

# V

## THE POLITICAL AND ECCLESIASTICAL ORGANIZATION OF THE CRUSADER STATES

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**H**istorians of the First Crusade have been unable to decide with certainty if, at the time the expedition set out, its promoters foresaw the establishment in the Holy Land of a colony of "Franks" charged with the duty of occupying the conquered territories and defending the holy places. We do know, however, that some crusaders at the time of their departure contemplated the possibility of settling in the east.<sup>1</sup> This might have referred, however, to becoming vassals of

The institutions of the Latin states in the east, especially the kingdom of Jerusalem, have given rise to a large literature because of the interest taken in the writings of the great jurists (conveniently edited by Auguste Beugnot, *RHC, Lois*, 2 vols.). There are some chapters devoted to institutions in works on particular crusader states: Claude Cahen, *La Syrie du nord à l'époque des croisades et la principauté franque d'Antioche* (IFD, BO, I; Paris, 1940); Jean Richard, *Le Comté de Tripoli sous la dynastie toulousaine, 1102-1187* (Paris, 1945), supplemented by "Le Comté de Tripoli dans les chartes du fonds des Porcellet," *Bibliothèque de l'École des chartes*, CXXX (1972), 339-382; *idem*, *Le Royaume latin de Jérusalem* (Paris, 1953); Hans E. Mayer, *The Crusades* (Oxford, 1972); Joshua Prawer, *Histoire du royaume latin de Jérusalem*, 2nd ed. (2 vols., Paris, 1975); *idem*, *The Latin Kingdom of Jerusalem: European Colonialism in the Middle Ages* (London, 1972); and *idem*, *Crusader Institutions* (Oxford, 1980), a collection of his articles.

Works more directly devoted to the history of institutions in the crusader states are Gaston Dodu, *Histoire des institutions monarchiques dans le royaume latin de Jérusalem* (Paris, 1894); John L. LaMonte, *Feudal Monarchy in the Latin Kingdom of Jerusalem, 1100 to 1291* (Cambridge, Mass., 1932); Cahen, "La Féodalité et les institutions politiques de l'Orient latin," *Oriente ed Occidente nel medio evo* (Accademia Nazionale dei Lincei, Fondazione Alessandro Volta, Atti dei convegni XII; Rome, 1957), pp. 167-191; Prawer, "Estates, Communities and the Constitution of the Latin Kingdom," *Proceedings of the Israel Academy of the Sciences and Humanities* II, no. 6 (Jerusalem, 1966); and Jonathan Riley-Smith, *The Feudal Nobility and the Kingdom of Jerusalem, 1174-1277* (London, 1973). Other studies, many of them important, as well as works on ecclesiastical institutions, will be cited in the notes which follow.

For the many political events which are frequently alluded to below, the reader is referred to the relevant chapters in the first two volumes of the present work.

1. Such a plan has been attributed to Godfrey of Bouillon and Raymond of St. Gilles; see John H. and Laurita L. Hill, *Raymond IV de Saint-Gilles, comte de Toulouse* (Toulouse, 1959), p. 26. Achard, lord of Montmerle, who was killed in 1099 (William of Tyre, VIII, 9;

the Byzantine emperor Alexius I Comnenus (1080–1118); Bohemond of Taranto was happy to receive a Byzantine title and an important fief in anticipation of lands which the crusaders might take from the Moslems.<sup>2</sup>

The reality must have quickly dispelled whatever plans the crusaders might have had. During the crossing of Anatolia, the emperor's representative Taticius entrusted the defense of conquered strongholds to certain Franks, probably as garrison commanders rather than as vassals. Such was the case with Peter of Aulps at Comana.<sup>3</sup> Bohemond himself got Taticius to give him the care of the fortresses of Cilicia when the Byzantine general left the crusading army.<sup>4</sup> And Raymond of St. Gilles appears to have persuaded the Byzantine officers to hand over to him Latakia and some places on the nearby coast.<sup>5</sup>

But when Taticius left, and Alexius Comnenus did not join the crusaders, the question was put in a new light. When Bohemond established himself at Antioch, having outmaneuvered the other barons who could claim to occupy the city with him, he did not seek to reconcile this occupation with the rights of the Byzantine emperor. When Baldwin of Boulogne established himself at Edessa, which the Moslems had never occupied during the Turkish conquest, he did not bother asking Alexius Comnenus to invest him with it. Still less would the Latins concern themselves with Byzantine claims on Jerusalem, which the Byzantines had not held for more than four centuries.

We know that Byzantium did not accept the *fait accompli*. Alexius tried to reoccupy by force the plain of Cilicia and even Antioch. In 1108, he imposed on Bohemond the treaty of Devol (Deabolis), which corresponded almost to what Bohemond himself had requested in 1096–1097: the Norman prince, accorded the title of *sebastos*, was to receive Antioch and Aleppo as a fief, while giving up Cilicia and the Syrian coast.<sup>6</sup> But the treaty remained a dead letter. Tancred and his successors refused to recognize the suzerainty of the emperor. John

in *RHC, Occ.*, I, 336–338), mentions in the donation which he made to Cluny before his departure the case where “quoquomodo illis in partibus remorari voluero” (Alexandre Bruel, ed., *Recueil des chartes de l'abbaye de Cluny*, V [Collection de documents inédits sur l'histoire de France, XVIII; Paris, 1894], 52 [no. 3703]).

2. Ralph B. Yewdale, *Bohemond I, Prince of Antioch* (Princeton, 1924); François L. Ganshof, “Recherches sur le lien juridique qui unissait les chefs de la première croisade à l'empereur byzantin,” in *Mélanges offerts à M. Paul-E. Martin* . . . (Geneva, 1961), pp. 53–54.

3. *Gesta Francorum*, tr. Louis Bréhier, *Histoire anonyme de la première croisade* (Les Classiques de l'histoire de France au moyen-âge, IV; Paris, 1924), p. 61. Was the Burgundian knight Welf, who occupied Adana, a representative of the basileus?

4. Cahen, *Syrie du nord*, p. 214.

5. Hill and Hill, *Raymond IV*, pp. 127–130; Richard, *Comté de Tripoli*, pp. 10–11, 27–28.

6. Cahen, *Syrie du nord*, pp. 251–252; Yewdale, *Bohemond I*, pp. 124–130.

II Comnenus (1118–1143) intended to take Antioch back, granting the prince a fief to be conquered from the Moslems. It was only Manuel I Comnenus (1143–1180) who accepted a compromise: the prince would acknowledge himself to be a vassal of the empire, but keep his whole principality except Cilicia.<sup>7</sup> This state of affairs lasted from 1158 to 1182, but the decline of Byzantine power which resulted from the usurpation of Andronicus Comnenus (1183–1185) rendered the rights of the emperor over the principality meaningless. However, Bohemond IV, at the beginning of the thirteenth century, must have had these rights in mind when he claimed that he was the vassal of the Latin emperor of Constantinople, but that was an argument fashioned for the occasion.<sup>8</sup>

As for the county of Edessa, it accepted Byzantine suzerainty in 1137 at the time of the expedition of John Comnenus, and in 1150, when the countess Beatrice had to resign herself to abandoning what remained of the county, it was in fact to the emperor Manuel that she offered her castles, as prescribed by feudal law, which stipulated that when a vassal was forced to sell his fortresses he must offer them to his lord.<sup>9</sup>

The attempts aimed at recovering the territories conquered by the crusaders in the Byzantine empire were slow and hardly extended beyond the lands that the Turks had taken away from Byzantium at the end of the eleventh century. The excellent relations that Raymond of St. Gilles had maintained with the basileus were not enough to make the empire's rights over the county of Tripoli more effective.<sup>10</sup> It was above all the right of conquest, not imperial investiture, which gave rise to the new states. Moreover, this right of conquest was sometimes crowned by a decision of the council of barons who directed the *christiana militia*.<sup>11</sup> Bohemond asked for the agreement of his peers to legitimize his taking possession of Antioch. These were the barons who entrusted bishop Robert of Lydda with the government of Ramla and Godfrey of Bouillon with the government of Jerusalem.

7. Cahen, *Syrie du nord*, pp. 359–363, 399–402.

8. *Ibid.*, p. 619. Bohemond IV at the time (1213) was trying to avoid being judged by patriarch Albert of Jerusalem, who had been appointed by pope Innocent III to settle the question of the succession in Antioch.

9. Cahen, *Syrie du nord*, pp. 387–389.

10. I have concluded that there was a Byzantine suzerainty over the region of Tortosa and Maraclea, occupied by Raymond of St. Gilles with Byzantine assistance (Richard, *Comté de Tripoli*, pp. 26–30; cf. LaMonte, "To What Extent Was the Byzantine Empire the Suzerain of the Latin Crusading States?" *Byzantion*, VII [1932], 253).

11. Cf. Hill and Hill, "Justification historique du titre de Raymond de Saint-Gilles: 'Christiane milicie excellentissimus princeps'," *Annales du Midi*, LXVI (1954), 101–112.

However, neither Baldwin in Edessa nor Raymond in Albara<sup>12</sup> and later in Tripoli seems to have asked the other crusaders to acknowledge his rights.

From the very first, those who had taken possession of the towns regarded themselves as also possessing the territory that depended on them: Godfrey, in 1099, refused to allow Raymond to settle either at Ascalon or at Arsuf, and in 1102 Tancred got Raymond to withdraw from fortresses that he had occupied on the coast and in the Syrian interior, including Albara, which the Provençaux had occupied in 1098.<sup>13</sup> The division of the conquered territories among four lordships — Antioch, Edessa, Tripoli, and Jerusalem — was thus soon looked upon as final, and each of these powers considered itself qualified to occupy certain of the large towns still in Moslem hands. Further, the attempt of the Second Crusade to establish count Thierry of Flanders at Damascus (1148) and the plan to form, for his benefit, an independent principality around Shaizar (1157) ran up against the hostility of those princes who were already established.<sup>14</sup>

In this division, some of the rulers were led to take into account the boundaries which had existed before the crusade. The princes of Antioch, especially, appear to have wished to claim everything that had constituted the old Byzantine duchy of Antioch. They claimed the homage of the counts of Edessa, even resorting to open war,<sup>15</sup> and in 1109 Tancred won recognition of his suzerainty over the northern part of the county of Tripoli, along with the homage of its count, Bertrand of St. Gilles.<sup>16</sup>

This respect for preëxistent boundaries took a peculiar turn in the case of the districts disputed between Franks and Moslems. It reached the point where the two sides would agree to adopt a rule of condominium. Whoever occupied the fortress would guarantee the policing of the territory; the revenues were to be divided in half, and travelers would be guaranteed against all aggression while they

12. Cf. Richard, "Note sur l'archidiocèse d'Apamée et les conquêtes de Raymond de Saint-Gilles en Syrie du nord," *Syria*, XXV (1946-1948), 103-108.

13. Cahen, *Syrie du nord*, p. 233; Hill and Hill, *Raymond IV*, pp. 123-124.

14. William of Tyre, XVII, 7 (*RHC, Occ.*, I, 768-770); Cahen, *Syrie du nord*, 395-398.

15. Robert L. Nicholson, *Joscelyn I, Prince of Edessa* (Urbana, 1954), pp. 16-24. Joscelin II acknowledged himself vassal of the prince of Antioch, and dated his acts by the prince's regnal year; cf. Reinhold Röhricht, *Regesta regni Hierosolymitani* (Innsbruck, 1893; repr. New York, 1960), no. 206, and William of Tyre, XV, 2 (*RHC, Occ.*, I, 657-658).

