

Monarchy and Universities in the Hispanic kingdoms (13th-15th centuries): interventionism in their government and funding¹

SUSANA GUIJARRO

University of Cantabria, Faculty of History, Spain

guijarrs@unican.es

<https://orcid.org/0000-0002-0082-1541>

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Abstract. This paper studies the differences between the Crowns of Castile and Aragon in the relationship between monarchy and universities in the Late Middle Ages. In the case of the first Castilian universities, it nuances the excessive importance that historiography has granted to the monarchs in their foundation and instead stresses that the initiative came from bishops and cathedral chapters before being seconded by royalty. It also describes the changes in the royal intervention in university funding and protection. As regards the Crown of Aragon, it emphasises the role of the urban oligarchy in the municipal corporations in the creation of the universities, together with the king and the bishops. This was the reason for the importance of municipal funding despite the initial opposition in the 13th century to an institution with its own jurisdiction that was outside its control.

Keywords. Castile and Aragon Kingdoms, universities, Royal funding, interventionism, Late Middle Ages.

1. The first Hispanic universities (13th century): episcopal initiative and royal support

The first Hispanic universities, in Palencia and Salamanca, were founded in the first two decades of the 13th century at the same time as the universities of Bologna and Paris, epicentres in Western Europe until then of law [Bologna] and theology [Paris] respectively. The historiography about the origin of the universities has classified Palencia, Salamanca and Valladolid in the typology of those that emerged by a decision of royal power. This classification, however, overshadows the role played by some bishops and the importance of cathedral schools that created the breeding ground for the appearance of these higher education institutions in medieval Europe.

¹ Some of the data presented in this paper were taken from ecclesiastic sources consulted in the context of the R+D Project of the Spanish Ministry of Science and Innovation, PID2019-108273GB-I00, of which the author is the principal investigator.

In the case of Palencia, behind the foundation promoted in the kingdom of Castile by King Alfonso VIII between 1209 and 1212 was the figure of a bishop. Traditionally, following the accounts of Lucas de Tuy in his *Chronicon mundi* (ca. 1236) and Rodrigo Jiménez de Rada (+1247) in his *De rebus Hispaniae* about how Alfonso VIII summoned teachers in theology and liberal arts (FALQUÉ 2003: 324-325; FERNÁNDEZ VALVERDE 1987: 21-22), it has been maintained that this bishop would have been Tello Téllez de Meneses (ca. 1170-1246). More recently, Gonzalo Martínez has claimed that Bishop Raimundo II (1148-1184) was the true designer of the project that Alfonso VIII supported. According to his argument, Bishop Tello Téllez de Meneses would, in reality, have been the restorer of the *Studium generale* (a *Studium* that has been recognised by the Pontiff and awarded academic qualifications with universal validity) or University of Palencia with the support of King Ferdinand III (MARTÍNEZ DÍEZ 2012: 47-68). However, no documents are extant that demonstrate Alfonso VIII's influence in its foundation (FUENTES PÉREZ 2012: 74-75).

The documentary silence about the time of the origin of this first Hispanic university does not allow this hypothesis to be tested any further, but the available information stresses the episcopal sponsorship of the centre. The earliest extant documents are three bulls by Honorius III that deal with the *Studium generale's* need for funding, because it had not started to function with the necessary financial strength; and a reply to the demand presented by Bishop Tello Téllez de Meneses and King Ferdinand III (1217-1252) to reform it. The kings of Castile are known to have received ecclesiastic revenue ceded by the pontiff to wage war on the Muslims. This royal income with an ecclesiastic source was known as the 'tercias reales' (a ninth of the ecclesiastic tithes collected in the churches of the diocese; to be precise, of the 'tercia' of each church's fabric). In the first bull (1220), the pontiff addresses the city council and the nobles in the diocese of Palencia to inform them about the king and the bishop's decision: for five years, a quarter of the 'tercias' of the diocese tithes would be used to pay the salaries of three masters (a theologian, a jurist and a logician). The other two bulls (1221 and 1225) ensured the continuation of this concession for a quinquennial. However, the political situation of the resumption of the war against the Almohads in 1224 prevailed (SAN MARTÍN PAYO 1942: 77-80). The last direct testimony of the institution is the request for assistance that Bishop Fernando (1256-1265) addressed to Pope Urban IV and which was answered in 1263 with concession to the University of Palencia of the same privileges enjoyed by the University of Paris (RASHDALL, POWICKE, EMDEN 1958: 358; SAN MARTÍN PAYO 1942: 89). Political

instability in Castile and possibly the lack of direct contact between the court and the bishops who succeeded Tello Téllez de Meneses limited the possibility of the monarchy protecting the university. Thus, while the *Studium generale* in Palencia was languishing, in the neighbouring Kingdom of León the cathedral schools in Salamanca were turning into a *Studium generale*.

