Anm. 195; English version, with the same reservations as in Anm. 52 above, GAYANGOS, *History*, 2, S. 166.

<sup>55</sup> J. M. MILLÁS VALLICROSA, *Els textos d’historiadors musulmans referents a la Catalunya carolíngia*, in: *Quaderns d’Estudi del Consell de Pedagogia de la Mancomunitat de Barcelona* 14 (1922), S. 125-161 at S. 157; GAYANGOS, *History*, 2, S. 166; discussion BENET, *Castells, guàrdies i torres de defensa*, S. 386-388.

<sup>56</sup> Cf. MARTÍ, *Delà, Cesari i Ató*, S. 373-378. The key phrase, in Vic 404: ‘*Nostra presumptio faciendi quia principibus vestris iussum est*’, implies that Cesari’s election bore the endorsement of some or all of the Catalan counts. MARTÍ BONET however, in both *Pretensiones*, S. 164 and *Entre dues obediències*, S. 393, reads ‘*principibus nostris*’ and associates the phrase with the supposed claim of King Sancho the Fat of León to have

monastery suggest that those around Cesari were encouraged to use this title of him, we may also believe that the Catalan bishops, for once acting as a unit, did indeed refuse to recognise this uncanonical and Jacobian innovation, and that any plausibility it had may have rapidly elapsed with the loss of Tarragona in the treaty of 961X6. If so one wonders what prompted the aged, and apparently rather confused, Cesari, to write to John XIII. The answer here may lie in the fact that this letter survives not at Montserrat, or in the Arxiu de la Corona d'Aragó where various remnants of Montserrat's destroyed and dispersed archive are now gathered, but at Vic. Had Cesari heard of the mission to Rome by his should-be subject Ató and his erstwhile patron Borrell and written ahead? If so, the papacy apparently remained unconvinced and the rival embassy may have brought back the idiosyncratic letter with them.

## 5.2 The Counts and the Churchmen

In these cases much must also depend on who exactly the episcopal candidates were. Cesari, who may have been Borrell and Miró's chosen archbishop while they briefly held Tarragona, had risen with his frontier monastery under the patronage of Count-Marquis Sunyer<sup>57</sup>, and more especially of his wife Countess Riquilda, and the early years of Borrell's rule saw similar attention to Montserrat fall off in favour of a patronage bestowed more usually on his grandfather's foundation of Santa Maria de Ripoll and the cathedral of Sant Pere de Vic<sup>58</sup>. The last grant in the early series Borrell made to Montserrat was, interestingly, in 956, though this was a bequest on behalf of his late mother<sup>59</sup>. Thereafter he is only recorded as donor there near his death in 990, with one exception<sup>60</sup>. The exception, only a confirmation or regrant, was in 969<sup>61</sup>: was this Cesari being paid off, and might that be why the letter was safely archived at Vic?

Ató, by contrast, was clearly Borrell's man<sup>62</sup>. As archdeacon at Girona, in which context he often appears with Borrell, he usually does so as attendant to Bishop Godmar II of Girona<sup>63</sup>, but once without, in a transaction a long way from the see of Girona, which would seem to indicate that he had business at the comital court<sup>64</sup>. Once bishop, he appears with Borrell at transactions unconnected with his cathedral<sup>65</sup>. So much might have been expected of any bishop, perhaps, but

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succeeded the Visigothic monarchy of Toledo. The manuscript (see Anm. 46 above for facsimile reference) however bears out the former reading.

<sup>57</sup> ABADAL, L'abat Cesari, S. 25-26.

<sup>58</sup> Grants to Ripoll by Borrell in CC 4 783 (957) & 791 (957), Colección Diplomática del Condado de Besalú, ed. F. MONSALVATJE Y FOSSAS (Noticias Históricas 11-13, 15 & 19, 1901-1909), Nr. 2149 (966, as executor of the will of his brother Miró), and P. DE BOFARULL Y MASCARÓ, Los Condes de Barcelona Vindicados, y Cronología y Genealogía de los Reyes de España considerados como Soberanos Independientes de su Marca (1836: Nachdr. 1990), 1, S. 156 (994, posthumous); to Sant Pere de Vic in CC 4 744<sup>bis</sup> (955, as executor of his mother Countess Riquilda), Vic 328 (960) & Condal 204 (987).

<sup>59</sup> Montserrat 32.

<sup>60</sup> Montserrat 86.

<sup>61</sup> Montserrat 51.

<sup>62</sup> His career is set out in detail in ORDEIG, Ató.

<sup>63</sup> With Borrell in Diplomatarium de Santa Maria d'Amer, ed. E. PRUENCA I BAYONA, hg. von J. M. MARQUÈS (Col·lecció Diplomataris 7, 1995), Nr. 9 & 10, Banyoles 35 & Condal 128; without in ORDEIG, Ató, app. 2 & 4.

<sup>64</sup> CC 4 678.

<sup>65</sup> Condal 159 & Vic 306.

the continuity is suggestive. When Borrell took Ató to Rome, therefore, he was probably taking an old and presumably trusted associate, whose experience included long involvement in the workings of Girona cathedral.

Whether Cesari's case therefore supports the likelihood that Borrell would have attempted to raise Ató to the rank of archbishop may therefore be argued either way: a comital candidate may already have existed, but he may have been a geriatric political embarrassment in need of a more effective replacement. If Cesari's letter is genuine and was sent, however, the papacy would have had even more reasons than before to doubt that Ató's ordination was universally desired or canonical, and it suggests that the Catalan episcopate should also have been expected to resist it.

None of these episodes therefore appear to suggest the sort of climate for self-determination and separation from Narbonne that would allow them to support the Bulls about Ató as they have been held to. Instead, if anything, they suggest small-scale and local political power-broking, obduracy, and the inability of the counts to impose their own will on the Church in their territories due to the plurality of powers, comital, royal and ecclesiastic, who might claim rights to dispute or contest such impositions or to whom those resistant to the counts might appeal<sup>66</sup>. This impression is only deepened when the local politics around Ató's unfortunate demise are more thoroughly considered.

## 6. Episcopal murder in Osona and Girona

As said, a necrological note in the margin of Vic cathedral's oldest martyrology records that Ató 'interfectus est' on 11 Kal. September, 971<sup>67</sup>. Ató's successor Fruià also met a violent death in 992, and his murderer, one Guadall, became one of two rival candidates for the diocese. This cycle of violence has been explained in terms of rival families competing for control of the episcopal town<sup>68</sup>, so it is clear that Borrell's schemes had a turbulent background. The opposition between Guadall and his opponent, Abbot Arnulf of Sant Feliu de Girona, takes on an even stranger light however when it is appreciated that the work of Manuel Rovira has shown that they were almost certainly cousins and that they may have each been supported by a different son of Borrell II (who died in 993)<sup>69</sup>. This led eventually to the 998 embassy to Rome that obtained Vic's fourth papyrus, which records that Gregory V, in an inspired piece of arbitrage, prayed with the whole gathering including both counts for a day in St Peter's before declaring them all excommunicate until they could decide on the truth.