16. The circumstances were unusual. Tancred had supported William Jordan against Bertrand of Toulouse, who claimed the county. Arbitration gave the north of the county to William, who then paid homage to Tancred because of his support (Richard, *Comté de Tripoli*, pp. 30-31).

crossed the territory, which was thus neutralized within its traditional boundaries.<sup>17</sup>

It was, nevertheless, the right of conquest which determined both the birth and the configuration of the Frankish states. In 1097 Tancred, Baldwin, and other leaders began the occupation of Cilicia. In 1097–1098 Baldwin established himself in various places of upper Mesopotamia and eliminated Ṭoros, the Armenian *curopalate* of Edessa; hence the birth of the county of Edessa. Bohemond assured himself the exclusive possession of Antioch in 1098, took over the places occupied by other barons in the neighborhood during the summer of 1099, and undertook the occupation of the Byzantine places on the coast and in Cilicia. Thus was born the principality of Antioch. Raymond constituted his county of Tripoli by occupying Tortosa (1102) and by immediately blockading Tripoli, which fell only in 1109, four years after his death.<sup>18</sup>

With Jerusalem the situation was more complex. After a rather confused debate the *christiana militia* seems to have duly decided to form an ecclesiastical seignery for the benefit of the Holy Sepulcher (as had just been done at Ramla for the bishop of St. George), placing it under the protection (*advocatia*) of a great baron already established at Jerusalem and endowed with territories around the holy city. Godfrey of Bouillon, *advocatus Sancti Sepulcri*, did not exercise temporal power in the city, but he was ready to establish a state within the boundaries of Palestine, and he showed great resolve in refusing to Raymond the right to occupy Ascalon and in maintaining his own right to oversee the conquests that Tancred would undertake in Samaria and in Galilee. He left to Baldwin I the task of making sure of Jerusalem and of Jaffa; Baldwin put an end to the plan of forming them into an ecclesiastical seignery, and had himself crowned “king of the Latins of Jerusalem.”<sup>19</sup> The kingdom of Jerusalem was thus established.

17. Cf. Richard, “Un Partage de seigneurie entre Francs et Mamelouks: Les *Casaux de Sur*,” *Syria*, XXX (1953), 72–82.

18. The title “count of Tripoli” seems to have been used even before the city was taken; cf. Richard, “Le Chartrier de Sainte-Marie-Latine et l’établissement de Raymond de Saint-Gilles à Mont-Pèlerin,” in *Mélanges d’histoire du moyen-âge dédiés à la mémoire de Louis Halphen* (Paris, 1951), pp. 605–612.

19. On all this cf. Joseph Hansen, *Das Problem eines Kirchenstaates in Jerusalem* (Luxemburg, 1928), pp. 18–22, 44 ff. It was Daimbert who first claimed the Tower of David and Jaffa in the name of his church; these had not been included in the seignery of the Holy Sepulcher which had been established in 1099. As for the title *rex Jerusalem latinorum*, it might have meant that the king of Jerusalem belonged to a Latin dynasty rather than one descended from David; but we sometimes meet with the term *rex Latinitatis Jerusalem* in the twelfth century, which might have meant that he was the king of the Latins in Jerusalem rather than king of the holy city.

## A. *The Sovereigns*

The adoption of the royal title did not confer on Baldwin supremacy over the other crusader states, nor did the title king of Jerusalem limit the new kingdom to the Holy Land. Baldwin I (1100–1118) did not forbid conquests which would have made him master of Egypt or of the Syrian interior and Damascus.<sup>20</sup> First he availed himself of Tancred's departure to bind the principality of Galilee more closely to the crown. Then in 1109 he secured the homage of Bertrand of Toulouse for Tripoli and the southern part of the county. The count of Edessa, Baldwin of Le Bourg (or Bourcq; king 1118–1131), had already received his county from Baldwin's hands, thus acknowledging himself the king's vassal.<sup>21</sup> However, the texts attest to the liege homage only of the count of Tripoli to the king;<sup>22</sup> Fulk (1131–1143) and Baldwin III (1143–1163) tolerated the recognition of Byzantine suzerainty by the prince of Antioch and the count of Edessa.<sup>23</sup>

In fact, royal authority over the three Frankish states of the north was limited. We find the prince and the two counts calling the king to their aid. When they were taken prisoner, or when they died leaving young children, the king was to take over the government of their states. Fulk was *rector et bajulus Antiocheni principatus* in 1133; Amalric was *Tripolis comitatus procurans* in 1170.<sup>24</sup> But the king seems primarily to have played the role of head of a league of Frankish states, especially when the prince of Antioch lost much of his power after the death of Tancred (1112) and the disaster of the *ager sanguinis*

20. This seems to be the sense of the expression *regnum Babylonie atque Asie disponens* applied to Baldwin I in an act of 1102–1103 (Eugène de Rozière, *Cartulaire de l'église du Saint-Sépulcre de Jérusalem* [Paris, 1849; repr. in *PL*, 155, cols. 1105–1262], no. 36. Cf. Richard, *Royaume latin*, p. 32).

21. Albert of Aachen, *Historia Hierosolymitana*, VII, 31 (*RHC, Occ.*, IV, 527): "hanc in beneficio suscipiens." In 1118 Baldwin II bestowed his county on Joscelin I of Courtenay.

22. William of Tyre, XI, 10 (*RHC, Occ.*, I, 467–469). Moreover, Bertrand's son Pons refused service to the king, and Baldwin II had to force his submission (Richard, *Comté de Tripoli*, pp. 31–38). In August 1198 king Amalric tightened the dependence of the count of Tripoli on the crown by giving him the *catena* of Acre as a fief-rent worth 4,000 bezants (Röhricht, *Regesta*, no. 743).

23. Moreover, feudal law of the twelfth century allowed a vassal to pay homage to different lords, provided that only one of these was liege homage, and that the same fiefs were not involved.

24. LaMonte, *Feudal Monarchy*, pp. 187–202.

(Darb Sarmadā, 1119). The prince and the two counts pursued their own policies, making treaties with their Moslem or Greek neighbors without troubling themselves about the policies of the king. And our sources are ambivalent: John of Ibelin classes the count of Tripoli among the barons of the realm of Jerusalem, but Ernoul writes “La tiere de Triple ne d’Antioch n’est mie dou reiaume.”<sup>25</sup>

Jerusalem’s master alone bore the royal title, from 1100 on. Did he owe this title to election? The question has been much discussed. Gaston Dodu wrote that “the kingdom of Jerusalem was originally a feudal republic presided over by an elected king,” and John LaMonte believed that inheritance replaced election only after Baldwin V’s designation as the heir of his uncle Baldwin IV (1174–1185).<sup>26</sup> To be precise, however, Godfrey was designated not by his future vassals but by the council of barons who directed the crusade. These persons did not settle down in the kingdom, and the barons of the kingdom owed all their fiefs and their titles to the king;<sup>27</sup> they had no legal right to proceed to the election of a sovereign. And, after 1100, the kings succeeded one another by virtue of the strictest rules of inheritance. However, on the death of Baldwin I, in 1118, it was necessary to decide whether they would accept the king’s brother, Eustace III, count of Boulogne, or his cousin Baldwin of Le Bourg, count of Edessa. At the urging of Joscelin I of Courtenay the barons summoned Baldwin, and it was claimed that Baldwin I had designated him as his successor. Eustace agreed to step aside. This precedent appeared sufficient to establish that the crown should pass to the nearest heir of the deceased king provided that he was present to take up his inheritance. This allowed the barons in 1243 to keep out king Conrad, the son of Frederick II and queen Isabel of Brienne (Yolanda). But a clever lawyer, Philip of Novara, succeeded in establishing that Conrad had to be allowed the chance to assert his rights by coming to claim the throne. The queen of Cyprus, Alice of Champagne, who based her claim on the traditional rule, thus could not get herself crowned.<sup>28</sup>

The royal office could pass to women. In 1131, Baldwin II’s daughter Melisend inherited the crown and transmitted it to her husband

25. *Livre de Jean d’Ibelin*, cap. 269 (RHC, Lois, I, 417–419); *Chronique d’Ernoul et de Bernard le Trésorier*, ed. Louis de Mas Latrie (Paris, 1871), p. 27.

26. Dodu, *Histoire des institutions*, p. 150; LaMonte, *Feudal Monarchy*, p. 8 (“the accession of Baldwin de Burg came about purely through election”) and p. 33.

27. The question has been thoroughly studied by Mayer, “Studies in the History of Queen Melisende of Jerusalem,” *Dumbarton Oaks Papers*, XXVI (1972), 93–182.

28. LaMonte, *Feudal Monarchy*, pp. 70–74; Richard, *Royaume latin*, pp. 257–259; Riley-Smith, *Feudal Nobility*, pp. 209–212, has emphasized that this is the application of the rule giving the succession to the “plus dreit heir apparant.”

Fulk of Anjou. But she intended to remain queen and to exercise the prerogatives of the office, on the grounds that her father had left the kingdom to her just as much as to her husband and her young son. Not only did she endorse her husband's acts during his lifetime (not unusual in the twelfth century), but after his death in 1143 she refused to turn over the crown to her son Baldwin III when he came of age. She accepted his coronation only with the agreement that she could keep the royal title and the government of half the kingdom. Later, in 1151, Baldwin III had recourse to war and forced his mother to settle for a dower.<sup>29</sup>

When the kingdom was transmitted by a woman to her husband, he held it only during her lifetime or during the minority of the children she left him. This allowed the barons of the kingdom to refuse to recognize Guy of Lusignan when queen Sibyl and her children died in 1190, and allowed Frederick II to eliminate John of Brienne in 1225 by marrying the daughter John had had by Mary of Montferrat. The uncertainty of the position explained, perhaps, why Henry of Champagne, in 1192, refused to accept the royal title when he married Isabel of Jerusalem. By her previous marriage Isabel had had a daughter, Mary, who would take the royal title when she became of age. But Aimery of Lusignan, who married Isabel on Henry's death in 1197, took the title king of Jerusalem.

Baldwin IV tried to change the rules of succession in order to keep his brother-in-law Guy of Lusignan off the throne. Guy had married Sibyl of Jerusalem. Baldwin chose as heir the son that Sibyl had had by a first marriage, and had his barons swear that, if the boy died, they would look to the pope, the kings of France and England, and the emperor, to decide the respective rights of his two sisters, Sibyl and Isabel.<sup>30</sup> When Baldwin V died in 1186, however, Sibyl had recourse to force and had herself crowned, and the consent of Isabel's husband Humphrey IV of Toron to this coronation rendered inoperative the arrangements made by Baldwin IV. Inheritance thus triumphed over a notion recognized elsewhere, according to which the king of

29. LaMonte, *Feudal Monarchy*, pp. 11 ff.

30. Sibyl, like Baldwin IV, was born of Amalric's first marriage, to Agnes of Courtenay, which had been annulled; Isabel, of his second marriage, to Maria Comnena. Baldwin IV had been designated Baldwin III's heir as his godson (the king had promised him the kingdom *in filiologio*); see William of Tyre, XVIII, 29 (*RHC, Occ.*, I, 870-871). Although the legitimacy of Sibyl's birth was not disputed, Baldwin seems to have looked upon the rights of his sister and his half-sister to the throne as equal. See Marshall W. Baldwin, *Raymond III of Tripolis and the Fall of Jerusalem* (Princeton, 1936), p. 58; Nicholson, *Joscelyn III and the Fall of the Crusader States, 1134-1199* (Leyden, 1973), p. 58.