Once again, the origins of the second medieval university in the Iberian kingdoms are not known from a royal foundation document but from the account of Lucas de Tuy (†1249) in his *Chronicon mundi*, written in about 1236. The Leonese prelate makes the king of León, Alfonso IX (1188-1230), the founder of the University of Salamanca following the counsel of important teachers whom he had convoked. He also gives some political-military indicators that enable the foundation to be dated between late 1218 and early 1219 (*Cartulario de la Universidad de Salamanca* [henceforth, CUS], I, doc. 11)². His direct successors confirmed this foundation that, in 1245, the Council of Lyon named among the four *Studia generalia* or universities in Christendom, together with Paris, Bologna and Oxford (RODRÍGUEZ CRUZ 1989: 73-74). In 1243, Ferdinand III confirmed the privileged and autonomous legal status as regards civil jurisdiction granted by his father, Alfonso IX, to the students when he founded the *Studium*, took masters and students with their goods under his protection, and named a tribunal of ecclesiastics (bishop, dean and two members of convent orders) and other distinguished people to decide on the possible conflicts that might appear (ESPERABÉ ARTEAGA, I, 1914: 6 April 1243, doc. 19). In 1252, to these privileges he added the exemption from taxation for the goods that members of the academic staff took to Salamanca and a guarantee of freedom and security for them to travel around the kingdom (ESPERABÉ ARTEAGA, I, 1914: 12 March 1252, doc. 20). Two years later, in 1254, Alfonso X agreed to the request of the corporation of students and granted what was then called the *Studium generale* statute (or *carta magna*) that confirmed the exemptions they enjoyed; assured the lodgings and provisioning of the students; and ceded an economic assignation of 2,500 maravedís a year to pay the salaries of several officials and eleven masters in the Faculties of Arts and Law that then existed (CUS, I, 8 May 1254, doc. 23)³. The masters, clergy mostly of at least the lower orders, enjoyed their ecclesiastic benefices and a salary drawn from the ‘tercias reales’.

² A peace agreement with his son Ferdinand, a failed siege of the city of Cáceres and a truce with Portugal in 1219.

³ When the lands that had been under Muslim dominion had been conquered (except the kingdom of Granada) from the late 13th century, the availability of the so-called ‘tercias reales’ by the monarchs was more difficult.

Alfonso X was also responsible for the initiative that led to four bulls granted by Pope Alexander IV which constituted the pontifical confirmation of Salamanca as a *Studium generale* with its own seal and authorisation for the regular clergy to study civil law during three years (CUS, I, 6 April 1255, doc. 6 and 15 July 1255, doc. 7; *Bulario de la Universidad de Salamanca* [henceforth, BUS], 22 September 1255, doc. 15). This was added to the legal protection for the university staff as well as guaranteeing the institution its own jurisdiction, which would be exercised by the chancellor ('maestrescuela') of the cathedral (BUS, 15 July 1255, doc. 12 and 22 September 1255, doc. 14). At the same time, Alfonso X tried to implicate Salamanca city council in the protection of the university by urging it to respect its fiscal exemptions ('portazgo') and to facilitate the provision of food for its members (ESPERABÉ ARTEAGA, I, 1914: 14 August 1267, doc. 4; 31 January 1271, doc. 5; 1 January 1276, doc. 6; RODRÍGUEZ CRUZ 1989: 23 April 1282, Appendix 9)⁴. The last two decades in the 13th century, the end of the initial phase of the institution, were affected by political instability in Castile (disagreements between Prince Sancho IV and his father and the minority rule of his successors Ferdinand IV and Alfonso XI). The devaluation of the currency raised the assignment devoted to the salaries of masters and officials. In 1284 it went from 2,500 maravedís to 11,600 (CUS, I, 111). In about 1300, Ferdinand IV had to address the decline in the takings of the income from the 'tercias reales', which would be leased publicly by the city council (the king named two municipal administrators of this income called 'conservadores'), the bishop and the cathedral chapter (CUS, I, 07 August 1300, doc. 46)⁵.

Those last two decades in the 13th century and their foreboding of a deeper economic crisis did not stop Sancho IV agreeing to the request made by the Archbishop of Toledo and his chancellor, Gonzalo García de Gudiel (1280-1298), to found a 'Studio of general schools' (*Studium generale*) in the town of Alcalá de Henares in 1293 (GAIBROIS BALLESTEROS, I, 2019, doc. 479). It was granted all the privileges enjoyed by the *Studium* of Valladolid, so the latter apparently already existed (CUS, I, 20 May 1293, doc. 44). However, when the ecclesiastics were removed from the royal chancellery in 1295 and the centre of royal bureaucracy moved to Valladolid, García de Gudiel's project for his archbishopric persisted as a *Studium artis* without pontifical support. A law case in 1421 shows that Alcalá de Henares Council supported the royal educational policy by paying the masters' salaries (CASADO ARVONIÉS 2018: 154-155). It

⁴ The council must exempt the students from the 'portazgo'. In 1275 it ordered them to allow the free entry of food and drink into the city to ease a period of shortages.