<sup>66</sup> Cf. P. FREEDMAN, *Le pouvoir épiscopal en Catalogne au X<sup>e</sup> siècle*, in: *Catalunya i França Meridional a l'entorn de l'any mil: la Catalogne et la France méridionale autour de l'an mil*. Colloque International du D. N. R. S./Generalitat de Catalunya « Hugues Capet 987-1987 : la France de l'an mil », Barcelona 2-5 juliol 1987, hg. von X. BARRAL I ALTET, D IOGNA-PRAT, A. M. MUNDÓ, J. M. SALRACH & M. ZIMMERMANN (Col·lecció Actes de Congressos 2, 1991), S. 174-180 at S. 179-180; M. ZIMMERMANN, *Catalogne et 'Regnum Francorum' : les enseignements de la titulature comtale*, in: UDINA, *Symposium internacional*, 2, S. 209-263 at S. 234-242; JOHRENDT, *Papsttum und Landeskirche*, S. 262-263, for similar assessments of the contemporary political arena.

<sup>67</sup> S. Anm. 26 above.

<sup>68</sup> PLADEVALL, BENET & PAGÈS, *Marc històric*, S. 43-44, apparently referring to A. GARCÍA, *Arnulfo, Obispo de Vic (992-1010)*, in: *Ausa* 3 (1960), S. 401-411, online at <http://www.raco.cat/index.php/Ausa/article/view/39038/38900>, last modified 21. November 2001 as of 30. December 2007; FREEDMAN, *Diocese of Vic*, S. 71-78 for subsequent struggles over city jurisdiction.

<sup>69</sup> *Genealogy* in M. ROVIRA I SOLÀ, *Noves dades sobre els primers vescomtes d'Osona-Cardona*, in: *Ausa* 9 (1981), S. 249-260, online at <http://www.raco.cat/index.php/Ausa/article/view/38640/38512>, last modified 20. November 2001 as of 30. December 2007, at S. 251-3 & 255; comital support in the Bull of Anm. 1 above.

Guadall was soon denounced and was degraded by Gregory and his functionaries in favour of Arnulf<sup>70</sup>.

With this seem to have ended the battles over Osona. Bishop Arnulf's ability to restore order to the see may have had much to do with an agreement he was able to make with an influential family of the city, the Montcadas, which is as much to say that local, rather than comital or ecclesiastical, politics were perhaps behind Ató's death<sup>71</sup>. If so, however, the timing is peculiar, and we may legitimately continue to think that the larger political claims of the papyri made them, as one commentator has put it, 'unes butlles que li van costar la vida'<sup>72</sup>.

Meanwhile, at Girona there had succeeded as bishop, within a very short space of time after Ató's return if not before, Count Miró III Bonfill of Besalú, brother of Marquis Oliba Cabreta<sup>73</sup>. Ramon MARTÍ sees this as key evidence that Borrell II had lost control of the situation there. He suggests that Miró was the neophyte in question in John XIII's Bull, and that having been elected he engineered Ató's death to prevent himself being ousted<sup>74</sup>.

There are to this writer's mind a number of problems with this hypothesis. It is true, as MARTÍ points out, that Miró was a member of no cathedral canonry (he writes with authority on that of Girona<sup>75</sup>, and there is no sign of him at Vic either), was not a monk in any house, and shows no signs of exercising a sacred ministry, while he had indubitably been a count since the death of his older brother Sunifred of Besalú in 968 and quite possibly as an assistant to him for much longer<sup>76</sup>. Nonetheless, he had also been a deacon since at least 941, and he was a scholar of some note: his documents, excessively Hellenizing and key elements in the legend of Count Guifré his grandfather, make this more than clear<sup>77</sup>. It is unlikely that anyone could realistically have considered the Count-deacon, better-schooled in Scripture and sacred learning than many a bishop, a neophyte. Perhaps Borrell and Ató were not being realistic, but it is a difficulty.

MARTÍ considers it a difficulty that must be faced because Miró is seen already acting as bishop on 20 April 970, a mere three days after the death date of Bishop Arnulf of Girona given in the Vic

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<sup>70</sup> Ebd.

<sup>71</sup> S. J. C SHIDELER, A Medieval Catalan Noble Family: the Montcadas, 1000-1230 (1983), online at <http://libro.uca.edu/montcada/montcada.htm>, last modified 16. August 2000 as of 22. August 2009.

<sup>72</sup> J. BASTARDAS, El català ver l'any 1000, in: OLLICH, Actes, S. 495-513, quote at S. 510.

<sup>73</sup> On whom see J. M. SALRACH, El bisbe-comte Miró Bonfill i la seva obra de fundació i dotació de monestirs, in: II Col·loqui d'Història del Monaquisme Català, Sant Joan de les Abadesses 1970, hg. von E. FORT I COGUL, 2 (Scriptorium Populeti 9, 1974), S. 57-81 with English summary S. 422-423.

<sup>74</sup> MARTÍ, Dela, Cesari i Ató, S. 378-379.

<sup>75</sup> Banyoles 35 appears to show Miró, then deacon, operating with Bishop Godmar II and chapter, including then-Archdeacon Ató, in 947; MARTÍ however considers this a forgery. It is treated by him as Girona 79.

<sup>76</sup> SALRACH, El bisbe-comte Miró Bonfill, S. 57-65.

<sup>77</sup> Most notably CC 4 1242, which has Guifré founding Santa Maria de Ripoll on land from which he had expelled the 'Hagrites'; this was to be adopted wholesale by the redactor of the *Brevis historia monasterii rivipullensis* (printed in P. DE MARCA, Marca Hispanica sive Limes Hispanicus, hoc est geographica & historica descriptio cataloniæ, ruscinonis, & circumiacentium populorum, hg. von É. BALUZE (1688: Nachdr. 1972 & 1989) [hereafter MH], ap. 404) and thence became part of the *Gesta comitum barcinonensium* (Gesta Comitum Barcinonensium: textos llatí i català, ed. L. BARRAU DIHIGO & J. MASSÓ TORRENTS (Cròniques Catalanes 2, 1925), this section being cap. 2, S. 5 in the 'Redacció primitiva' and S. 25 in the 'Redacció definitiva').

necrology<sup>78</sup>. The evidence for this however is a mention in Jaime VILLANUEVA's *Viage Literario* of a Ripoll charter of that date, now lost<sup>79</sup>, and a document supposedly of 1 January 971 also preserved only in a later notice, at Montserrat among the parchments stored there from the archive of the monastery of Sant Benet de Bages. This document has been edited since MARTÍ wrote, and Ramon ORDEIG, the editor, places it instead in 972<sup>80</sup>. Dating errors therefore seem to be the explanation here, and there is certainly no original document showing Miró as bishop this early. I prefer to do what VILLANUEVA did but MARTÍ does not<sup>81</sup>, and assume the anonymous neophyte was some emergency candidate not unlike the rôle which MARTÍ envisages for Delà in 954.