Jerusalem would have been only "the lieutenant of the kings of Outremer".<sup>31</sup>

In fact, the king of Jerusalem enjoyed complete sovereignty; he had no secular suzerain, and it is not certain that he recognized the suzerainty of the Holy See.<sup>32</sup> Baldwin I had ignored the claims of the patriarch to receive the king's homage. The king held his crown only from God, and this assured to the barons of the kingdom, who looked upon themselves as the high court of the kingdom, the ability to play a role in the succession to the throne. In 1118 it was they who summoned Baldwin II to take the crown, in preference to Eustace of Boulogne.<sup>33</sup> In 1243 they decided to give their homage to Alice of Champagne rather than to king Conrad. In 1264 Hugh III of Antioch-Lusignan and Hugh of Brienne submitted their claims to the throne to the judgment of the high court; the barons decided in favor of the former and gave him their homage. And the barons also intervened in the marriages of royal heiresses.<sup>34</sup> Though we cannot properly speak of election by the barons, they had nevertheless considerable influence on the choice of the sovereigns.

As in the kingdom, the succession to the other thrones of the Latin east was regulated by the principle that the inheritance passed to the nearest relative, of whatever sex, of that person who had last exercised the *saisine* of the principality or county.<sup>35</sup>

We are poorly informed of the succession crises of the county of Tripoli. In 1148 Alfonso Jordan, count of Toulouse and son of Raymond of St. Gilles, seems to have wanted to contest the county with his grand-nephew Raymond II. In 1187 Raymond III prevented the

31. The description applied to Conrad of Montferrat in 1189 by Abū-Shāmah in the *Livres des deux jardins* (RHC, Or., IV, 400), when Conrad refused to open the gates of the city to Guy of Lusignan; Conrad called himself "lieutenant des rois d'outre-mer" and seems to have attributed to the kings of the west the right of recognizing royal authority in the Holy Land.

32. LaMonte, *Feudal Monarchy*, p. 4, speaks of "the Pope's claim to Jerusalem as a state of the Church," which is quite debatable. That there was recognition of papal suzerainty over the kingdom of Jerusalem has not been established; see Baldwin, "The Papacy and the Levant during the Twelfth Century," *Bulletin of the Polish Institute . . . in America*, III (1945), 277-287.

33. One party summoned Eustace, possibly the same group of barons who, according to Galbert of Bruges, had invited the count of Flanders, Charles the Good, to come and receive the crown of Jerusalem (Dodu, *Histoire des institutions*, pp. 141-142; Richard, *Royaume latin*, p. 69).

34. Often turning to western sovereigns to choose a husband for the heiress (as in the case of John of Brienne). In 1192 they forced Isabel of Jerusalem to separate from Humphrey IV of Toron and marry Conrad of Montferrat.

35. This was the basis for the claims of Mary of Antioch against Hugh of Antioch-Lusignan. She claimed to be more closely related to Isabel of Jerusalem, the "deraine saisie dou reiaume," whose granddaughter she was (Richard, *Royaume latin*, pp. 323-328).

succession of his relatives of Toulouse in the interests of his godson Raymond of Antioch.<sup>36</sup> But in 1201, at Antioch, Bohemond IV claimed the principality against his nephew Raymond Roupen, Raymond of Antioch's son, arguing that Raymond of Antioch had died (1197) before their father Bohemond III (1163–1201), and so had not been *en saisine* of the principality.<sup>37</sup>

Possession of the kingdom was complete from the moment the king was consecrated and crowned. Baldwin I received his crown from the patriarch Daimbert in the basilica of Bethlehem.<sup>38</sup> From 1118 to 1197, the coronation took place at the Holy Sepulcher. After the fall of Jerusalem (with the exception of Frederick II who crowned himself at the Holy Sepulcher in 1229) it took place in the cathedral of Tyre. This ceremony did not imply that the king became the vassal of the patriarch, but the patriarch was supposed to ask those present if the new sovereign was indeed the *dreit heir* of the kingdom, and crowned him after their acclamation.<sup>39</sup> It was at this moment in the ceremony in 1269 that Mary of Antioch proclaimed before a notary her refusal to recognize the rights of Hugh of Antioch-Lusignan. Enough importance was attached to the ceremony that Baldwin III refused to allow his mother, Melisend, to be crowned at the same time he was, and that in 1186 Sibyl made her coronation the essential element of her *coup d'état*, while Conrad of Montferrat, murdered in 1192 before he could be crowned, was called simply *rex electus*.<sup>40</sup>

The princes of Antioch also turned to their patriarch to be consecrated. Claude Cahen has suggested that this ceremony was instituted in 1112 by the regent Roger of Salerno, a rather distant relative of

36. Richard, *Comté de Tripoli*, pp. 45–48; Baldwin, *Raymond III*, p. 138. In the event, Raymond's brother, Bohemond (IV) of Antioch, became count (1187–1233). The counts of Toulouse seem to have maintained their claims to *totum principatum Tripoli de Suria*, as a text of 1259 reveals: Claude de Vic and Jean J. Vaissète, *Histoire générale de Languedoc*, ed. Édouard Dulaurier, et al. (15 vols., Toulouse, 1872–1893), VIII, 1445–1446.

37. Cahen, *Syrie du nord*, pp. 591–595. I have interpreted the statement of William of Tyre's continuator, that Bohemond III died "saisis et revestus et tenant," in a different sense than has Cahen.

38. It has been assumed that the choice of Bethlehem was made in order not to prejudice the grant of Jerusalem to an ecclesiastical lordship (Hansen, *Das Problem*, pp. 83–85). It has also been suggested that it preserved the tradition established by Godfrey of Bouillon, who refused to wear a crown of gold where Christ had worn a crown of thorns. But it might also be that Baldwin had himself crowned in Bethlehem simply because Christmas, being the first great feast day following his accession to the throne, was celebrated in Bethlehem.

39. John of Ibelin, cap. 7 (*RHC, Lois*, I, 30). See Mayer, "Das Pontifikale von Tyrus und die Krönung der lateinischen Könige von Jerusalem," *Dumbarton Oaks Papers*, XXI (1967), 141–232.

40. The title is reminiscent of a bishop who has not yet been consecrated, but it does not imply that the choice of the king had been the result of an election.

Bohemond II, the legitimate heir to the principality, in order that his accession to the principate be thenceforth undisputed. His successors continued to have themselves consecrated by the patriarch.<sup>41</sup>

The history of the crusader states is noteworthy for the problems caused by regencies. In the twelfth century this was especially so at Antioch, whose princes often died violent deaths. In the thirteenth the same was true at Jerusalem, because of difficulties over the succession. At the beginning of the twelfth century, the barons, deprived of their head, appealed to a neighboring prince, as in Edessa where Tancred was called on to replace Baldwin of Le Bourg, who had been taken prisoner. But soon the idea of calling on the nearest relative of an incapacitated prince prevailed: Tancred was summoned to Antioch to replace the captured Bohemond I;<sup>42</sup> Roger was chosen to replace the minor Bohemond II. Or else they turned to their suzerain:<sup>43</sup> kings Baldwin II, Fulk, and Amalric were called upon to govern the counties or the principality when their leaders died, until their heirs came of age. We frequently see a conflict between the king and the princess of Antioch, the latter claiming to exercise the regency and refusing it to the king of Jerusalem, who nevertheless took it over each time.<sup>44</sup>

In the kingdom of Jerusalem queen Melisend, on the other hand, effectively carried on the government during the minority of Baldwin III. The arrangement was different, however, when Amalric died:<sup>45</sup> the dying king entrusted the regency to one of the great officers, Miles of Plancy. But Miles was murdered in 1174, and Baldwin IV's nearest relative, count Raymond III of Tripoli, took over the government (1174–1176). Baldwin IV was debilitated by leprosy, and sought to entrust the government to someone he could trust (count Philip of Flanders, who refused, and then Reginald of Châtillon), but when his sister Sibyl remarried in 1183 he gave the regency (*baill*) for Sibyl's infant son Baldwin to his brother-in-law Guy of Lusignan. Then he deprived Guy of the regency and entrusted the protection of the child to his

41. Cahen, *Syrie du nord*, p. 312. However, the princes Bohemond IV and Bohemond V, in conflict with their patriarch, were not consecrated.

42. Moreover, he was required to take an oath of fealty to Bohemond before the gates were opened to him (Continuation of Peter Tudebode, in *RHC, Occ.*, III, 228).

43. Although Tancred claimed suzerainty over Edessa, demanding the homage of Baldwin of Le Bourg before giving him his land in 1107.

44. The nobility of the principality seems to have been opposed to female regencies (Cahen, *Syrie du nord*, p. 440).

45. Baldwin IV's mother, Agnes, had been repudiated by Amalric, and she was not, as Melisend was, the heiress of the kingdom.

uncle, count Joscelin III of Courtenay, while Raymond III was again charged with the government with the title of regent.<sup>46</sup> Thenceforth it was conceded that the regent should be the nearest relative of a king who either was a minor or was prevented from ruling effectively.<sup>47</sup>

The regent governed the kingdom, received the homages due the king, and took over the royal domain.<sup>48</sup> His position was hardly different from that of the king himself. Aimery of Lusignan, queen Isabel's husband and regent for princess Mary of Montferrat, actually took the title of king, while Henry of Champagne, in the same position, called himself "lord of the realm." Frederick II, after the death of his wife Isabel in 1228, was also regent for the young Conrad. But at Conrad's coming of age the barons refused to continue accepting Frederick as regent. They were unable to give homage to Conrad, who had not come to the kingdom. It was then that they decided to recognize the regency of Conrad's nearest available relative, Alice of Champagne. Arguing, however, from a precedent in the Morea, they refused to hand possession of the fortresses of the royal domain over to the regent, although giving her the homage due the crown.

From 1243 to 1268 the kingdom was thus governed by a regent or "lord of the kingdom" with limited powers: first queen Alice (1243-1246), next her son Henry I of Lusignan (1246-1253),<sup>49</sup> then Hugh II, Henry's son. But since he was a minor, the "lordship of the kingdom" was filled in succession by his mother Plaisance of Antioch (1253-1261), represented by her brother Bohemond V of Antioch, next by his aunt Isabel of Lusignan (1263-1264), and then by her son, Hugh III de Lusignan (1264-1269). The death of Hugh II in 1267 made Hugh III king of Cyprus, and that of Conradin, legitimate heir to the throne, in 1268, allowed Hugh III in 1269 to exchange his title of regent for that of king of Jerusalem.<sup>50</sup>

The regent himself might be absent from the kingdom (as were the rulers of Cyprus from 1243 to 1268). In this case, as also when the king of Jerusalem was absent, a bailie was established "sur le fait de la seignorie." At the time of the captivity of Baldwin II, it seems

46. Baldwin, *Raymond III*, pp. 57-59. See also Nicholson, *Joscelyn III*, pp. 118-127.

47. "Ne l'on n'en apelle baill que ciaux à qui le reiaume peut escheir": cap. 249 (*RHC, Lois*, I, 398). On the regency see Riley-Smith, *Feudal Nobility*, pp. 184-228.