⁵ Their insufficiency is clearly shown by Ferdinand IV's endeavours in 1300 to make the collection of the 'tercias' more efficient and make the masters stop teaching because they had not received their salaries.

was not until the late 15th century that another archbishop and cardinal, Francisco Jiménez de Cisneros (1495/8-1517), the powerful chancellor of the Catholic Monarchs, obtained from Pope Alexander VI the ecumenical validity for the degrees awarded in Alcalá. His project was centred on the High College of San Ildefonso, which he founded in 1499 (GÓMEZ-CORNEJO 2018: 214-215).

The origins of Valladolid University (information about its existence in 1293) are equally unclear. Considering that Valladolid was not recognised as a city in the 13th century and did not become an episcopal see until the 16th century, its economic growth and diversification of its social tissue was surprising. The repeated stays of the monarchs in the town helped this development. One hypothesis maintains that the origin of the university was a result of the extinct Palencia University moving to the town, but there is no documentary proof (SÁNCHEZ MOVELLÁN 1989: 26 and 62). A second hypothesis that has been more widely accepted in recent decades is that its origins were royal and municipal. Alfonso X is thought to have been the founder (RUCQUOI 1999: 175-197; RUCQUOI 2018: 27-28). This proposal is based on the existence of some 14th century documents for the donation of royal revenue, which would be administered by the council, to the *Studium* in Valladolid. The two main lineages in the urban oligarchy (the Tovars and the Reoyos) had been interested in controlling the educational institution since the 13th century. However, it was not until 1346 that Alfonso XI obtained from Pope Clement VI the bull (included in the Bull of confirmation issued by Pope Clement VII in 1384) that transformed the Valladolid *Studium* into a *Studium generale* or university (ALCOCER MARTÍNEZ 1919: 31 July 1346, doc. 1, 3-5).

2. Royal interventionism in Castilian universities in the 14th and 15th centuries

Royal interventionism in the University of Valladolid in the late Middle Ages involved the concession of royal income for its funding and privileges of exemption for its members. The university's complaints to the monarchy about the municipal authorities' refusal to recognise their privilege of exemption from taxation led to John I's concession of the exemption of lodgings (ALCOCER MARTÍNEZ 1919: 22 December 1379, doc. 3, 11) and, with John II, masters and students were made exempt (1431) from participating in the war in Granada (SÁNCHEZ MOVELLÁN 1989: 66).

The pontiff joined in the royal protection. Clement VI (1342-1352) strengthened the university economically with the concession (for six years)

of two parts of the 'tercias reales' of the cathedral's fabric and the diocese of Palencia to pay the professors' salaries (ALCOCER MARTÍNEZ 1919: 25 November 1384, doc. 1, 3-4)⁶. The University of Valladolid's finances in the 14th century were based on income ceded by the kings and pope from the 'tercias reales' in the diocese of Palencia. The monarchs fixed the income and ordered the city council to collect it and administer it, as well as naming the officials ('conservadores') in charge of managing it. In 1416, Benedict XIII ceded two parts of the 'tercias' of two archpriesthoods on the condition that the university governed itself according to the constitutions (1411) that the pontiff had granted to Salamanca (ALCOCER MARTÍNEZ 1919: 2 June 1416, doc. 10, 29). The Valladolid *Studium* accepted the condition but did not fulfil it because it involved greater involvement of the urban oligarchy in the city council in the assignation of professorships. Both Benedict XIII and Martin V reacted by embargoing the *Studium's* 'tercias' but later raised the embargo and finally confirmed the old statutes of the university (ALCOCER MARTÍNEZ 1919: Benedict XIII, 18 June 1417, doc. 11, 31; Martin V, 8 July 1418, doc. 16, 43; 30 December 1418, docs. 17 and 18, 45-47).

Owing to a document of Ferdinand IV (1304), we know that his father Sancho IV had ceded the Valladolid *Studium* 20,000 maravedís per year from several royal tributes and had donated the 'tercias reales' he possessed in Valladolid and its lands. Alfonso XI increased this donation in 1323 with 10,000 maravedís per year to pay salaries (SÁNCHEZ MOVELLÁN 1989: 30). This amount was confirmed by his successors, Henry II and John I (VÁZQUEZ DE FIGUEROA 1919: 20 December 1367, 205). However, the royal magnanimity did not always see the university as a priority. When John I founded the Monastery of St Benedict in the city he ceded it the 'tercias' that had been assigned to the *Studium*. Following its protests, his successor Henry III (1390-1406) compensated the university with the concession of the 'tercias' of two archpriesthoods (Portillo and Cevico de la Torre) which he devoted to the creation of three new professorships in 1404 (VÁZQUEZ DE FIGUEROA 1919: 20 January 1398, 205-206; 9 June 1404, 206). The king returned the rents that it had lost to the Monastery of St Benedict to the *Studium* but on the condition that it should give 6,000 maravedís a year to Diego Meléndez de Valdés. The consequence of this expenditure was the debt which the *Studium* incurred, resulting in an embargo on its income that affected the payment of the masters' salaries in about 1437 (ALCOCER MARTÍNEZ 1919: 10 September 1437, doc. 21, 62-71). In the late 15th century, during the reign of the Catholic

⁶ Bull issued by Clement VII (1384) confirming the one by Clement VI in 1346.