In this case we might suspect the interference not of the comital house of Besalú and Cerdanya, as does MARTÍ, but that of Empúries. It is, after all, Count Gauzfred of Empúries and his son Bishop Sunyer of Elna who are addressed in the Bull recording the nomination of Ató, an ex-Girona canon, as provisor to the see there<sup>82</sup>. By this rationale we should see in the appointment of Miró, unconventional cleric but unquestionably learned, worthy and rich, and also mostly an ally of Borrell's<sup>83</sup>, as another compromise between opposed interests. Miró was not the Barcelona choice, but he was acceptable to them, and because not the Barcelona choice also acceptable to Empúries. This is the interpretation I prefer, at any rate, but MARTÍ's case cannot be dismissed on the basis of the evidence and the reader must make the final decision.

## 7. Extrinsic critique of the Bulls

But, while this mess of politics and rivalry might explain the apparent lack of effect that the Bulls with which we began appear to have enjoyed—in such circumstances an appointment as archbishop that enjoyed any political support might quite plausibly have resulted in resistance, dispute and murder—it does not explain away the oddities involved in the pope's issuing of these documents or their own mutual contradictions. In the light of these, indeed, all this context rather serves to amplify the possibility that the Bulls themselves are creations of such party rivalry rather than having any genuine link to Borrell's and Ató's embassy.

<sup>78</sup> MARTÍ, Delà, Cesari i Ató, S. 378.

<sup>79</sup> VILLANUEVA, *Viage Literario* XIII, S. 69, cited by MARTÍ, Delà, Cesari i Ató, S. 378.

<sup>80</sup> Catalunya Carolíngia V: els comtats de Girona, Besalú, Empúries i Peralada, hg. von S. SOBREQUÉS I VIDAL, S. RIERA I VIADER & M. ROVIRA I SOLÀ, ed. R. ORDEIG I MATA (*Memòries de la secció històrico-arqueològica* LXI, 2003), doc. no. 413.

<sup>81</sup> MARTÍ, Delà, Cesari i Ató, S. 379, citing VILLANUEVA, *Viage Literario* XIII, S. 71.

<sup>82</sup> Vic 409. On Ató's previous service at Girona, see ORDEIG, Ató, S. 61-67.

<sup>83</sup> Miró and Borrell II appear together in numerous documents, for example Banyoles 35 (though see Anm. 75 above), Condal 131, MH app. 109 (dubious, as it shows Miró as bishop in 968), 112 & 123 & Els documents, dels segles IX i X, conservats a l'Arxiu Capítular de la Seu d'Urgell, ed. C. BARAUT, in: *Urgellia* 2 (1979), S. 78-143, no. [hereafter Urgell] 156; in Condal 144 & 157 Miró disposes of lands which he had got from Borrell, partly but not entirely in Condal 131. Furthermore, in Banyoles 45 (979) he makes a gift for the souls of Borrell and his dead brother Miró. As against this, another donation of Miró's to the monastery of Banyoles (Banyoles 46) in the same year refers to a time when Borrell was leading an army 'contra nos'. Cf. J. M. SALRACH I MARÉS, *El comte Guifré de Besalú i la revolta de 957. Contribució a estudi de la noblesa catalana del segle X*, in: *II Assemblea d'Estudis sobre el Comtat de Besalú* (1973), S. 3-36 at S. 24-27 and MARTÍ, Delà, Cesari i Ató, S. 379-380 for variant interpretations. Of the documents showing them acting together, however, MH ap. 112 has Borrell and Miró acting in cooperation in 972, not much more than a year after Miró's election, in Borrell's county of Manresa, well out of Miró's area and therefore not present out of pastoral obligation. I find SALRACH's interpretation of the sources easier to accommodate.



Now, it is very hard to make a case against the Bulls on palaeographical or diplomatic grounds. This is paradoxical, because there is very little against which they can be compared, but in the case of the Bulls at least, rather than the letter, the script of the originals is a Caroline-influenced curial minuscule that fits in a hypothetical evolution from the script of the facsimile of Agapit II's 951 privilege to la Grasse (and John XIII's 967 parchment Bull to Bologna if that be accepted as genuine), and the 998 privilege of Gregory V and subsequent documents of the eleventh century, and if these Bulls seem closer to the latter than the former to this writer, they are less so than the fragment of a Bull to Notre Dame du Puy that is the only other comparator (see Plate 1)<sup>84</sup>. Any deviation from the presumed development curve might be put down to the age or training of the individual scribe (for all commentators are agreed that all the papyri, even the letter with its different script, are in the same hand)<sup>85</sup>.

In formulaic terms comparison ought to be easier, since here copies also survive that can inform us, but in fact a comparison across the documents of John XIII's pontificate only demonstrates further individuality of practice, as well as involving us in the dispute over the date and purpose of the papal formula book, the *Liber Diurnus*<sup>86</sup>. Following Hans-Henning KORTÜM's recent work on this, it is clear at the very least that papal documents to Spain especially show considerable influence by their recipients on their drafting, to the extent that entire sections of text may have been brought by the embassies to Rome, and that the Bulls to Vic are nothing unusual in this<sup>87</sup>. On the other hand, as relatively ad hoc documents written to the specification of the circumstances, they should not be expected to adhere closely to model texts of either Roman or Catalan kind anyway, and indeed they do not<sup>88</sup>. Only the grant of the pallium follows formulae like those in the *Liber Diurnus* relatively closely, as is more usual with documents of this type; but it does not do so using the formulae that

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<sup>84</sup> References to these comparators in Anm. 5 above.

<sup>85</sup> E. g. KEHR, *ÄPS* S. 15.

<sup>86</sup> For this evaluation I have used *Papsturkunden* 170-220, that is the surviving documents of John XIII as edited by ZIMMERMANN, omitting those which he considers forgeries as having nothing to tell us of the authentic usages of John's curia. Extensive notes of textual similarities and relations, in many cases modifying ZIMMERMANN's, are made by H.-H. KORTÜM, *Zur papstliche Urkundensprache im frühen Mittelalter: die päpstlichen Privilegien 896-1046* (Beiträge zur Geschichte und Quellenkunde des Mittelalters 17, 1995). I have opted to follow ZIMMERMANN rather than KORTÜM, as I am frequently unable to discern the similarities that the latter notes (for example, see Ebd., S. 260 Anm. 62, or S. 277 Anm. 183, where the resemblances seem to me purely functional). On the *Liber Diurnus*, I cannot hope to give exhaustive references: an Anglolexic reader might start with T. F. X NOBLE, *Literacy and the Papal Government in Late Antiquity and the Early Middle Ages*, in: *The Uses of Literacy in Early Mediaeval Europe*, hg. von R. MCKITTERICK (1990), S. 82-108 at S. 84-101. KORTÜM, *Zur papstliche Urkundensprache*, S. 312-318, gives more historiographical detail, and argues that a text similar to surviving versions of the *Liber Diurnus* was being consulted by scribes writing papal documents (S. 318-402); cf. H. H. ANTON, *Der Liber Diurnus in angeblichen und verfälschten Papstprivilegien des früheren Mittelalters*, in: *Fälschungen im Mittelalter. Internationaler Kongreß der Monumenta Germaniae Historica*, München, 16.-19. September 1986, Teil III: diplomatische Fälschungen (I), (MGH (Schriften) 33.iii, 1988), S. 115-142, at S. 120 with ref. to earlier work, which argues that this is true, if at all, for two periods only (5th-6th and 10th-11th centuries), relating to different sections of the text. For ANTON, therefore, the *Liber* is a post hoc compilation and not a scribal manual.