48. It is debatable whether he could administer the domain as he wished without an accounting when the heir reached the age of majority. Raymond III was required to render such an accounting; Aimery of Lusignan took care to separate the administration of the kingdom, which he governed in the name of his wife Isabel, from that of his own kingdom of Cyprus.

49. Pope Innocent IV recognized his title on April 17, 1247: Georg H. Pertz and Carl Rodenberg, eds., *MGH, Epistolae saeculi XIII e regestis pontificum romanorum*, II (Berlin, 1887), 244 (no. 324); see also p. 299 (no. 411) and p. 401 (no. 568).

50. It was only then that he was in a position to reclaim the royal castles at Acre and Tyre, thitherto held by the commune of Acre and Philip of Montfort.

that the barons designated Eustace Garnier, lord of Sidon (1123).<sup>51</sup> But it was Frederick II who named Thomas of Acerra bailie of the kingdom in 1226; then, in 1228, Balian I Grenier of Sidon and Warner the German, whom Richard Filangieri later replaced.<sup>52</sup>

John of Ibelin, whose account is open to criticism (he omitted to mention the designation of Filangieri),<sup>53</sup> affirms that the liege men had the right to choose the bailie themselves. In fact, it was Frederick II to whom the pope would suggest in 1236 (when the emperor would make Bohemond V regent of the kingdom) that he designate two bailies, one at Acre, the other at Tyre.<sup>54</sup> And in 1241 the Guelf barons themselves asked the emperor to replace Filangieri with Simon of Montfort.<sup>55</sup> It was only after 1243, when king Conrad reached his majority, that the barons refused his representative Thomas of Acerra, and themselves designated a bailie whose nomination was confirmed by the "lord of the kingdom."<sup>56</sup> This procedure became thenceforth the normal way of designating the bailie. But his powers were limited;<sup>57</sup> he could not hear cases relating to fiefs and he had to take an oath to the liege men. He appeared thus as much their representative as that of the king or of the "lord of the kingdom."

51. One might well ask, however, whether Eustace Garnier was not closely related to the family of Baldwin I and Baldwin II (Charles Moeller, "Les Flamands du terroir au royaume latin de Jérusalem," *Mélanges Paul Frédéricq* [Brussels, 1904], p. 189).

52. John of Ibelin says (cap. 249) that Thomas of Acerra's powers expired on the death of queen Isabel of Brienne, and that the liege men then elected the old lord of Beirut and Balian of Sidon "estre sur le fait de la seignorie jusque à la venue de l'empereor" (*RHC, Lois, I, 399*). For the designation of Balian and Warner see *L'Estoire d'Eracles empereur et la conquête de la terre d'Outremer* (*RHC, Occ., II, 384*). For the seal of Richard Filangieri as bailie of the kingdom see Gustave Schlumberger *et al.*, *Sigillographie de l'Orient latin* (Bibliothèque archéologique et historique, XXXVII; Paris, 1943), p. 66.

53. He says (cap. 249) that when Frederick II wanted to substitute Philip of Maugastel for Balian of Sidon and Odo of Montbéliard (who had taken Warner's place), the liege men refused to accept him (*RHC, Lois, I, 399*).

54. *MGH, Epistolae saeculi XIII, I* (Berlin, 1883), 571-572 (no. 674); cf. LaMonte and Merton J. Hubert, *The Wars of Frederick II against the Ibelins in Syria and Cyprus* (*CURC, 25*; New York, 1936), pp. 49-50, 168. This solution had been envisaged in 1233 by Frederick II: "si il voloyent que son baill qui estoit a Sur fust lor baill, il lor otroyerait bien qu'un de ses homes de la terre fust lor bail a Acre [Philip of Maugastel], et Richart Philangier fust a Sur" (*Les Gestes des Chiprois*, cap. 205, in *RHC, Arm., II, 722*); Riley-Smith, *Feudal Nobility*, pp. 201-204.

55. *AOL, I* (1881), 402-403.

56. They chose Odo of Montbéliard, constable of the kingdom, according to John of Ibelin (caps. 249, 250, in *RHC, Lois, I, 399-400*). However, in 1258 it was the regent Bohemond V who named the bailie, John of Arsuf (Arsuf: "Continuation de Guillaume de Tyr, de 1229 à 1261, dite du manuscrit de Rothelin," *RHC, Occ., II, 634-635*).

57. "Les hommes dou reiaume se deivent assembler ou le greignor partie d'iaus, et eslire un d'iaus, celui qui lor semblera qui seit plus proufitable, et là où le plus des homes s'accorderont à estre sur le fait de la seignorie, por faire et tenir dreit à la gent et assembler court et faire esgart où conoissance à ciaus qui li requeront," according to John of Ibelin (cap. 249, in *RHC, Lois, I, 398*).

## B. *The Feudal Regime*

The crusader states were formed at a time when the feudal system was at its height in western Europe. Furthermore, possibly with some exceptions,<sup>58</sup> all the conquered lands were embraced within the feudal structure of the new states. The prospect of a Moslem reconquest, moreover, would give to this structure a very particular force: the rulers sought to retain in their service on a permanent basis the knights whom they employed by giving them fiefs; later, when a network of fortresses would ensure the security of the frontiers as well as the interior, these fortresses too were used as fiefs.

The granting of fiefs seems to have gone on from the very beginning of the conquest.<sup>59</sup> The princes often kept within their own domain the main towns, which were the first to be conquered. But already Godfrey had invested Tancred with what would become the principality of Galilee, and promised a knight of Forez, Gaudemer Charpinel, the investiture of Haifa in anticipation of its capture. Baldwin I, when his brother died, reinvested the knights and barons with the fiefs which had been established for them out of the town revenues. Many fiefs were thenceforth money-fiefs.<sup>60</sup>

The feudal organization of the kingdom of Jerusalem was famous for the strictness of its principles. But this strictness exists primarily in the writings of thirteenth-century jurists.<sup>61</sup> The documents preserved in church archives allow us to modify its rigidity. The kinds of fief varied. There were important lands, some of which carried the title of county (Jaffa) or principality (Galilee), and lands of less importance, or simply money-fiefs, the *fié en besanz* in contrast to the *fié*

58. See above, p. 153, with respect to the allods. Were these allods, or *fiefs francs*, an outgrowth of the right of occupancy given to the first occupants? On the existence of allods or *fiefs de reprise* in the county of Tripoli, see Richard, "Le Comté de Tripoli dans les chartes des Porcellet," pp. 360-363.

59. Praver, "La Noblesse et le régime féodal du royaume latin de Jérusalem," *Le Moyen-Âge*, LXV (1959), 41-74.

60. Albert of Aachen, VII, 37: "beneficia vero, prout cuique statuta erant de re ditibus civitatum, protulerunt" (1100: *RHC, Occ.*, IV, 532).

61. On the controversy over this matter between Carl Stephenson and LaMonte, cf. LaMonte, "Three Questions Concerning the Assises of Jerusalem," *Byzantina metabyzantina*, I (1946), 201-204.

*en casau* or *en terre*.<sup>62</sup> Most of the holders of fiefs lived in towns or fortresses, not on their lands, limiting themselves to collecting the revenues of their villages. A village usually belonged to a single lord, but occasionally it might be divided. Such division stopped, however, at the point where a holding assured the maintenance of one knight, the *caballaria* or *chevalerie*.<sup>63</sup>

The most important fiefs were endowed with rights of justice or command. The *Livre de Jean d'Ibelin* gives a list of them; though incomplete, it reveals that the lords of simple villages were able to exercise certain rights of justice over the inhabitants who were their tenants.<sup>64</sup> The *barons et terriers* had the right of punishing their men,<sup>65</sup> inflicting mutilation on them if caught red-handed, as is indicated by a canon of the council of Nablus (1120):<sup>66</sup> this was *justise*. They held a *cour*, made up of their vassals, in order to decide feudal matters. Finally, they had *coins*, that is, molds for impressing their seal and counterseal on a lead *bullā*, and this right allowed them to *faire prevelige donatif*, to grant a piece of land without the confirmation of their suzerain.<sup>67</sup> These prerogatives seem to have been acknowledged as belonging to the holders of those lordships which included an important castle, the center of an extensive territory and the residence of a group of knights bound to the lord of the castle by ties of vassalage.

Some of these lords claimed special privileges. One discerns in the thirteenth century an attempt on the part of the principal lord high justiciars to form a group of four "barons," which John of Ibelin sought to define on the basis of the exceptional importance of their

62. John of Ibelin, cap. 166 (*RHC, Lois, I, 255*).

63. Their division was forbidden (*idem.*, caps. 148, 150, *ibid.*, I, 224–225; Richard, *Comté de Tripoli*, p. 79). Some fiefs were made up of a certain number of *carracatae* (such as that of John Bannier at Caymont: Röhrich, *Regesta*, no. 614). Beduin tribes might also form the basis of a fief; cf. *Regesta*, no. 562, and John of Ibelin, cap. 271 (*RHC, Lois, I, 424*): "Baudoyens de Ibelin, por II lignées de Bedoyens," owed the service of four knights "en reconnoissance do fyé."

64. There is a list of seigneurs having "cour et coins et justise" in John of Ibelin, cap. 270 (*RHC, Lois, I, 419–421*); cf. Richard, "Les Listes de seigneuries dans le Livre de Jean d'Ibelin," *RHDfE*, ser. 4, XXXII (1954), 565–577. The existence of seigneuries endowed with rights of low justice has been alluded to by Cahen, "Notes sur l'histoire des croisades et de l'Orient latin; II, Le Régime rural syrien," *Bulletin de la Faculté des lettres de Strasbourg*, XXIX (1950–1951), 304–306; and John of Ibelin (cap. 207, in *RHC, Lois, I, 332*) refers to the concession of rights of justice.

65. *Livre au roi*, cap. 39 (*RHC, Lois, I, 634*).

66. Mansi, *Concilia*, XXI, col. 262, canon 35.

67. Raoul Chandon de Briailles, "Le Droit de 'coins' dans le royaume de Jérusalem," *Syria*, XXIII (1942–1943), 244–257; John of Ibelin, cap. 189 (*RHC, Lois, I, 302*). The lords who did not have this right used a wax seal (which the great lords began to use at the end of the thirteenth century), and had to have their donations confirmed by the lord from whom they held their fiefs, who affixed his seal (e.g., Röhrich, *Regesta*, no. 594).

seigneuries. The baron was to furnish a contingent of one hundred horsemen for the royal army and to be accompanied by a lord high constable and a marshal. The four barons were to enjoy the privilege of being justiciable only in the court of barons, when it was a question of their bodies, their honor, or their fiefs. But this theory seems to have been introduced rather late, perhaps in imitation of the *cours des pairs* in the west.<sup>68</sup> Only the kingdom of Jerusalem appears to have experienced an attempt of this kind, echoed neither in Antioch nor in Tripoli, where the lord high justiciars enjoyed prerogatives similar to those of the kingdom.

The fief was normally burdened with a service that its holder was supposed to render to the one who had given it to him. There were, however, fiefs which owed no service,<sup>69</sup> somewhat similar probably to the allods which we find in the towns.<sup>70</sup> The service varied greatly: they called fiefs the tenures of sergeants who fought on foot as well as those of seignorial officials (scribes, native interpreters).<sup>71</sup> The fiefs of knights, however, required them to perform military service under carefully defined conditions.