Monarchs, the objective of royal protection was not oriented towards ensuring funding for the university but rather the recognition of its academic degrees in the Iberian kingdoms.

In the 14th and 15th centuries, Salamanca University became one of the great *Studia generalia* in Western Europe. Royal and pontifical interventionism was very important in its development in the Late Middle Ages to the detriment of the municipal authority's attempts to regulate it. In the first eight decades of the 14th century, the university's economy was precarious owing to the financial crisis, the devaluation of the currency and political instability. Because of the suspension of the 'tercias reales' devoted to the *Studium* by Pope Clement V in 1306 and the consequent impossibility to pay the masters' salaries (RODRÍGUEZ CRUZ 1989: 79), with the king's consent, the council fixed a tribute on the land of 12,000 maravedís and the cathedral chapter also contributed so that the institution would not need to close (CUS, I, doc. 8, 9 January 1306; BUS, I, doc. 24, 14 October 1313)⁷. Royal protection was constant. In 1300 Ferdinand IV confirmed the public renting of the 'tercias reales' by the 'conservadores', the bishop and the cathedral chapter. John I exempted the university corporation from royal lodgings and taxes on meat and wine (RODRÍGUEZ CRUZ 1989: 81). During the fratricide war between Pedro I (1350-1369) and his step-brother Henry Trastámara (the future Henry II), some members of the university aligned with the different bands. Despite this, the victor, Henry II maintained some exemptions, the privileges of the 'fuero académico' and the concession in perpetuity of the 'tercias reales' in some parts of the diocese (ESPERABÉ ARTEAGA 1914: I, 4 September 1391, 41-42; 6 October 1392, 43-44; 8 May 1397, 56-49)⁸. In the first half of the fifteenth century, John II added further economic privileges (the university's own butcher's shop and a licence for the grazing of its cattle) and from 1414 (ESPERABÉ ARTEAGA 1914: 9 February 1409, doc. 1, 82-83; 20 March 1409, doc. 2, 84-85) the university began to be endowed with its own infrastructure: use of land and buildings belonging to the cathedral chapter. Salamanca University's finances improved in the second half of the 15th century, and the university is even seen to be lending money to the Crown, specifically 100,000 maravedís in 1475 (MARCOS RODRÍGUEZ 1964: no. 875, no. 890 and no. 903, 1475).

However, what really determined the model of a pontifical and royal university in Salamanca was papal interventionism during the period at the start and end of

⁷ Clement V ordered the Archbishop of Santiago to assign the third part of the 'tercias' from the churches' fabric in the diocese to the salary of the professors.

⁸ Exemption from municipal rates and the service of the rounds (1391 and 1392). "Tercias reales" of Armuña, Baños and Peña del Rey (1397).

the Western Schism. Together with the monarchy, the *Studium* backed the popes in Avignon. In 1411, Benedict XIII (1394-1415) granted it its first real constitutions (BUS, II, 26 July 1411, doc. 44) and, although their validity was short-lived, they acted as the basis for Martin V's constitutions promulgated in 1422. Within the academic organisation, Benedict XIII doubled the number of professorships (law and arts) and also created one of theology (BUS, II, 16 March 1416, doc. 514). Regarding the financial situation, he increased the professors' salaries, obtained economic assistance from the king and ratified two ninths of the 'tercias reales' in several parts of the diocese. No less transcendental was the strengthening of the figure of the chancellor ('maestrescuela'), who, from the 13th century, had acted as a judge in civil and criminal cases and awarded the academic qualifications (BUS, II, 26 July 1411, doc. 447). To carry out his jurisdiction, he was supported by the 'conservadores' named by the king (ESPERABÉ ARTEAGA 1914: I, 1411, doc. 7, 92-94). The most novel aspect of Martin V's constitutions was the creation of a new corporation or senate, "Claustro de diputados o definidores" ('senate of deputies or definers') which signified the loss of importance of the corporation or senate of students (formed by the rector and counsellors or students representing different dioceses) in favour of a balance between the teachers and the students who were represented equally (PESET AND GARCÍA TROBAT 2004: 41). Martín V left the designation of the chancellor ('maestrescuela') in the hands of the new senate. The appointment of both the chancellor and the administrator of the *Studium's* accounts (GARCÍA AND GARCÍA 1989: 39) was the cause of disputes with the Archbishop of Toledo, who confirmed it (BELTRÁN DE HEREDIA 1954: 15) and the kings, who alleged their acknowledged right ('royal patronage') to name ecclesiastic posts (BUS, II, 6 May 1425, doc. 708; ESPERABÉ ARTEAGA 1914: I, 25 May 1420, doc. 11, 99-100)⁹.