<sup>87</sup> KORTÜM, *Zur päpstliche Urkundensprache*, S. 32-143, with particular attention to the Vic Bulls of 971 at S. 38-45 (the papyri) and 76-80 (the copies); cf. JOHRENDT, *Papsttum und Landeskirche*, S. 262-271 for a broader perspective that emphasises Catalonia's use of a unique complex of formulas in its papal privileges.

<sup>88</sup> ZIMMERMANN, *Papsturkunden*, Bd. 1, S. 406-407, 411 & 412.

John XIII's other authentic pallium grant does<sup>89</sup>. Given that the two had different scribes, and that choice of model text among the papal scribes seems to have been relatively unconstrained, it is hard to draw much significance from this. Similarly, the Bull to the bishops of all the Gauls has little in common with, for example, John XIII's grants of archiepiscopal status to Benevento or Magdeburg. Of the three documents involved at Benevento, however, one is at least interpolated, one a clear forgery and one at best dubious<sup>90</sup>: it is interesting that later generations seem to have remembered John XIII's pontificate as a good one in which to place a false grant of metropolitan status! But we have correspondingly fewer points of comparison and again, with a difference of scribe and different recipients acting on them, this sort of analysis can bring us no closer to the authenticity of the texts.

A further possibility of analysis derives from the names attributed to the documents' scribes in their later copies, but these are inconsistent. None of the three papyrus originals have a scribal name, as said, but in an eleventh-century copy of the pallium grant, the name 'George' is supplied<sup>91</sup>. There exists, however, an earlier copy of this document in Beneventan script that makes no such repair. George is also named as scribe in some of the copies of the two Bulls preserved only in parchment copies, but others name Peter<sup>92</sup>. For completeness's sake it should be noted that the copy of the Bull to the suffragans that names George as scribe also names the issuing Pope as Gregory, what must raise questions about the state or indeed existence of the original from which it was copied<sup>93</sup>. (This mess of attributions is clarified in Table 1.)

	<b>Papsturkunden 206<sup>94</sup></b>	<b>Vic 406</b>	<b>Vic 408</b>	<b>Vic 409</b>
<b>Original</b>	No name	No name	N/A	N/A
<b>1st copy</b>	C11th-no name	C11th-no name	C10th-no name	C11th-Peter
<b>2nd copy</b>	C11th-no name	C11th-no name	C11th-no name	C12th-George
<b>3rd copy</b>	C12th-George (text interpolated)	C12th-George	C11th-Peter (Pope Gregory)	N/A
<b>4th copy</b>	C13th-George (text interpolated)	N/A	C12th-George	N/A
<b>5th copy</b>	C14th-no name	N/A	C13th-no name	N/A
<b>Later</b>	No name in subsequent copies	N/A	No name in subsequent copies	N/A

Table 1. The scribal attributions of the Vic Bulls

While this perhaps only threatens the Bulls only preserved as copies, the general indecision by scribes apparently copying these documents fails to inspire confidence. On the other hand, the text, saving only an interpolation in the later copies of the first papyrus Bull making a bolder statement of

<sup>89</sup> The other being Papsturkunden 197; 196 is possibly authentic but relates closely to the forged 195.

<sup>90</sup> Papsturkunden 190, 191 and 192 respectively; the Magdeburg document is Papsturkunden 197.

<sup>91</sup> Vic 406 with MS refs there, or Papsturkunden 207.

<sup>92</sup> Vic 408/Papsturkunden 208.

<sup>93</sup> Despite this late, confused and contradicted testimony, most editors after KEHR, including most notably ZIMMERMANN but not JUNYENT and ORDEIG, have without concern adopted the name George for this scribe.

<sup>94</sup> JUNYENT or ORDEIG, in notes to Vic 405, have it that no copies bear a name; but ZIMMERMANN lists two copies of it which bear the name 'Georgius' (Papsturkunden 206).

papal rights<sup>95</sup>, is the same between versions, which suggests that we are looking at a consistent set of source documents with parts missing or illegible. Scribes of these names from later documents may well have supplied the names, as papal Bulls continued to be awarded to Catalonia.

## 8. Alternative explanations

### 8.1 The diplomatic of the letter to Oliba Cabreta

One possibility that needs to be discussed is provided by the half-Bull, half-letter, that may have been addressed to Oliba Cabreta. Several editors, even before the document's 1928 restoration, remarked that this document appeared to have been rewritten, and on the restored version the reader can see for him- or herself that a thicker pen has in places been applied over an underlying and thinner script<sup>96</sup>. More significant to this writer's mind however is that the only thing that cleanly associates this document with the two other papyri in its subject matter, other than that they relate to Ató, is one particle of his title, the archi- of archipræsul. As the accompanying facsimile demonstrates (Plate 2b), this part of the word is oddly extended in the document as restored (and also in KEHR's facsimile of the unrestored version), to at least double the space that the rest of the document's letter-spacing would lead one to expect. Without those five letters the document would only record Ató's right to provide for Girona's vacancy; with them, in all their oddity, it becomes part of the claim of a metropolitanate. I think it highly possible that at some point in this document's obviously confused history an honorific such as sanctus or dignus was washed or scraped out and replaced with the promotion that by then some archivist knew other documents gave him. I do not think, therefore, that this document can be taken to support its supposed siblings, and I consider that its peculiarities of form, script and content set it aside from them and their claims.

### 8.2 Alteration of existing papyri

Is it therefore possible that Borrell's and Ató's embassy in fact only dealt with the matter of Girona, to which John's response would seem relatively proportionate, and that the grant of a metropolitan title is a later fabrication, perhaps in support of the later Osona campaign for a reconquered Tarragona? The palæography and formulaic natures of the documents involved would seem to weigh against this, but one possibility might be that existing documents that had once said something else were adapted to support the new case. After all, Gerbert, trained at Vic, as the eventual Pope Sylvester II, issued Bulls to Urgell, Girona and the monastery of Sant Cugat de Vallès and it seems odd that he did not supply a similar Bull or two to his alma mater<sup>97</sup>. Could such documents have been repurposed?