The lord called them up by sending a sergeant, the *bannier*, who brought them the summons. The vassal had to go unless wounded or sick (in which case a doctor's or surgeon's certificate might be required), or if the lord had not yet paid him what he owed.<sup>72</sup> The king's men were at his disposition for a whole year throughout the length and breadth of the kingdom; they had to serve him with horse and arms, stated precisely in 1168 by the assise of Bilbais, which exempted knights from serving in the sieges of towns.<sup>73</sup> A vassal under forty had to serve in person; if older, he need merely *tenir hernois*, put his arms at the disposition of his lord.<sup>74</sup> In fact, a vassal had to own a war horse and a complete suit of armor, and the king stopped his pay when the armor was incomplete, although he had to re-

68. Richard, "Pairie d'Orient latin: Les quatre baronnies des royaumes de Jérusalem et de Chypre," *RHDFE*, ser. 4, XXVIII (1950), 67-88. On the other hand, the four baronies were not to be partitioned among sisters (John of Ibelin, cap. 177, in *RHC, Lois*, I, 280).

69. Cahen, *Syrie du nord*, pp. 530-531; John of Ibelin (cap. 249) mentions the "fié franc qui ne doit point de servise ne d'omage ne de redevance" (*RHC, Lois*, I, 399); he points out (cap. 141) that the king could grant a fief "à servise et sans servise" (*ibid.*, I, 215).

70. Prawer, "The Assise de tenure and the Assise de vente: A Study of Landed Property in the Latin Kingdom," *Economic History Review*, ser. 2, IV (1951-1952), 82-83.

71. Cahen, *Syrie du nord*, p. 534 (the fief of a "client"); Prawer, *Historie du royaume latin de Jérusalem*, p. 129.

72. This last excuse was not accepted when it was necessary to assist a threatened stronghold; cf. John of Ibelin, caps. 212, 213, 214, 223 (*RHC, Lois*, I, 338-343, 354).

73. *Gestes des Chiprois*, cap. 202 (*RHC, Arm.*, II, 721).

74. John of Ibelin concluded that after the age of sixty a woman holding a fief could refuse the king's right to have her married again, on the grounds that at this age a knight no longer owed the service of his body (caps. 226, 228, in *RHC, Lois*, I, 358, 362).



place a horse worn out or lost in his service.<sup>75</sup> The requirement to serve in person brought with it a prohibition against leaving the kingdom without handing over the fief to the lord. Failure to serve was punished by confiscation of the fief for a year and a day.<sup>76</sup>

However, it was anticipated that the obligations of certain fiefs might be fulfilled by someone other than the vassal. In his list of the "services que les cités dou reiaume de Jerusalem doivent" (c. 271) John of Ibelin noted that John of Rheims owed the king "un chevalier pelerin," and that other holders of fiefs owed the service of two to five knights. In such a case, the vassal could subinfeudate portions of his fief to rear-vassals, but it was assumed that he would keep for himself a more important part than that allotted to a rear-vassal.<sup>77</sup>

The requirement of military service limited the possibility of alienating the fief. It was forbidden to sell it to a minor or to an unmarried young woman. But the inheritability of fiefs was soon widely recognized; the legitimate son of a knight and his lady could not be prevented from holding a fief, even if incapable of proper service ("vil, recreant, coart, bossu, mahaignié de aucun de ses membres, yvroigne, entechié de aucun mauvais ou vilain vice").

Even inheritance through a collateral line was allowed in Jerusalem, up to the middle of the twelfth century.<sup>78</sup> However, the partition of a fief was not allowed. Only the first born succeeded to the fief of a father who had only one fief, and he could subinfeudate only a part to his brothers. Daughters, on the other hand, divided the fief among themselves if there were no male heir, provided that the fief comprised several *chevaleries*; only in 1171 was it decided that the eldest would receive the homage of her sisters.<sup>79</sup> If the heir was a minor the fief was placed under the care of the lord, who could grant it (sometimes in return for money) to anyone he chose, so long as the care of the child himself was entrusted to his nearest relative.<sup>80</sup>

At fifteen the young man asked for his fief, and he was allowed

75. *Livre au roi*, cap. 10 (*ibid.*, I, 613).

76. John of Ibelin, caps. 180, 184 (*ibid.*, I, 282-283, 287).

77. *Idem*, cap. 182; cf. cap. 148 (*ibid.*, I, 284-285, 223-224).

78. *Idem*, cap. 187 (*ibid.*, I, 297-299); Cahen, *Syrie du nord*, p. 534; Prawer, "La Noblesse et le régime féodal," pp. 48-49, 62-63.

79. *Livre au roi*, cap. 34 (*RHC, Lois*, I, 629-630); John of Ibelin, caps. 148-153 (*ibid.*, I, 223-231).

80. John of Ibelin, caps. 169-170 (*ibid.*, I, 259-262). Philip of Novara, cap. 20 (*ibid.*, I, 494), explains that this measure was intended to prevent the holder of the regency from getting rid of the heir, quoting the adage:

Ne doit mie garder l'aiguel  
Qui en doit avoir la pel.

For the sale of a regency in 1179 see Röhrich, *Regesta*, no. 588.

to swear homage to the lord, an indispensable formality without which the fief could be confiscated by the lord for the lifetime of the defaulting vassal. Homage forbade him to strike his lord, to bear arms against him, to give counsel that might harm him, to injure his honor or that of his wife, his daughter, or his sister; it obliged him to give up his horse to his lord in the course of battle if the lord had been unhorsed, and to give himself up as a hostage to free his lord from captivity. On the other hand, the lord was forbidden to strike his vassal or to take his fief, and had to arrange his deliverance when the vassal had given himself up as a hostage in his place.<sup>81</sup>

The heiress of a fief could be required by the lord to marry on reaching the age of twelve. Theoretically she had a choice among three candidates of a rank compatible with her own. Her parents, who might wish to arrange her marriage, were often forced to offer the lord a sum of money to get his approval of the match which they themselves proposed. Raymond III of Tripoli, for example, let himself be tempted by the attraction of a large sum to marry off the heiress of Botron to someone other than Gerard of Ridefort, to whom he had promised her.<sup>82</sup>

When a fief changed hands there was no transfer tax except at Antioch, where it amounted to a ninth, possibly the equivalent of the "relief" in the west.<sup>83</sup> But alienation was controlled; the fief could be sold, even at auction, provided that it be to a person capable of holding it. This excluded not only minors but churches, religious orders, communes (such as the Italian republics), and burgesses. Where a sale to a buyer of this sort had to be made (for example, when the vassal had to pay a ransom), the lord had to authorize it or else the fief might be forfeited.<sup>84</sup>

The fief could be taken from a vassal not only for failure to swear homage or perform service (which entailed only a temporary forfeiture) but when the vassal denied God or betrayed his lord, according to John of Ibelin. A twelfth-century text, the *Establisement dou roi*

81. John of Ibelin, caps. 184, 195 (*RHC, Lois*, I, 287, 313–314). Amalric succeeded in imposing an income tax of one percent on his vassals, and in having some of them sell fiefs which they held in the names of their wives in order to ransom their lord, who had been taken by the Saracens, following an event which is obscure. This was the "assise dou rei Amauri, qui fu faite à Sur, por la desconfiture . . . des Crestiens ou fait de Naples" (John of Ibelin, cap. 249, in *RHC, Lois*, I, 398).

82. *Idem*, caps. 177–179 (*ibid.*, I, 279–282); Richard, *Comté de Tripoli*, p. 80; cf. above, p. 184. According to Prawer, "La Noblesse et le régime féodal," p. 51, it was about 1130 that the king extended his right to impose a husband of his choice to include widows.

83. Cahen, *Syrie du nord*, p. 532.

84. John of Ibelin, cap. 143 (*RHC, Lois*, I, 217). For the sale in 1161 of the fief of John Gothman see Röhrich, *Regesta*, nos. 368–369.

*Bauduin segont*, numbers twelve cases in which forfeiture occurs, including apostasy, treason, armed revolt, the coining of false money, the usurpation of regalian rights (coinage, port and highway tolls), and refusal to obey the lord.<sup>85</sup> But under Amalric a new text was adopted, the *Assise de la ligèce*, which limited considerably the right of forfeiture.<sup>86</sup>

This assise established a principle favorable to royal authority, the swearing of liege homage to the king by all vassals and subvassals as well as an oath of fealty by the inhabitants of cities, towns, and castles held in fief of the king. Previously, liege homage and the oath of fealty, mentioned in texts of 1144 in Tripoli, 1149 in Antioch, and 1155 in the kingdom, were required of the vassals of the king and princes, and of burgesses of the cities in their domains. The new arrangement would require rear-vassals and burgesses to abandon their immediate lord if he rebelled against the king.<sup>87</sup>

On the other hand, this assise created a bond between all the king's liege men; if an injustice was committed against one of them by their immediate lord, it was their duty to support one another, demanding of the lord that he have the vassal in question judged by the court before laying hands on his fief. If the lord refused the "esgard et connoissance de sa cour," the vassals could refuse the service due from their fiefs, and the king was to intervene on their behalf.<sup>88</sup>

The king himself was required to provide justice in his court to any vassal he might wish to dispossess or imprison. In this way the

85. *Livre au roi*, cap. 16 (*RHC, Lois*, I, 616–617). Cf. Prawer, "Étude sur le droit des *Assises de Jérusalem*: Droit de confiscation et droit d'exhérédation," *RHDFE*, ser. 4, XXXIX (1961), 520–551, esp. 522–532, and XL (1962), 29–42. In view of the references to a well-developed regalian right, Prawer has suggested that the *Établissement dou roi Bauduin segont* was adopted later, during the reign of Baldwin III.

86. John of Ibelin, cap. 140 (*RHC, Lois*, I, 214–215); cf. caps. 197–201 (*ibid.*, I, 317–323); on the ceremony of liege homage see cap. 195 (*ibid.*, I, 313). The standard interpretation by LaMonte, in his *Feudal Monarchy*, p. 24, has been discussed by Prawer, who proposes another view in his "La Noblesse et le régime féodal," pp. 64–73. Elsewhere ("Estates, Communities and the Constitution") Prawer has pointed out that the *Assise de la ligèce*, by giving the nobility a horizontal structure, with the right of forming a *conjuratio*, turned the nobility into a veritable "estate," and brought about the control of the high court by the greater nobility. Other social groups were also led to establish internal ties.

87. John of Ibelin is explicit on this point (cap. 197, in *RHC, Lois*, I, 317). However, Prawer has refused to accept it ("La Noblesse et le régime féodal," p. 73) because we know of no example of such a coalition of rear-vassals supporting the king against their immediate lord.

88. Tradition has it that this assise was adopted on the occasion of a war between Amalric and Gerard of Sidon, which broke out "par ce que le dit Girart deserita un sien home, sans esgart et sans connoissance de court, dou fié que il tenoit de lui"; Prawer has dismissed this (*ibid.*, p. 65): "il est difficile d'imaginer Amaury, homme d'Etat réfléchi et prince cupide, guerroyant pour une *iusticia* abstraite." In any case, it would appear that Amalric's assise assured the king above all a guarantee against future revolts.

*Assise de la ligèce* made the strict application of the *Establissement dou roi Bauduin segont* impossible. Aimery of Lusignan succeeded in reimposing it, but after him the liege men of the kingdom used the *Assise de la ligèce* against arbitrary acts of the royal will;<sup>89</sup> John of Ibelin could write of this text that “les seignors et les homes se doivent plus pener de savoir la” than any other assise, and LaMonte has shown that it ensured the supremacy of the high court of the kingdom.