The reign of the Catholic Monarchs culminated the policy of the protection and tutelage of Salamanca University. First, this policy crystallised in the sending of visitors from 1480 onwards to correct and punish university staff (CUS, II, 11 March 1475, doc. 152)¹⁰. The Crown intervened by naming a cathedral canon when two rectors headed the university with the consequent schism (MARCOS RODRÍGUEZ AND MARQUÉS 1967: 341-369).

Second, the monarchs' interventionism policy was channelled through the figure of the 'corregidor' (royal official of justice in a town), whose presence

⁹ Juan II took measures to protect and defend the *Studium* through the royal 'conservadores', by reminding both of them that they should not alter their privileges and interfere in the provision of professorships. Pope Martin V returned the naming of the chancellor ('maestrescuela') to the cathedral chapter in 1426; in 1439, the university managed to have that concession revoked.

¹⁰ Between 1485 and 1486 some instructions to improve the jurisdiction and justice in the *Studium* were promulgated.

was refused by both the university and cathedral chapter and the town council in 1465. Later, the university swore before the 'corregidor' an oath of loyalty to the Crown (CUS, II, 11 March 1475, doc. 152). Third, they reinforced the role of the officials designated by the monarchs in the university ('conservadores') and delimited the jurisdiction of the chancellor ('maestrescuela'), with whom some differences are documented (CUS, II, 8 October 1476, doc. 156; 31 December 1477, doc. 160; 21-23 November 1478, doc. 164; 9 February 1484, doc. 199)¹¹. The friction between the 'maestrescuela,' the visitors and the royal officials ('conservadores') when town citizens and academics were involved in the disputes was addressed with the concord promulgated by the Catholic Monarchs in 1492 (CUS, II, 17 May 1492, doc. 207; 17 June 1494, doc. 214). Fourth, some evidence indicates that the monarchs intervened directly in the provision of professorships when there was a conflict between 'patrons' of the *Studium* and defenders of their privileges (CUS, II, 15 December 1484, doc. 200; 6 May 1490, doc. 205)¹². It is possible that the bands formed by the urban oligarchy, in whose struggles some masters and students took part, were involved in those conflicts (LÓPEZ BENITO 1983: 120-151). Finally, the aim of a monopoly in the concession of academic degrees in the Crown of Castile should be emphasised in the Catholic Monarchs' policy of promoting the universities of Salamanca and Valladolid (CUS, II, 1486?, doc. 202; 6 December 1492, doc. 210 and 6 July 1493, doc. 211).

3. Universities in the Crown of Aragon (14th and 15th centuries): joint action of the monarchy, municipal corporations and the Church

Unlike in the Crown of Castile, the cities in the Crown of Aragon, represented by the urban oligarchy that governed the municipal corporations, played a major role in the emergence of the universities. The vitality of the craft and commercial economy in many of the towns and the political liberties that had been achieved made the municipal governments wary of an institution that

¹¹ These are the cases of the provisions of Diego de Tejada (1477), Juan de Villafuerte (1478) and of Rodrigo Maldonado de Talavera, squire of the monarchs (1484). In 1476, Queen Isabella, ordered the rector's committee and the deputies to restore the post of 'conservator' to the Marquis of Villena. There were disagreements between 1450 and 1500 with the 'maestrescuela' Juan Ruiz de Camargo, chancellor and judge of the university.

¹² Conflict about the voting to choose a candidate to a professorship in logic (1484). The Salamanca chancellor ('maestrescuela') seized the income of a law professorship that had become vacant and whose provision had caused a dispute with accusations of bribery to the students (1490). He also asked the monarchs to intervene.

was outside their jurisdiction. Therefore, the universities did not emerge in the Crown of Aragon until the 14th century. Lerida was the city chosen for its first university owing to the joint action of the monarchy, the town and the teacher and student corporations. James II (1291-1327) received the authorisation for a *Studium generale* in Lerida from Pope Boniface VIII in 1297 (BUSQUETA IRIU 2000: 120-147; LLADANOSA PUJOL 1970: 188, 210-212) with the same privileges and exemptions as the one in Toulouse (importance of the bishop's jurisdiction over the *Studium*). However, James II decided to follow the model of the University of Bologna and exhorted the members ('paheres' or 'great men') of the municipal corporation ('pachería') to govern and finance the new institution. In contrast to Bolonia's *Studium*, the university of Lérída was not the result of a spontaneous association of masters and students but the political decision of the monarchy. Although the king ceded the administration of the *Studium* to the city, the Crown maintained its capacity to intervene. In 1300, he informed the 'paheres' that Lerida had been chosen because of its central position in the kingdom of Aragon and granted it the monopoly in higher education (AJO Y SAÍNZ DE ZÚÑIGA 1957: 1 September 1300, I, doc. 30, 455-459)¹³. When Frederick II announced in a circular letter (1224) his decision to found the University of Naples, he also insisted on the idea of accessibility and closeness of the place chosen for the *Studium* that would allow students to stay with their families. The German emperor invited students to come to Naples and stressed the importance of law, both as a specific subject of study and as an instrument of government. It has been studied how this circular letter was used as the basis for the composition of similar letters relating to the universities of Lérída and Prague. The initial paragraphs of the Lérída foundation letter was inspired by the rhetoric model of the Naples *Studium*'s circular letter which shaped the collection of epistles written by the famous *dictator*, Pier della Vigna. As others epistles written by Pier della Vigna, the circular letter addressed to the University of Naples became, because of its ideological content and its extraordinary style, a symbol of power that reinforced the authority of the emperor (DELLE DONNE 2016: 311-324; 2018: 84-89).