The scribal attributions of the later copies of these documents do make this seem possible, in as much as scribes named Peter and George did operate in Rome at periods when such documents

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<sup>95</sup> Given in Vic 405 Anm. 2.

<sup>96</sup> Two editions of the Bull have noted this rewriting, *Documentos pontificos en papiro de archivos catalanes*, ed. A. MILLARES (1918), S. 144-147, and C. SILVA-TAROUCA and C. ERDMANN for PRD, VIII; KEHR, however, being aware of MILLARES's opinion when he examined the document, found no trace of it (ÄPS V), and JUNYENT or ORDEIG do not mention it.

<sup>97</sup> The originals Urgell 271 or Papsturkunden 399 to Urgell, and Papsturkunden 402 to Sant Cugat respectively, with facsimiles provided in ÄPS VIII & IX (PRD XI & XII); the Girona Bull only survives in a copy and is edited as Papsturkunden 404.

were being issued. Peter is the name of several successive scribes and indeed heads of the papal chancery from the close of the tenth century onwards<sup>98</sup>, but not any known from the reign of John XIII. Neither did that man seemingly employ a George; his known scribes were named Stephen and Leo, and once there appears a Theodorus<sup>99</sup>. One of the earliest Peters operating as a papal scribe was in fact the scribe of Gregory V's bull from 998<sup>100</sup>, and he also wrote the two original Bulls of Sylvester II for Urgell and Sant Cugat del Vallès<sup>101</sup>. From these three documents it is clear that this Peter at least did not write the Bulls of 971, but his name would have been known in the Vic chapter as a scribe of papal documents.

A George however does not turn up writing any Spanish Bull. One occurs writing for the Popes in 992 and seems to be joined by another c. 1024 but all their documents went to Italy, England, France or Germany<sup>102</sup>. Examination of Roman private charters allows us to expand on this, and give a rather closer chronology for the career of the Georges of Rome in which our Bulls would then have to fit. The results of this are best presented as a table, in which the Vic documents are shown in bold face<sup>103</sup>.

Date	Document	Rôle	Title
17 Aug 942	RS 155	Witness	Secundicerius
15 April 943	RS 36	Witness	Secundicerius
15 Feb 944	RS 54	Witness	Secundicerius
May 944	Papsturkunden 106	Dating	Secundicerius
11 June 944	Papsturkunden 107	Scribe	Scriniarius
15 Mar 952	RS 122	Witness	Secundicerius
24 May 952	RS 195	Witness	Secundicerius
24 May 952	RS 195	Scribe	Tabellius
29 Oct 953	RS 65	Witness	Tabellius
2 Jan 956	Papsturkunden 138	Dating	Secundicerius
May 958	RS 20	Witness	Secundicerius
May 958	Papsturkunden <147	Witness	Secundicerius
8 May 961	RS 124	Actor	Exiguus

<sup>98</sup> KEHR, *ÄPS*, S. 28-31.

<sup>99</sup> Stephen in Papsturkunden 175, 177-179, 182, 184-187, 189-192, 194, 195, 197, 199, 204, 205, 213, 215 & 217-220; Leo in 171, 183, 193, 200, 201 & 216; and Theodorus in 188. The Vic documents are Papsturkunden 206-210; all others omitted from the sequence preserve no scribal clause in the copies in which they now exist. The only others of these documents to Spain are nos. 171, 193 & 194.

<sup>100</sup> S. Anm. 1.

<sup>101</sup> S. Anm. 97.

<sup>102</sup> See Table 2 below for occurrences.

<sup>103</sup> Citations, aside from those from ZIMMERMANN, Papsturkunden, from *Il Regesto Sublacense del Secolo XI*, ed. L. ALLODI & G. LEVI (Bibliotheca della Reale Società Romana di Storia Patria, 1885) ['RS' in the table]; *Ecclesiae S. Mariae in Via Lata Tabularium. Partem vetustiorum quae complectitur chartas inde ab anno 921 usque ad a. 1045*, ed. L. M. HARTMANN (1895) ['MVL'T' in table]; & L. SANTIFALLER, G. RILL & W. SZAIVERT, *Chronologisches Verzeichnis der Urkunden Papst Johannis XIX 1024 Juni bis 1032 August*, in: *Römische Historische Mitteilungen* 1 (1957), S. 35-76 ['Santifaller' in the table]. I have also consulted *Carte del Monastero dei SS. Cosma e Damiano in Mica Aurea. Parte I: secoli X e XI*, ed. P. FEDELE, hg. von P. PAVAN (Codice Diplomatico di Roma e della Regione Romana 1 1981), in which no scribe or official called George appears till 1078.

Date	Document	Rôle	Title
12 Feb 962	Papsturkunden 154	Dating	Secundicerius
13 Dec 963	Papsturkunden <161	Dating	Secundicerius
Feb 967	RS 74	Actor	Abbot of Sublaco <sup>104</sup>
<b>Jan 971</b>	<b>Papsturkunden 206</b>	<b>Scribe</b>	<b>Notarius et Regionarius et Scriniarius</b>
<b>[Jan 971]</b>	<b>Vic 406B</b>	<b>Scribe</b>	<b>Notarius et Regionarius et Scriniarius<sup>105</sup></b>
<b>[Jan 971]</b>	<b>Vic 408D</b>	<b>Scribe</b>	<b>Notarius et Scriniarius</b>
<b>Jan [971]</b>	<b>Vic 409B</b>	<b>Scribe</b>	<b>Notarius et Scriniarius</b>
6 Feb 989	MVLT XVII	Scribe	Scriniarius
27 Mar 991	MVLT XXI	Scribe	Scriniarius
May 992	Papsturkunden 311	Scribe	Scriniarius
31 Oct 994	Papsturkunden <321	Scribe	Scriniarius & Notarius & Regionarius <sup>106</sup>
Apr 1004	Papsturkunden †413	Scribe	Notarius et Scriniarius
Dec 1013	Papsturkunden 483	Scribe	Notarius et Scriniarius
1 May 1016	RS 136	Scribe	Scriniarius
1 Aug 1018	Papsturkunden 522	Scribe	Notarius et Regionarius et Scriniarius
27 Sep 1022	Papsturkunden 541	Scribe	Ypocancellarius
XDec 1024	Papsturkunden 561	Scribe	Scriniarius
Dec 1024	Papsturkunden 562	Scribe	Scriniarius
14 Dec 1026	Papsturkunden 568	Ordinary	Scriniarius
17 Dec 1026	Papsturkunden 569	Scribe	Notarius et Regionarius et Scriniarius
31 Mar 1027	Santifaller 49	Scribe	Scriniarius
Dec 1028	Papsturkunden 581	Scribe	Notarius Regionarius et Scriniarius
1024X1028	Santifaller 14	Scribe	Notarius et Regionarius et Scriniarius
12 June 1029	Papsturkunden <585	Scribe	Notarius Regionarius et Scriniarius
Mar 1032	Papsturkunden †596	Scribe	Notarius Regionarius et Scriniarius
1028X1032	Papsturkunden 580	Scribe	Notarius Regionarius et Scriniarius

Table 2. Officials named George in Roman documents 942-1032

This suggests that if the scribal name and title of the Bulls at Vic were authentic, they would have to date from a window of 994X1018 or 1013X1022, 1022X1026, depending on which of their titles we consider. This closely matches the opening of the window provided by the analysis of scribes called Peter above, and in the former case would encompass the Spanish documents of Gregory V and Sylvester II.