There was a “high court” in the kingdom and in the principalities<sup>90</sup> just as there was a court in seigneuries of less importance. The lord usually surrounded himself with his vassals to give judgment, since they owed him their counsel. He could even ask a vassal to furnish advice through a third party, just as he could ask him to go to conduct an inquiry on the spot, or transmit a summons or a message. But service of court consisted above all in “faire esgars et conoissans et recors de cort.”<sup>91</sup>

By their presence, on the other hand, the vassals brought a guarantee to the acts of the lord. Further, the vassals of the prince of Antioch refused to recognize the validity of the transfer of the principality to the emperor John Comnenus (1142) which had been made without the consent of the prince’s court.<sup>92</sup> This guarantee ceased to appear in the acts of western princes by the end of the twelfth century, but it would persist in the Latin east.

The judicial competence of the high court of Jerusalem began to be defined at the time of the assembly of Nablus (1120), which attributed to it the cognizance of cases in which two barons opposed each other, or one baron and the man of another. Usâmah Ibn-Munqidh saw how it worked in receiving the complaint of a Moslem prince against a Frankish baron. On this occasion the king selected some knights to discuss and draw up the verdict, which he then put into effect.<sup>93</sup> But the composition of the court remained fluid; new crusaders occasionally sat with royal vassals.

89. Cf. Praver, “La Noblesse et le régime féodal”; Riley-Smith, *Feudal Nobility*, pp. 145–184.

90. Cahen, *Syrie du nord*, pp. 441 ff.; Richard, *Comté de Tripoli*, pp. 71–73; La Monte, *Feudal Monarchy*, pp. 87–104.

91. John of Ibelin, cap. 217 (*RHC, Lois*, I, 347).

92. William of Tyre, XV, 20 (*RHC, Occ.*, I, 690–691); Cahen, *Syrie du nord*, pp. 366–367.

93. Mansi, *Concilia*, XXI, col. 262; Hartwig Derenbourg, *Ousâma ibn Mounqidh, un émir syrien au premier siècle des croisades*, I, *Vie d'Ousâma* (Publications de l'École des langues orientales vivantes, ser. 2, XII; Paris, 1889–1893), pp. 185–186; Richard, *Royaume latin*, pp. 68, 70. On the delimitation of judicial competence between the court of the prince of Antioch and that of the patriarch, see below, p. 248.

The composition and procedure of the high court became increasingly defined later when the *Assise de la ligèce* came into force, bringing new cases before the court. But the members of the court were not so specialized as to form a body like the *parlement* of the kings of France. As early as 1250 the high court considered keeping a register of decisions, but the idea was abandoned.<sup>94</sup> However, the high court was normally made up of men having some legal competence. The law that was being applied became so complicated that it was necessary to make collections of customs such as the *Livre au roi*, the *Livre en forme de plait* of Philip of Novara, the *Livre des assises et des bons usages* of John of Ibelin, and still others. But it is especially the political role of the high court which has attracted attention. The *Assise de la ligèce* led it to intervene in the difficulties between the king and his liege men. The succession crises which allowed the vassals to judge the right of a claimant to receive their homage and service, required the high court to judge who was to receive the crown or the legality of the nomination as regent. A doctrine was elaborated by which this right allegedly went back to Godfrey of Bouillon's election by those who were to be his vassals. And the high court had the means of making its decisions respected by the king, the *conjuratio* of the liege men, who could withdraw their service from their lord.

Did the adoption of the *Assise de la ligèce* at least make feudal revolts impossible? The kingdom of Jerusalem had known such revolts before; Roman of Le Puy, lord of Transjordan, rebelled against Baldwin II, who had confiscated his barony before 1128;<sup>95</sup> Hugh II of Le Puiset, count of Jaffa, after having been accused of scheming against the life of king Fulk, took up arms and appealed to the Egyptians for help, but his barons abandoned him and he had to submit (1132).<sup>96</sup> The affair of Gerard of Sidon seems to have been more complicated: in 1160 he fought against Baldwin III, who besieged his cas-

94. *Abrégé du Livre des Assises de la Cour des Bourgeois*, caps. 13-19 (*RHC, Lois*, II, 246-250).

95. I have attempted to connect the adoption of the *Establisement dou roi Bauduin segont* with this revolt, as being the manifestation of a too independent vassal usurping royal rights (*Le Royaume latin de Jérusalem*, p. 90); but if the *Establisement* (or at least the part relative to the regalia) is to be attributed to Baldwin III, as Praver has suggested (see above, note 85), this hypothesis must be abandoned.

96. LaMonte, "The Lords of Le Puiset on the Crusades," *Speculum*, XVII (1942), 100-118. Mayer, "Studies in the History of Queen Melisende," pp. 102-113, sees the revolt of Hugh II of Le Puiset as revealing the refusal of a party of the nobility to accept the claims of king Fulk to govern without the queen's being associated in his decisions, since she was the daughter of Baldwin II and the true holder of the kingdom.



Young king Baldwin III refuses the tutelage of his mother, queen Melisend. From the collections of the Bibliothèque nationale

tle of Belhacem, and he appealed to Nūr-ad-Dīn;<sup>97</sup> but, though it is possible that this war broke out because of the plundering of the lord of Sidon, it is certain that he did not die at the stake as Michael the Syrian wrote.<sup>98</sup> We know that tradition linked the adoption of the *Assise de la ligèce* to a conflict between Amalric and Gerard, without being able to say whether or not it had to do with the affair.

These rebellions of vassals did not have the same character as the conflicts which pitted Baldwin III against his mother, Melisend, or Raymond III of Tripoli against Guy of Lusignan.<sup>99</sup> These were problems of succession which ended in civil wars in which the barons participated. It was the same when Guy of Lusignan faced the barons who supported Conrad of Montferrat. On the other hand, Guy's revolt against Baldwin IV, who had stripped him of his regency in 1183,<sup>100</sup> and Reginald of Châtillon's refusal of obedience when Guy asked him in 1187 to surrender the spoils that he had taken from the Moslems (though it did not come to armed conflict),<sup>101</sup> were true acts of insubordination of vassals toward their lord.

After 1192 there were conflicts between the king and his vassals from time to time, but without degenerating into open revolt.<sup>102</sup> Even when Frederick II tried to take Beirut away from John I of Ibelin and confiscate his fiefs, the old lord of Beirut knew enough to avoid battle, preferring to rely upon the high court. Thus the use of force by Filangieri allowed John of Ibelin to enlist the help of most of the barons of Acre. The civil war which broke out in 1232 and which led to a take-over of Acre by John's partisans had a firm juridical base, and took a form much different from that of the feudal rebellions of the twelfth century. Now the sovereign appears as refusing to observe the *Assise de la ligèce* under which the barons took shelter. Thenceforth the royal authority became incapable of asserting itself.

The other crusader states also experienced difficulties between the princes and their vassals. In Edessa, Baldwin of Le Bourg had to strug-

97. Michael the Syrian, in *RHC, Arm.*, I, 354; Ibn-al-Athīr, in *RHC, Or.*, I, 522-523; Röhrich, *Regesta*, no. 344.

98. Richard, *Royaume latin*, p. 81.

99. In this case, Guy of Lusignan demanded an accounting from Raymond III for the administration of the kingdom, of which he had been the regent, and seized Beirut, which was Raymond's possession. The count of Tripoli got a promise of military aid from Saladin should the king attack him; cf. Baldwin, *Raymond III*, pp. 81-85.

100. *Estoire d'Eracles*, in *RHC, Occ.*, II, 2, 5; Baldwin, *Raymond III*, pp. 55-56.

101. At this time Reginald declared to the king that "ausi estoit-il sires de sa terre comme il de la soe" (*Estoire d'Eracles*, in *RHC, Occ.*, II, 34).

102. Tradition preserves a record of the abuse of power committed by Henry of Champagne against Aimery of Lusignan, and by Aimery against Ralph of Tiberias, who was accused of plotting against him and could get no hearing before the high court (1198).

gle against the independent aspirations of Joscelin I of Courtenay, lord of Tell Bashir, whom he stripped of his land. In Antioch, the barons appealed to the king of Jerusalem to stop princess Alice from reaching agreement with the Moslems or the Byzantines (1130–1136); they took part in the conflict between two claimants to the princely throne, Bohemond IV and his nephew Raymond Roupen, from 1201 on, and most of the great vassals, having sided with the latter, had to flee to Cilicia. In 1181 Bohemond III had been in conflict with the patriarch, Aimery of Limoges, and those of the barons who had supported the patriarch also had had to go into exile in Cilicia.<sup>103</sup>

The county of Tripoli was especially troubled by feudal revolts in the thirteenth century.<sup>104</sup> A war broke out in 1203–1206 between Bohemond IV and Renart, lord of Nephin, who was supported by king Aimery, over the marriage of an heiress of a fief. Renart had married Isabel, the daughter of Astafort, lord of Gibelcar (‘Akkār), without the count’s permission. The court of the barons of Tripoli decided in the count’s favor, but Renart refused to accept this judgment.<sup>105</sup> In 1258 Bohemond VI was embroiled with his vassal, Bertrand Embriaco of Jubail, in the course of the war of Saint Sabas, in which Bertrand had taken the side of the Genoese against the count; the favor that the latter showed to the relatives of his wife Lucienne of Segni stirred up a revolt, led by Bertrand, of most of the lords of the county, notably Guy II of Jubail, John of Botron, and Meillor of Maraclea; Bohemond overcame it only with difficulty.<sup>106</sup> In 1276–1282 there was another conflict, provoked again by the marriage of an heiress (the daughter of Hugh l’Aleman, who married John Embriaco, the brother of the lord of Jubail); Guy, supported by the Templars and the Genoese, held Bohemond VII in check, but was

103. Cahen, *Syrie du nord*, pp. 350–357, 423, 534, 595, 634. In 1208, again with the concurrence of the patriarch, Peter of Angoulême, the knights hostile to the prince tried to turn the commune of Antioch against him (*Gestes des Chiprois*, cap. 65, in *RHC, Arm.*, II, 664).

104. In the twelfth century, we do not know if the count’s vassals took part in the intrigues which led to the assassination of Raymond II in 1152, or in the conflict between Raymond and his cousin Bertrand, son of Alfonso Jordan, in 1148.

105. Cahen, *Syrie du nord*, pp. 604–605; Röhricht, *Geschichte des Königreichs Jerusalem (1100 bis 1291)* (Innsbruck, 1898), p. 697, note 1; W. H. Rudt de (von) Collenberg, “Les Raynouard, seigneurs de Nephin et de Maraclé en Terre Sainte, et leur parenté en Languedoc,” *Cahiers de civilisation médiévale*, VII (1964), 289–311. We do not know in what circumstances Gibelcar passed to Astafort from the Puylaurens line, a descendant of whom returned to the west (Richard, *Comté de Tripoli*, p. 76).