He also promulgated statutes that noted his concern for the delimitation of the university jurisdiction ('university charter'). The rector would give advice about the choice of masters but they would be appointed by the city corporation. Unlike the all-powerful chancellor ('maestrescuela') at Salamanca, the chancellor and the representative of the Church would award the ability to teach after a prior examination, but the university jurisdiction (judge until

¹³ James II's letter in which he created the Lerida *Studium* and James II's regulations and statute for the University of Lerida.

1585) would be the responsibility of the rector as the head of the students' corporation (GAYA MASSOT 1951: 5-6 and 21-23). At the start, confrontations between the students and the bishop together with cathedral chapter and the municipal authorities even led to the university being closed. Finally, an agreement was reached which involved the formation of a senate ('claustró') with six members ('clavarios') representing the city, the university and the cathedral chapter. Therefore, as the king protected the autonomy and the statute of the university but entrusted its funding to the municipal corporation, Mariano Peset defined it as a municipal university (PESET REIG 1998: 528-534). The system of funding the university solely through specific municipal taxes broke down at the end of the 13th century despite the support of Peter III, but it was maintained throughout the 14th century. The war that Catalonia waged against John II in the mid-15th century (1462-1472) signified the start of its decadence (GAYA MASSOT 1954: 308-315 and 318-328).

Although it was outside the possessions of the Crown of Aragon in the Iberian Peninsula, Peter IV (1336-1387) broke the university monopoly of Lerida when he founded a *Studium generale* in Perpignan in 1350 (it did not receive pontifical confirmation until 1379). Strictly speaking, the second university in the kingdom was in Huesca, founded by the same monarch on the request of the city council in 1354. Before that, members of Zaragoza council had asked the king to move the University of Lérida to their city but he refused because of Zaragoza's position during the 'War of the Union' (1347-1348), that nobles and citizens of Aragon and Valencia had waged against the king. Huesca, in contrast, did not swear to the union of the Aragonese against the monarch and therefore Peter IV was open to the council's request and awarded it the administration of the *Studium generale*, while reserving the right to promulgate new statutes (CLARAMUNT RODRÍGUEZ 1988: 104). In this way, he emulated the model of the University of Lérida and made the town council of Huesca responsible for funding the new university and granted the rector the civil and criminal jurisdiction over it (AJO Y SAINZ DE ZÚÑIGA 1957: 23 August 1483, I, 599-600).¹⁴ Difficulties in the university economy resulted in it closing at the end of the 14th century, possibly because it failed to receive the assistance of the Church, since the papal confirmation was not achieved until 1465. When Huesca *Studium* was re-founded in the early 15th century it was under the administration of the town council and the bishop, who entered the ruling body of the institution and facilitated the provision of episcopal revenue in the late 15th century (LAHOZ FINESTRES 1996: 441-445).

¹⁴ Ferdinand II authorised Huesca Council to name a substitute for the chancellor of the *Studium*, who was absent.

The other universities in the kingdom of Aragon that were founded in the last decades of the 15th century did not really become *Studia generalia* with pontifical support until the 16th century or later. Their main development took place after the Trastámara dynasty came to the throne ('Compromise of Caspe', 1412) in the Crown of Aragon (CLARAMUNT RODRÍGUEZ 2004: 777-778). The role of the cities in the growth of their universities was notorious from then on. In Gerona, the members of the City Council ('jurados') commenced the negotiations for King Alfonso V the Magnanimous (1416-1458) to establish a *Studium generale* with faculties of Arts, Law and Medicine. At the same time, in 1446, they asked Pope Eugene V for the corresponding pontifical bull. A second attempt was made in 1483, this time jointly between the city 'jurados', the cathedral chapter and the bishop, but the papal confirmation was delayed until 1605 (CLARAMUNT RODRÍGUEZ 1988: 106-107). The effective functioning of the *Studium* was hampered by the adverse political-economic situation of a civil war and peasant rebellion in the second half of the 15th century. It was also in 1483 when Ferdinand II promulgated the statute to found a *Studium generale* in Mallorca. It was later confirmed by the same king in 1499 and 1503 but did not receive pontifical backing until 1673 (SANTAMARIA 1983: 85-96). This was in reply to a request made three years before by the 'jurados' in the municipal corporation in Mallorca so that the students would not have to abandon the island and could be educated in the system of knowledge developed by the philosopher and theologian Ramón Lull (1232-1315/16), the founder of Miramar Monastery, the cradle of the philosophical and mystical doctrine known as 'Lullism' (SANTAMARIA 2004: 181-192).