Regrettably for the theorist so occupied, the Bulls of 971 cannot be by the Peter or either of the Georges who wrote for these two Popes, for we have original documents by all three, and a comparison rapidly shows that there is no possibility of identifying these scribes with each other (see

<sup>104</sup> This was the new occupation of the secundicerius of previous years, and even if he persisted in having business at the curia he is never seen to write a papal document before his appointment as abbot.

<sup>105</sup> In Vic 405 & 406 the scribal title is given as: 'notarius & regionarius & scriniarius sancte Romane ecclesie' (in the former case seemingly corrected from an initial 'notarius sancte...'); Vic 407 bears no scribal signature but Vic 408 & 409's scribe apparently called himself only 'notarius & scriniarius'. Such variation in usage from the same scribe is unusual, as can be here seen.

<sup>106</sup> The inversion of the scribe's titles from their usual sequence here is one of several dubious features of the document which lead me to suspect it can be discounted from our sequence.

Plates 4 & 5). The scribe of the 971 documents is not one whom we can elsewhere or, more importantly, elsewhere identify. If Bulls of Gregory V or Sylvester II were indeed altered to produce our 971 documents, therefore, it was by a non-papal scribe who nonetheless knew curial minuscule, which seems unlikely. Furthermore, such a theory of later fabrication does not explain the contemporary use of an archiepiscopal title in the Vic necrology, which seems unlikely to date from so late as the 1000s, and a formulaic example such as that which plainly underlies the grant of the pallium to Ató would have had to be confected in full cloth (or reed), all of which seems too difficult to envision.

### 8.3 Contemporary Skulduggery

It seems therefore that the idea that these documents were altered or created in Catalonia cannot be sustained. The explanation of the case that follows seems to this writer to be the only one more acceptable than the traditional, but problematic, story of archiepiscopal assassination, but it raises serious questions for not just its own papal documents but others more generally. This is why it has been worth eliminating so many other possibilities at length.

Again, we must start with an initial position that Borrell and Ató indubitably went to Rome, because it is impossible to conceive why RICHER might have misled on this point, and that they asked about arrangements giving Ató control over the Girona election. Let us not, however, discard the idea this time that they also requested archdiocesan rank for Osona. Would this have been granted? The documents that tell us that it was are problematic, and a contemporary writer at Girona, to say nothing of later bishops of Osona, apparently thought it untrue. Why did the Girona clergy and the rest of Catalonia after them find it possible to ignore these papyri that remained at Vic as evidence of Ató's title?

At this point we must recall that these documents were not formally finished: the missing suffragan names in the Bull to all the Gauls (of which nowhere else in those provinces preserved a copy) and the lack of scribal names, or in some cases entire scribal clauses, are not, one might think, traits of complete official documents. There are a significant number of papal documents in this state and they have elicited some discussion, most notably by RABIKUSKAUS<sup>107</sup>. It has been suggested that documents were written by junior scribes and passed to the officials of the chancery for signing off, and that in our defective cases this signing-off could not for some reason be achieved<sup>108</sup>. The high number seems to militate against an explanation in such terms of procedural error, and in fact RABIKUSKAUS observed that several such documents had their dating clauses written by the same scribe as had written the main text, so that this explanation fails in these cases<sup>109</sup>. He instead suggested that the scribes used by the curia did not sign off a document until it was complete, and that many of the signature-less documents, like indeed our Bull to all the Gauls, lacked other information which was necessary for the document's text to be fixed.

<sup>107</sup> P. RABIKUSKAUS, Zur fehlenden und unvollständigen Skriptumzeile in den Papstprivilegien des 10. und 11. Jahrhunderts, in: *Saggi Storici in torno al Papato dei Professori della Facoltà di Storia Ecclesiastica*, hg. von V. MONACHINO (Miscellanea Historiae Pontificiae edita a Facultate Historiae Ecclesiastica in Pontificia Universitate Gregoriana 21, 1959), S. 91-116, at S. 107-116; earlier remarks to be found at KEHR, *ÄPS*, S. 34.

<sup>108</sup> Similar production methods have been hypothesized for the royal documents of the kings of the Asturias; see L. BARRAU-DIHIGO, Étude sur les actes des rois asturiens, (718-910), in: *Revue Hispanique* 46 (1919), S. 1-191 at S. 7-8.

<sup>109</sup> RABIKUSKAUS, Skriptumzeile, S. 112-114.

These documents were however apparently still acceptable to their recipients, or we would not have so many. This explanation is thus not entirely satisfactory. In our case the situation is a further step away from completion, as none of the 971 Bulls bear a dating clause. This makes them like many other Bulls as now preserved, but we cannot securely say that they were even officially issued or approved.

Whoever the scribe may have been, however, it is clear from researches both as modern as KORTÜM's and as established as HARTMANN's that scribes who wrote for the papacy also drew up private charters, and that a 'scriniary' was not only a papal scribe<sup>110</sup>. Whether the private notariate was or was not organised as part of the Roman Church or as part of the city administration, or as seems more likely to KORTÜM that it was not at all organised and that individual scribes were recognised as having attained certain grades by a group not necessarily wider than the audience when they worked, it seems clear that visitors to Rome could have found and obtained the services of such a scribe. Indeed, given the extensive input of the recipients on the documents which were finally issued that KORTÜM has inescapably demonstrated, for the Spanish material at least<sup>111</sup>, one may wonder if the usual way in which such documents were created might not have been to get them drafted privately, according to material prepared at home, in time for the audience with the Pope so that they could be dated and issued there and then<sup>112</sup>. It is clear that papyrus would have been available outside the curia at this time, and a whole-cloth drafting on site prior to the audience seems entirely possible<sup>113</sup>.

What then might occur if the Pope decided that the request of the petitioner could not be granted? Might not the recipients carry home their documents anyway and attempt to claim that all had in fact gone their way? We need not speculate: it is in fact apparent that people did this. There are

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<sup>110</sup> KORTÜM, *Zur Päpstliche Urkundensprache*, S. 396-399 and references there; HARTMANN, *Ecclesia S. Mariae*, S. XIII-XVIII.