106. *Gestes des Chiprois*, caps. 273, 290–296 (*RHC, Arm.*, II, 744, 748–750). The knights in rebellion refused to submit to the *esgart* of the count’s court, and a commission of thirteen had to be set up to settle their dispute with Bohemond VI (Richard, “Le Comté de Tripoli dans les chartes des Porcellet,” pp. 353–356). Several of them left the county and entered the service of the lord of the kingdom of Jerusalem.



finally captured and died of starvation.<sup>107</sup> In 1287, another member of the Embriaco family, Bartholomew, led an insurrection against bishop Bartholomew of Tortosa, the representative of countess Sibyl, which ended in the establishment of the commune of Tripoli.<sup>108</sup>

The seriousness of these feudal insurrections which disturbed the county of Tripoli, together with the fact that the king of Jerusalem had been stripped of his authority following the revolt of 1232, marks the period of decline of the Frankish states. The weakened royal authority was held in check by a coalition of the vassals of the kingdom, while in Tripoli the count had to take up arms to subdue his own vassals. This state of affairs marked a distinct break with conditions in the crusader states of the twelfth century.

107. Röhrich, *Geschichte*, pp. 972, 974, 982, 984. Bohemond VII first gave his consent to the marriage, then revoked it at the instigation of the bishop of Tortosa, Bartholomew of Antioch, whom the princess-mother Sibyl had made governor of Tripoli, and who wanted to marry the heiress to his own nephew, which the lord of Jubail took no notice of (*Gestes des Chiprois*, caps. 385, 391, in *RHC, Arm.*, II, 780, 781).

108. Bartholomew of Jubail had his own claims which he presented along with those of the commune: to marry his daughter to the young lord of Jubail, Guy II, and his son to Guy's sister (*ibid.*, cap. 470, [II, 801]). Cf. Richard, "Le Comté de Tripoli dans les chartes des Porcellet," pp. 356-358.

### C. Monarchical Institutions

In fact, monarchical institutions had revealed considerable strength in the twelfth century, and it took a long development before a feudality which was originally badly organized and lacking cohesion could impose limitations. The primary feature of royal power in Jerusalem was the importance of the royal domain, especially in Judea and Samaria. In Galilee, Godfrey had agreed to a large grant to Tancred, who was charged with conquering the area; but when the principality of Tiberias reverted to Baldwin I, he reduced its importance before enfeoffing it anew.<sup>109</sup> He also avoided fulfilling the promises of his brother, who would have given Jerusalem and Jaffa to the Holy Sepulcher. He reserved for himself Nablus, Acre, and Beirut; Baldwin II added Tyre. Of course, in each city fiefs had been granted to knights; where Italian sailors had helped in the conquest, some quarters had been conceded to them; and the churches also got their share. But what remained to the king was very appreciable, as we can see from the goods and rights that he received from Tyre and the seignury which surrounded it, listed in an inventory drawn up in 1243 by Marsiglio Zorzi, the bailie of the Venetians, who possessed a third of the seignury, leaving two thirds to the king.<sup>110</sup>

To these great seigneuries others were added when the king joined to his own domain that of one of his vassals. Thus the county of Jaffa, which had belonged to the king until its infeudation about 1120 to Hugh I of Le Puiset, reverted to the crown in 1132 at the time of the exile of Hugh II of Le Puiset. In 1151 it formed the appanage of the future king Amalric, who joined it to the royal domain in 1163. In 1177 it was assigned to the future queen Sibyl. Later it would go to Aimery of Lusignan. In 1161 Philip of Milly ceded to the king the fief of Maron in exchange for the fief of Transjordan, which had just reverted to the king; Amalric managed to obtain the land of Bei-

109. Cf. Nicholson, *Tancred: A Study of His Career and Work in Their Relation to the First Crusade* (Chicago, 1940).

110. Röhrich, *Regesta*, no. 1114; Prawer, "Étude de quelques problèmes agraires et sociaux d'une seigneurie croisée au XIIIe siècle," *Byzantion*, XXII (1952), 5-61; XXIII (1953), 143-170 (concerning the rural part of the seignury). The extent of the seignury of Tyre also resulted from agreements with the Egyptians at the end of the thirteenth century; cf. Richard, "Un Partage de seigneurie," pp. 72-82.

rut in exchange for the small seignury of Blanchegarde. Humphrey IV of Toron surrendered the great seignury of Toron and Chastel-Neuf to Baldwin IV. Maron and Chastel-Neuf were almost immediately assigned to the king's uncle, count Joscelin III of Edessa, but it is worth noting that this important concession was made only out of recent acquisitions, without affecting the main part of the royal domain.<sup>111</sup> Even after 1192 the importance of the royal domain, compared to those of the principal vassals of the crown, was notable.

This domain included villages, the casals, and *gastines*. The king collected from them the same revenues as did other lords:<sup>112</sup> a *terragium* (Arabic, *kharāj*) proportional to the harvest; gifts in kind three times a year, the *exenia*; a capitation tax on serfs attached to the casals,<sup>113</sup> forced labor service for the cultivation of the seignorial reserve, and the banalities of mill, oven, wine-press, and bath. But these incomes were reduced in those places where the king established Frankish or Syrian settlers to repopulate devastated territories.<sup>114</sup>

The towns also certainly availed themselves of charters of franchise, although we know only of those enjoyed by the inhabitants of Jerusalem whom Baldwin II had systematically attracted to the holy city. They were not identical for the Latins, the Syrians living in the city, and the peasants of neighboring villages who frequented the market. Furthermore, the stalls of the Latin merchants were carefully distinguished from those of Syrian merchants.<sup>115</sup> In Acre the separation was completed by prohibiting native Christians from living in the quarters between the market (*funda*) and the port; because of the complete exemption which the Italians enjoyed it was important to prevent the natives from being able to trade directly with the Italians, thus depriving the king of the taxes which he levied on the market.<sup>116</sup>

111. La Monte, "The Rise and Decline of a Frankish Seignury in Syria in the Time of the Crusades," *Revue historique du sud-est européen*, XV (1938), 301-320; Richard, *Royaume latin*, pp. 71, 74, 81, 85, 135, 136; Nicholson, *Joscelyn III*, pp. 73-79, 97-102, 143-145.

112. Prawer, "Étude de quelques problèmes"; Cahen, "Le Régime rural syrien," pp. 286, 310; cf. chapter VI, below.

113. In the kingdom of Jerusalem the property in serfs was regulated by a custom only recently instituted: proof of the attachment of a serf to one's land had to date back to the year of the arrival of the crusaders before Antioch (1097); cf. Mayer, "Sankt Samuel auf dem Freudenberge und sein Besitz nach einem unbekanntem Diplom König Balduins V.," *Quellen und Forschungen aus italienischen Archiven und Bibliotheken*, XLIV (1964), 61-62.

114. Prawer, "Colonization Activities in the Latin Kingdom of Jerusalem," *Revue belge de philologie et d'histoire*, XXIX (1951), 1063-1118.

115. Prawer, "The Settlement of the Latins in Jerusalem," *Speculum*, XXVII (1952), 490-503; Richard, "Sur un Passage du 'Pèlerinage de Charlemagne': Le marché de Jérusalem," *Revue belge de philologie et d'histoire*, XLIII (1965), 552-555.

116. Richard, "Colonies marchandes privilégiées et marché seignorial: La fonde d'Acre

The taxes in question (the “droitures de la fonde,” the rates of which have been preserved for Acre) correspond to the western *teloneum*. There were also taxes on the use of weights and measures, on the location of the stalls (*plateaticum*), and tolls levied at gates (*portagium*) and on roads (*peagium*). The caravans crossing the kingdom from Egypt to Syria were made subject in the twelfth century to taxes of this sort. In the ports there was also a tax on entry (*catena*),<sup>117</sup> on anchorage (one silver mark per ship), and a third of the fare paid by pilgrims. One can see how, around 1240, a maritime city like Acre could bring in to the king, its lord, nearly 50,000 pounds.<sup>118</sup> Furthermore, the king possessed houses which paid him an *encensive*, as well as industrial establishments (flour and sugar-cane mills, sugar refineries, etc.). He likewise exploited the natural resources of the kingdom — fishing rights, salt mines, sources of bitumen, and the hunting of migratory birds. Finally, minting was a monopoly of the king, of the counts of Edessa and Tripoli, and of the prince of Antioch, although it seems that some barons began to coin deniers in their own name from the end of the twelfth century on.<sup>119</sup>

The domains and revenues of the prince of Antioch were likewise considerable.<sup>120</sup> The count of Edessa, master of the city of Edessa and Tell Bashir, was no less richly endowed. As for the count of Tripoli, his domain included the rich city of Tripoli, other towns (‘Arqah, Rafaniyah), and castles with their appendages (Montferrand, Krak des Chevaliers), as well as a part of Latakia.<sup>121</sup> The importance of the domain that the sovereigns had reserved to themselves, even after the territorial losses at the end of the twelfth century, was a constant factor in the organization of the crusader states.

The domainial administration was usually arranged by farming out the royal revenues (*ad pactum, apaut*), which the *apauteurs* collected,

et ses ‘droitures,’ *Le Moyen-Âge*, LIX (1953), 325–340; see also Prawer, “L’Établissement des coutumes du marché à Saint-Jean d’Acre,” *RHDFE*, ser. 4, XXIX (1951), 329–351, and Riley-Smith, “Government in Latin Syria and the Commercial Privileges of Foreign Merchants,” in Derek Baker, ed., *Relations between East and West in the Middle Ages* (Edinburgh, 1973), pp. 109–132.

117. This term is met with for the first time in 1164; *funda*, in 1121; cf. Robert B. Patterson, “The Early Existence of the *funda* and *catena* in the Twelfth Century Kingdom of Jerusalem,” *Speculum*, XXXIX (1964), 474–477.

118. According to an inquiry conducted by Richard of Cornwall about 1241: Henri Michelant and Gaston Raynaud, ed. and tr., *Itinéraires à Jérusalem et descriptions de la Terre Sainte . . .* (SOL, SG, III; Geneva, 1882), p. 137.

119. On royal revenues see Dodu, *Histoire des institutions monarchiques*, pp. 234–250. Cf. Richard, “La Fondation d’une église latine en Orient par Saint Louis: Damiette,” *Bibliothèque de l’École des chartes*, CXX (1962), 41–42, 53.

120. Cahen, *Syrie du nord*, pp. 466–467.

121. Richard, *Comté de Tripoli*, pp. 53–57.

an appropriate proportion of which they then paid to a central office. In Antioch, as in Jerusalem, this office was called the *secrète*, after the Byzantine practice. The master of the *secrète* of Antioch, set up in the *mesnil apparent*, ensured the holding of a genuine land survey, the registration of *apauts*, grants of fiefs, and the like.<sup>122</sup> The *secrète* of Jerusalem had local branches, notably in Tyre and Acre, and kept written reports of proceedings dealing with land boundaries (*devises*), the list of horses brought to the army by the vassals, and acts relative to fiefs and rents.<sup>123</sup>

Thanks to this organization, the king of Jerusalem and the other princes of the Latin east were able to use the system of money-fiefs and cash salaries (*soudées*) on a broad scale. The *fiés en besanz* or *assises*, assigned from some royal revenue or other, allowed the king to reward the services of some of his vassals, starting with the great officers,<sup>124</sup> while using *soudées* to reward temporary services.<sup>125</sup>

The domain could likewise be used to reward administrative agents by providing them with hereditary tenures, such as the scribes who received a *scribanagium*, and the interpreters or dragomans, similarly enfeoffed. Scribes and interpreters were usually native Christians.<sup>126</sup> Other scribes were employed in markets and ports, while an *escrivain de la court* kept the records of the viscount's court.<sup>127</sup> The *secrète* received the accounts of all these officials in those cases where the revenues were not farmed out. Included among the officials to whom the king of Jerusalem and the princes entrusted the keeping of their domains were the castellans. They had charge of keeping the fortresses, but with no responsibility other than a military one. In Jerusalem, the king alone could appoint a castellan, or replace him; not even

122. Cahen, *Syrie du nord*, pp. 454, 466.

123. LaMonte, *Feudal Monarchy*, pp. 167 ff. The title "bailli de la secrète" is proved only for the kingdom of Cyprus, despite what Dodu has written in his *Histoire des institutions*, p. 251. See also Charles Kohler, "Chartes de l'abbaye de Josaphat," *ROL*, VII (1899), 180. I have expressed the opinion that the *secrète* of Tyre might have kept the list of services due the king by his vassals before 1187 (Richard, "Les Listes de seigneuries," pp. 563-577).