The path to the creation of a *Studium* of Medicine and Arts in Barcelona is an accurate illustration of the ambiguous policy that both the monarchs and the town corporations in the Crown of Aragon adopted as regards the universities. The monarchs often came up against Lérida's claims for a monopoly in its university. In 1398, Barcelona municipal corporation ('Council of the Hundred') rejected the offer of King Martin the Human (1396-1410) to found a university because the city already possessed an adequate educational system (a *Studium* of Arts, as well as the schools dependent on the cathedral chapter). Despite their opposition, after asking the Pope in Avignon, Benedict XIII, to found a *Studium* of Medicine, the king granted the foundational privilege in 1401 and 1402 and added a Faculty of Arts (DE LA TORRE Y CERRO 1971: 10 December 1401, doc. 66; 10 January 1401, doc. 67; 31 October 1401; 9 May 1402, doc. 74 and 15 September 1402, doc.78). The 'Council of the Hundred' insisted that it was unnecessary. Nearly three decades later, some Council ordinances and a decree of the Bishop of Barcelona (1431) reveal a change of direction that resulted in

leaving only one of the higher schools in the city; it took seven years for this decision to become effective (DE LA TORRE Y CERRO 1971: 27 October 143, doc. 1227; 16 November 1431, doc. 127bis and 9 October 1438, doc. 132). It took almost another two decades for the 'Council of the Hundred' to change its attitude towards the foundation of a *Studium generale*. In 1450, they applied for it to King Alfonso V the Magnanimous (1416-1458), who authorised its foundation, but the institution did not receive the support of Pope Nicholas V (DE LA TORRE Y CERRO 1971: 29 February 1448, doc. 144)¹⁵ A new opportunity arose in 1488 with the promulgation by Ferdinand II of a royal privilege for the schools of Arts in the city to unite under the authority of the chancellor of the existing *Studium* of Medicine. However, the project did not crystallise until 1559 when land was acquired to build a *Studium generale* and donations were received from citizens. However, the teaching was delayed even further (CLARAMUNT RODRÍGUEZ 1988: 110-111).

As occurred in Barcelona, the University of Valencia did not materialise until the late 15th century (1499) and it obtained papal and royal support at the start of the 16th century. The role of Valencia Council in the foundation of a *Studium generale* was very important and was not without internal contradictions and friction with the episcopal authorities and the cathedral chapter. The embryo of the future university was formed by the schools that appeared in the city during the 13th century, after its conquest by James I in 1238, and in the 14th century. As well as schools originating out of private initiatives, higher schools were dependent on the cathedral chapter while other schools were located near the Gate of Valldigna (CRUSELLES GÓMEZ 1997: 40-46). In the 14th century the endeavours of the municipal magistrates to unify the schools in a single centre encountered the resistance of the bishop and cathedral chapter who were not disposed to concede the tutelage of the schools to the city corporation. However, the lack of interest in free municipal education of the urban oligarchy in the Council and their defence of educational freedom should not be disregarded. Nonetheless, the agreement reached between the Bishop of Valencia and the Council in 1389 laid the foundations for the prohibition of the freedom of teaching (1403) and creation of a *Studium* of Arts with 12 professorships in 1412 (FELIPO ORTS 1993: 17-21). In the 1490s, the city council drafted the statutes and asked Pope Alexander VI (1492-1503), who came from Valencia, for the pontifical bull to build the university. This arrived in the early 16th century and Ferdinand II ratified this concession in 1502. The statutes guaranteed the patronage of the magistrates in Valencia council

¹⁵ The king accepted the application and issued a privilege in which he did not found the *Studium* but authorised the 'Council of the Hundred' to do so.

over the university, and they preserved the right to name the rector, with civil and criminal jurisdiction, and the teachers. The Church participated through the figure of the chancellor, who was responsible for awarding the academic qualifications (PESET REIG 1999: 32-37).

Finally, in the case of Zaragoza, all the evidence suggests that the aspirations of the 'jurados' in its municipal corporation were focused on the *Studium artis*, which became consolidated in the late 15th century, but the definitive change to a *Studium generale* did not take place *de facto* until 1583, when teaching began. Until the mid-15th century, the administration of the city *Studium* was in the hands of the Archbishop of Zaragoza and the cathedral chapter who had alternated in the provision of the prebend assigned to the chancellor ('maestrescuela') since 1400. In 1474, the municipal 'jurados' and the cathedral chapter sought the mediation of Prince Ferdinand (the future Ferdinand II of Aragon) to apply to Pope Sixtus IV for the *Studium* of Arts to be considered a *Studium generale* with a licence to award the degree of Bachelor of Arts. In 1476, they obtained the papal bull approving this, but the support of King John II (1458-1479) did not arrive until 1477. Nearly a century went by until in 1542 Zaragoza obtained the right to build a *Studium generale* for all disciplines, as the result of the joint endeavours of the city 'jurados' and the cathedral chapter (JIMÉNEZ CATALÁN and SINUÉS Y URBIOLA 1922: 24-28; LALIENA 2016: 20-41).