<sup>111</sup> It is problematic that KORTÜM's method is to progressively profile his sample according to what sorts of document was found most informative in each preceding chapter. By the final sections the reader is being presented with only a small slice of the available evidence, which, given the significant regional variations in practice subsequently detected by JOHRENDT, *Papsttum und Landeskirche*, tends to undermine conclusions in that part of the work. Happily for us at least, KORTÜM begins with the Spanish material. Admittedly, that section of his work identifies as typically Spanish vulgar usage, largely on the basis of a single work (J. BASTARDAS PARERA, *Particularidades sintácticas del latín* (1953)), much which is then also identified as typically Italian in the following chapter. On the other hand, it also notes much which is distinctive to me from the Catalan documents, in particular the heavy articular use of 'ipse', which is not found in other areas: see KORTÜM, *Zur papstliche Urkundensprache*, S. 49 Anm. 146, citing BASTARDAS PARERA, *Particularidades*, S. 68. For some support for KORTÜM's analysis of the material from other areas, albeit from different principles, see R. F. BERKHOFER, *Inventaires de biens et proto-comptabilités dans le nord de la France (XI<sup>e</sup>-début du XII<sup>e</sup> siècle)*, in: *Pratiques de l'écrit documentaire au XI<sup>e</sup> siècle*, hg. von O. GUYOTJEANNIN, L. MORELLE & M. PARISSE, in: *BBCh* 155 (1997), S. 339-349 of S. 4-349 at S. 341 and refs there.

<sup>112</sup> In support of such a case, see RABIKAUŠKAUS, *Skriptumzeile*, S. 103 Anm. 31: 'Daß solche Empfängerherstellungen damals in Rom angenommen und bestätigt wurden, wird in einem Schreiben des Abtes Albertus von Micy bei Orléans an den Papst Johannes XIX (?) vorausgesetzt: Et ob hoc suggerimus vestra sanctitati, ut duos tomos, quos in vestro nomine scripsimus, quorum unum proprietatum largiti beneficii huius feminae venerabilis continet, alter autem totius summam substantiae nostri coenobii, corroboretis vestra auctoritate cum sigillatione sigillii vestri nominis (J. MABILLON, *Annales Ordini Sancti Benedicti*, IV Lucae 1739 203).'

<sup>113</sup> K. MARESCHE, *Papyrus*, in: *Lexikon des Mittelalters* Bd. VI: *Lukasbilden bis Plantaganet* (1993), cols 1693-1695, and refs there.

provisions in at least one Frankish capitulary against people who brought back false documents from the Holy See<sup>114</sup>, and such provisions make it clear that despite our reverence for papyri the self-interested scepticism of Girona is a far more contemporary reaction than that of modern historiography. It was apparently easy enough to obtain documentary proof of one's claims in the Apostolic city and Ernst PITZ has published examples of popes having to send letters cancelling instructions they had never given<sup>115</sup>. We should really expect much more of the preservation to emanate from such circumstances than has hitherto been allowed for.

## 9. Conclusions

Such a case, I think, is the resolution of the difficulties with Ató's appointment. John XIII may well have approved the award of control over Girona. He probably did not however raise Ató to metropolitan rank, for all the reasons we have raised against such an idea, and Girona's clerics, either sceptical about documents from Rome or perfectly well informed by embassy participants that the Bulls were not in fact John XIII's wishes, ignored Ató's claims. Compromise and negotiation finally achieved the election there of Miró Bonfill. Fruià, succeeding after Ató's death, did not therefore apply to John XIII or his successors for a pallium, because he knew that John XIII had not sent Ató one. Meanwhile the Bulls remained, ignored, at Vic, and 'Archbishop' Cesari outlived Ató by ten years and used his title to the end of his days.

The problems that this solution raises may be more than those it solves. It is as much to say that unless they preserve a dating clause, even apparently authentic papal documents may well not represent any official kind of approval of their contents, and even if dated, since the dating official is sometimes the scribe of the main text, doubts may legitimately be expressed about the 'authenticity' of almost all papal instructions in such documents. This is however the direction in which KORTÜM's researches and the impossibilities of these texts lead us: in a situation where the text of such documents was already mostly chosen by the recipients and<sup>116</sup>, as with other rulers' charters, where they existed only because a request had been made for them rather than out of

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<sup>114</sup> *Capitularia Regum Francorum* 2, ed. A. BORETIUS & V. KRAUSE (MGH LL Sectio II: *Capitularia Regum Francorum* II, 1897), Nr. 252 ('Concilium Triburense, 895, Mai, 5'), cap. 30 (pp. 230-231), 'De eo, si quis ab apostolico falsam detulerit epistolam.... Si vero, quod non decet, quilibet sive sit presbyter, sive diaconus, aliquam perturbationem machinando et nostro ministro insidiando redarguatur falsam ab apostolico detulisse falsam epistolam vel aliud quid, quod inde non convenerit, salva fide et integra circa apostolicum humilitate, penes episcopum sit potestus utrum eum in carcerem aut in alium detrudat custodiam, usque quo per epistolam aut per idoneos suae partis legatos apostolicam interpellat sublimitatem, ut potissimum sua sancta legationis dignetur decernere, quid de talibus iusto ordine lex Romana statuatur diffinere, ut eis arrigatur et ceteris modus imponatur', or cap. 30a: 'Si quis clericus falsam episcopo de sede apostolica portaverit epistolam et exinde victus fuerit, in arbitrio episcopi sui consistat, utrum eum in carcerem vel in aliam quamlibet detrudat custodiam, quod usque per litteras suas apostolicam sedem interpellat, quid de eo est faciendum'. Cited by E. PITZ, *Erschleichung und Anfechtung von Herrscher- und Papsturkunden vom 4. bis 10. Jahrhundert*, in: *Fälschungen im Mittelalter* III, S. 69-113 at S. 106 Anm. 135; see the rest of the article for further discussion and examples from a wider timeframe, which include that further referenced in Anm. 23 above.

<sup>115</sup> PITZ, *Erschleichung und Anfechtung*, S. 108-109. Cf. also BERKHOFER, *Inventaires de biens*, S. 341 and refs there, which notes that in later centuries the popes adopted formulations that admitted they had not verified the suitors' claims such as 'in propriis uerbis'. In this version of events of course, the Catalan documents would never have been in the hands of the papal chancery.

<sup>116</sup> KORTÜM, *Zur Päpstliche Urkundensprache*, S. 387: 'Für eine häufig vom Empfängerwunsch abhängige und beeinflussbare päpstliche Kanzlei kam es in der praktischen Arbeit vor allem auf eine formularmäßige »Einkleidung« der Empfängerdispositio an'.



papal policy<sup>117</sup>, it cannot be forbidden to suggest that some such documents might never have involved the pope at all, especially when there are contemporary grounds for suggesting this<sup>118</sup>. If we were able to deduce as much about the production of royal or private charters as we are papal ones, indeed, we might find our foundations in these diplomatic fields similarly soft<sup>119</sup>. But, in this case, this writer finds the disputed, underhand and finally irrelevant nature that it gives the archiepiscopate of Ató more plausible than an official above-board elevation which nonetheless ignored so many important factors of the history and structure of the Church of the March and was so quickly abandoned in the face of difficulty.