Conclusions

The origin of the first Hispanic universities in the Kingdom of Castile in the 13th century, as in the rest of Europe, is veiled by the mists of time owing to the scarcity of extant sources and the complexity of this new phenomenon that the Middle Ages gave birth to. Historiography has insisted on the importance of the monarchs in the emergence of the universities of Palencia and Salamanca compared with the spontaneous academic mutation of the centres in Bologna, Paris, Oxford and Cambridge. However, it might be more accurate to characterise the birth of the universities of Palencia in the Kingdom of Castile and of Salamanca in the Kingdom of León as shared between the bishops with their cathedral chapters and the kings (Alfonso VIII and Alfonso IX, respectively), while the initiative came from the former. Hypotheses about the origins are even more difficult to support in the cases of Valladolid, which did not become a *Studium generale* until it obtained pontifical support (1348) and Alcalá de Henares, which despite the

backing of Sancho IV (1293) did not obtain this support until 1499 under the auspices of Cardinal Jiménez de Cisneros.

The interventionism of the Castilian monarchy was constant in the establishment of the universities of Salamanca and Valladolid as autonomous institutions with a charter of exemptions from the mid-13th century onwards. In contrast, the University of Palencia did not last beyond the end of the century. The kings ensured them protection, exemptions and privileges and, above all, they contributed to their funding. Together with the ecclesiastic benefices that the masters and students (mostly clergy in the lesser orders) enjoyed, the royal income was the main source of funding for the weak late medieval university finances. In Salamanca, the concession of the 'tercias reales' from the tithes collected in its diocese were maintained. Among the *Studium* officials were the 'conservadores' named by the monarch and linked to the council but who were not always effective in their mission of defending the institution and they interfered in such matters as the provision of professorships. The 'conservadores' enabled the realisation of the jurisdiction of the chancellor ('maestrescuela'), the key figure in the representation of ecclesiastic power in Salamanca University. In general, despite the economic precariousness of the 14th century, the city council, cathedral chapter and bishop collaborated. Moreover, the council's attempts to govern the *Studium* were neutralised by the importance of royal and pontifical interventionism. If the pope determined the organisational structure of the university (Constitutions of Benedict XIII in 1411 and of Martin V in 1422), royal interventionism intensified the tutelage and protection exercised in the reign of the Catholic Monarchs with the figures of the 'visitor' and 'corregidor', along with the delimitation of the jurisdiction of the 'conservadores' compared with the 'maestrescuela'. In contrast, in Valladolid, the monarchs ceded the *Studium generale* to the city corporation, the collector of royal revenue in the city and its lands. The tutelage of the urban oligarchy represented in the city corporation would be felt through the royal 'conservadores'. The power of the chancellor (abbot of the collegial Church of Santa Maria) declined in favour of the growing importance of the rector.

Unlike in Castile, in the Crown of Aragon, the universities did not emerge until the 14th century as a result of joint action of the monarchy, the municipal corporations and the Church, represented by bishops and cathedral chapters. The dynamic cities in the different political bodies that formed the Crown of Aragon possessed schools and private teachers and were reticent to the establishment of an institution that would be out of their control. The agreement between the monarchy and the two cities that obtained pontifical confirmation to change their existing *studia* into *Studia generalia* in the 14th and 15th centuries determined

their organisational model and funding. Municipal initiative was seen in Lerida (1300) where King James II entrusted the funding of the university and the appointment of masters to the ‘paheres’ in the city. In Huesca (1354), papal support was delayed but brought ecclesiastic funding which compensated for the difficulties with the municipal assistance. Other important cities established a *studium* that awarded academic qualifications in the last decades of the 15th century, but the pontifical confirmation did not arrive until the 16th century or later (Gerona, Mallorca, Barcelona, Valencia and Zaragoza). The university monopoly that Lerida enjoyed was undoubtedly an obstacle but also the attitude of some sectors of their urban oligarchies who were wary of an autonomous institution in their city.

The evident initiative of the municipal magistrates who asked the monarch for the concession of a *Studium generale* in those cities and who encouraged the unification of the existing schools into a higher education centre was not received with equal interest by urban elites who were able to send their members to the existing universities and preferred freedom of teaching. Despite the inevitable conflicts, the municipal corporations were able to reach agreements with the cathedral chapters and the monarchy to lay the foundations of university education at the dawn of the Modern Age.

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