The extent of opposition to Ató, even if it is only that testified at Girona, seems to place him with Cesari and Esclúa as proof that the Catalan Church did not, just as did not the laity of the time, feel a burgeoning national identity which set them apart from their cousins (often quite literally) of the Midi, or at least not one that inclined them to acquiesce to the domination of one of their fellows. It is hard to see Delà's rather sketchy title in any such light either. Such concerns, in this field as well as the lay political, appear to have been concerns of the twelfth century, resisting the increasing claims of the now-Toledan monarchy nearby to represent and dominate all of Christian Spain. If Ató's story were to have been completely fabricated, this would have been fertile ground for it, but aside from the palaeographical and diplomatic difficulties we have raised with such an idea, individual initiatives on the part of Borrell II and his supporters, using Rome to their advantage in the face of considerable and effective opposition, seem much more in keeping with the times and situation. In the end, while we can say that Esclúa was not an archbishop, that Cesari, while he may have been one for some people, was not so by any useful canonical definition, and that Delà, if he ever thought he was, was rapidly persuaded out of the idea, we cannot rule with certainty in the case of Ató. I hope however that my suggestions go some way to illustrating not just issues with the source material but also the tensions and difficulties of the time when this question was first disputed, and why it should be again<sup>120</sup>.

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<sup>117</sup> This idea, long apparent to Catalan scholars for whom the impracticality of applied royal policy in their area's royal documents was obvious (see ABADAL, *Primers comtes*, S. 275-305), is now becoming current in researches more centred on the Carolingians' central rule: see M. MERSIOWSKY, *Towards a Reappraisal of Carolingian Sovereign Charters*, in: *Charters and the Use of the Written Word in Medieval Society*, hg. von K. HEIDECKER (Utrecht Studies in Medieval Literacy 5, 2000), S. 15-25. Clearly the same applies to papal documents, often as PITZ emphasises (*Erschleichung und Anfechtung*, S. 76-80) requested from areas of which the Pope would have known nothing and could find out little more.

<sup>118</sup> KORTÜM indeed makes just such a suggestion of *Papsturkunden* 510, on the grounds that it bears witnesses, in numbers quite unusual for a papal document, whom he takes to be from a Catalan assembly (KORTÜM, *Zur Papstliche Urkundensprache*, S. 126-130); I am not sure about this, as Count Bernat Tallaferro most definitely did not travel to Rome alone on this occasion: see R. D'ABADAL I DE VINYALS, *L'Abat Oliba, Bisbe de Vic, i la seva Època* (El Guió d'Or 1948, 2<sup>nd</sup> edn. 1948, 3<sup>rd</sup> edn. 1962), Nachdr. *L'abat Oliba i la seva època*, in: ABADAL, *Dels Visigots als Catalans*, 2, S. 141-277, at S. 165-172 & 190-196 of the reprint, for the clearest account. On the other hand those mentioned in Benedict VIII's other Bull for this embassy (*Papsturkunden* 513) are not those who witness this document. Even if this instance will not bear the weight of KORTÜM's suggestion, however, it is clear that others may do.

<sup>119</sup> Cf. S. KELLY, *Anglo-Saxon Lay Society and the Written Word*, in: MCKITTERICK, *Uses of Literacy*, S. 36-62 at S. 54-56, where she suggests that a number of Anglo-Saxon charters of unusual form and language may be draft copies never completed. It is also of course possible that because of their greater use of vernacular they were simply preserved instead of their 'originals'.

<sup>120</sup> In the course of the work on this paper I have amassed a huge number of debts, many of which I have already acknowledged in the footnotes where relevant but among whom especial thanks are due to Ramon ORDEIG I MATA and Ramon MARTÍ for good-naturedly supplying me with much of the means to argue with their work.

Appendix: collated text of the letter-Bull to Oliba Cabreta (see Anm. 19)

**† Iohan[nes episcopus, servus s]ervorum Dei**, gloriosissimo et [..... apostolicam benedic]tionem et carissimam salutem. Filiationi tuae notum esse volumus q[uod...] ex parte[....]accepimus [...]quid [....] doc[...]  
tris con[...]  
tur agnovimus qualiter in vestris partibus subito ex laicis sacerdotes efficiant, quod gravissimum et detestabile omnium debet esse Christi fidelium, unde quia omnium ecclesiarum Dei nos sollicitudo coadtat tam pestiferum [et inonestum vitium] a regno vestro a cunctis catholicis christianis funditus eradicare satagimus, fulti et moniti apostolorum et sanctorum patrum auctoritas. Maxime beatissimi papae Gregorii, ubi inter cetera ad Siagrio episcopo Agustudinensi scribens ait: Hoc quoque ad nos pervenisse non dissimili dignum detestatione complectimur quod quidam Desiderio honoris inflati defunctis episcopis tonsorantur et fiunt repente [ex] laicis sacerdotes, atque inverecunde religiosi propositi ducatum arripiunt qui nec esse aduc milites didicerunt. Quid putamus quid isti subiectis prestaturi sunt qui antequam discipulatur limen attingant tenere locum magisterii non formidant. Qua de re necesse est ut si quamvis inculpati quisque sit meriti, ante tamen per distincta ordinis e[ccle]siastici exerceatur officia, videat quod imitetur, discat quod doceat, informetur quod teneat. Ut postea non debeat errare qui eligitur viam erranti demonstrare, diu ergo religiosa meditatione poliat ut placeat, et sic lucerna super candelabrum posita luceat ut adversa ventorum vis irruens conceptam eruditionis flammam non extinguat sed augeat, nam cum scriptum sit ut prius quis probetur et sic minstret, multo amplius ante probandus est qui populi intercessor assumitur ne fiant causa ruine populis sacerdotes mali. Nulla igitur contra oc excusatio, nulla potest esse defensio, quia cunctis liquido notum est que sit in huius rei diligentia sancti egregii sollicitudo doctoris qua neofitum ad hordines vetat sacros accedere sicut autem tunc neofitus dicebatur qui in initio in sancte fidei erat eruditione plantatus sic modo neofitus habendus est qui repente in religionis habitu plantatus ad ambiendos honores sacros inreperit, ordinate ergo ad ordines ascendendum est. Nam casum appetit qui ad summa loci fastigia postpositis gradibus per abrupta querit ascensum. Et quia Gerundensem ecclesiam sine plebi et populi electionem episcopum neofitum consecratum audivimus quod nulla ratio sint ut inter episcopos habeantur qui nec a clericis sunt electi nec a plebibus expetitis, modis omnibus volumus et iubemus ut eiusdem sanctae Gerundensem ecclesiae Attonem virum venerabilem archipresulem et confratrem nostrum provisorem et gubernatorem ipsi[us] ecclesiae in omnibus preesse constituo, ita sane ut plebem et populum sibi commissum sic iuste et canonice regat, quatinus pro illis Deo redditurus sit rationem in die iudicii.

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