124. Donation of 10 bezants by Odo of Saint Amand, on the *assisia pincernatus mei* (*AOL*, II-2 [1884], 145; cf. also p. 146, where Humphrey IV of Toron makes a donation from *assisia mea . . . ad fundam Accon*). Cf. John of Ibelin, cap. 144: "Je tel doins à tei et à tes heirs tel ou tels casaus . . . ou tant de besanz assenés en tel leu" (*RHC, Lois*, I, 218).

125. The custom is so common as to occasion surprise at the statement, which Ernoul attributes to the king, that he did not have enough money to pay his soldiers (*Chronique d'Ernoul*, ed. L. de Mas Latrie, pp. 27-29).

126. *Royaume latin*, p. 129; Cahen, "Régime rural," pp. 306-307; Riley-Smith, "Some Lesser Officials in Latin Syria," *English Historical Review*, LXXXVII (1972), 1-26.

127. *Abrégé du Livre des Assises de la Cour des Bourgeois*, cap. 7 (*RHC, Lois*, II, 241); LaMonte, *Feudal Monarchy*, p. 169. The *funda* and *catena* used both Frankish scribes and *escrivains sarrasinois*.

the seneschal of the kingdom could do so.<sup>128</sup> But the castellan had no administrative or judicial functions. In the kingdom of Jerusalem and the county of Tripoli, these belonged to a viscount distinct from the castellan.<sup>129</sup>

In the principality of Antioch there was a viscount in the city itself, who appears to have been the prince's lieutenant responsible for administration and justice within the city, while bailies had this responsibility in the prince's domains, and "dukes" in Latakia and Jabala.<sup>130</sup> The viscounts appear always to have been knights, but with some exceptions<sup>131</sup> they were not provided with hereditary fiefs. Finally, the *ra'ises* or *reguli* (village chiefs) exercised administrative functions of which we know little.<sup>132</sup>

About the judicial functions in these states, however, we know much more, thanks to the preservation of the collection of *assises* and of numerous verdicts preserved in ecclesiastical cartularies. The judicial organization of the crusader states was based on the existence of parallel institutions in the domains of the king, prince, and two counts, on the one hand, and in the domains of the lords endowed with rights of justice, on the other. John of Ibelin includes in his *Livre* a list of lords who had "court et coins et justise," and the "court de borgesie et justise" in the towns of their seigneuries. The list, however, is incomplete and inaccurate; it seems to have been drawn up as a mnemonic recital.<sup>133</sup> It does show, however, that in each seignury, just as in the royal domain, there was a court which brought the vassals into the presence of their lord to judge matters having to do with fiefs and liege men on the model of the high court of the kingdom.<sup>134</sup> This seignorial court was distinct from those which met under the direction of seignorial officials to judge cases pertaining to other types of tenure or persons of lower social rank. Doubtless some cases involving serious offenses might be judged summarily by

128. LaMonte, *Feudal Monarchy*, p. 136; Dodu, *Histoire des institutions*, p. 177; Cahen, *Syrie du nord*, p. 461. Some fortresses were conferred on persons of lesser rank, sometimes even Syrians; see William of Tyre, XXII, 15 (*RHC, Occ.*, I, 1090-1092).

129. LaMonte (*Feudal Monarchy*, p. 136) thought that these functions were combined. But at Jerusalem, in 1235, Baldwin of Picquigny was castellan, Gerard of Saiges viscount (Röhricht, *Regesta*, no. 1065). Peter of Pennedepie, castellan of the Tower of David in 1242, received an assise of 400 bezants from the revenues of Jerusalem (*ibid.*, no. 1107).

130. Cahen, *Syrie du nord*, pp. 456-457.

131. The viscountship of Nablus was hereditary: LaMonte, "The Viscounts of Naplouse in the Twelfth Century," *Syria*, XIX (1938), 272-278; so also was that of Tripoli.

132. Cahen, "Régime rural," pp. 306-307; Riley-Smith, "Some Lesser Officials," pp. 1-26.

133. Richard, "Les Listes de seigneuries," pp. 563-577.

134. John of Ibelin, cap. 217 (*RHC, Lois*, I, 345-348).

the king, lord, or seigneurial officials, but a judicial assembly was the usual form.

As for the natives, we know of the court of the *raʿīs*, at least by name. It judged minor matters according to the custom of each community. It had competence when the offense committed carried neither a death sentence nor a sentence of mutilation, or when the case did not involve more than one silver mark.<sup>135</sup> The court of the *raʿīs* does not seem to have existed in the principality of Antioch, but there were persons who had the Byzantine title for judge (κριταί), over whom a *preteur* presided.<sup>136</sup>

The more important cases as well as those involving Latins came under the jurisdiction of the *cour de borgesie*, called, when found in the royal domain, *cour réau* or *cour le roi*. It probably evolved from the high court in the first half of the twelfth century. It was usually made up of twelve Latin jurors who determined the sentence, which was then promulgated by the viscount, who carried it out with the assistance of a *mathésep* (Arabic, *muḥtasib*) and other sergeants.<sup>137</sup> The kingdom alone had some forty courts of this kind in the period of their greatest extent.<sup>138</sup> There were also similar assemblies where there were no viscounts, as for example at Mahomerie (al-Birah), where the prior of the Holy Sepulcher held a "full court" bringing together all the Frankish burgesses of the place, and where an inhabitant appeared to renounce his tenure and take it up again under new conditions, as he would have done in the time of the *grands jours* of a western seigneurie.<sup>139</sup>

In the county of Tripoli there were courts of the viscount in the city of Tripoli, at 'Arqah, probably at Rafaniyah, and also in the part of Latakia belonging to the count. In Antioch the prince's court had its own peculiarities, including the participation of natives of the Greek rite alongside Latin judges in the running of the court.

The competence of the "court of the burgesses" was very extensive; except where the cases were to be heard in the high court, it included crimes involving death, cases of treason, and matters relative to land ownership (even when having to do with a *borgesie* held by a knight). We know about its jurisdiction thanks to the *Livre des Assises de*

135. *RHC, Lois*, I, 26; II, 171-172; LaMonte, *Feudal Monarchy*, p. 108.

136. Cahen, *Syrie du nord*, pp. 455-456.

137. LaMonte, *Feudal Monarchy*, pp. 106-107; *RHC, Lois*, II, 236, 244.

138. John of Ibelin, cap. 240 (*RHC, Lois*, I, 419-421), lists thirty-seven; there were others at Qāqūn, Qalansuwā, Majdal (Mirabel), and Lajjūn (Richard, *Royaume latin*, p. 119).

139. Rozière, *Cartulaire*, pp. 240-241. The canons of the Holy Sepulcher had full rights of justice in the villages which they had opened to colonization; cf. Prawer, "Colonization Activities," pp. 1063-1118.

*la Cour des Bourgeois*, written in the thirteenth century. As Joshua Prawer has shown, however, this work has more the form of a learned treatise on law than of a collection of judicial decisions.<sup>140</sup>

There were also some exceptional jurisdictions. The Italian colonies possessed their own courts. From 1105 on, the Genoese had a viscount at Acre, and their consul at Tyre was called the Genoese viscount of Tyre in 1187. The Venetians in 1123 obtained the right for cases concerning Venetians alone to be dealt with by a separate Venetian court. The Pisans were exempted from the jurisdiction of the royal viscount in 1156 and then again in 1168. Similar privileges were granted by the princes of Antioch and the counts of Tripoli.<sup>141</sup> These courts did not in principle have the right to judge major cases or crimes of violence, nor matters having to do with land ownership, but in the thirteenth century they went beyond these limitations and the streets of the merchants would lay claim to a veritable right of asylum.<sup>142</sup>

There were also commercial courts. The bailie of the *catena* presided over a court composed of jurors chosen from among merchants and mariners to settle minor cases relative to the armament of ships, shipwreck, problems between sailors and captains, and so on; it also prepared more important cases to be heard in the viscount's court. It applied the assises issued by king Amalric, which suggests that he was the one who created this court.<sup>143</sup>

The market court of the *funda* was also in origin a commercial court, but it was transformed into a court with mixed jurisdiction to deal with cases involving Franks and Syrians, eliminating the court of the *raʿīs* wherever it was introduced. The bailie of the *funda* presided; of the six jurors, four were Syrians, two Latins. It heard civil cases of minor importance as well as acting as a court of registration for commercial transactions.<sup>144</sup>

In each of the four states the central government was in the hands of the sovereign assisted by major officers, who are also to be found in the service of less important lords.<sup>145</sup> The most complete list of

140. Prawer, "Étude préliminaire sur les sources et la composition du *Livre des assises des bourgeois*," *RHDFE*, ser. 4, XXXII (1954), 198–227, 358–382. On Antiochene law see Cahen, *Syrie du nord*, pp. 446–452.

141. LaMonte, *Feudal Monarchy*, pp. 226–242; Cahen, *Syrie du nord*, pp. 490–500; Richard, *Royaume latin*, pp. 217–227; *idem*, *Comté de Tripoli*, pp. 84, 85.

142. Cf. the difficulties, about 1260, aroused by the arrest in the Pisan quarter of John Renia (or Orenia), the murderer of bishop Hugh of Famagusta; René Grousset, *Histoire des croisades et du royaume franc de Jérusalem* (3 vols., Paris, 1934–1936), III, 557.

143. LaMonte, *Feudal Monarchy*, p. 109.

144. *Ibid.*, p. 108.

145. John of Ibelin defined the *baronie* by the fact that the baron employed both a constable and a marshal.



these officers is that for the kingdom of Jerusalem; it differs at several points from those of the other states.<sup>146</sup> These great officers were usually chosen by the sovereign at his accession (theoretically ending the powers of the officers of his predecessor, although, in fact, they were frequently renewed), or on the vacancy of an office. Some men consequently made a virtual career in the service of the royal household, occupying successively, as did Aimery of Lusignan, various great offices. Some offices, however, were hereditary in the principality of Antioch and the county of Tripoli. And in Jerusalem the marshal, though named by the king, swore homage to the constable whose lieutenant he was.

The seneschal emerged as the head of the royal household. He played a leading role in the ceremony of the royal coronation and on feast days. He could take the king's place in the high court, although custom did not allow him to hear cases concerning the life, honor, or fief of a knight except when the case had been brought up before the king himself. He took the king's place in the army, commanding the king's "battle" when the king was absent, in which case he received part of the booty due to the king. It was he who represented the king when the latter was prevented from exercising his prerogatives. He also controlled the administration of the royal domain, as well as the fortresses which he maintained and garrisoned. He had charge of the royal treasure, and could preside over the *secrète*, which was answerable to him.

The chamberlain played only a secondary role, guarding the royal treasure, administering the royal residence, and receiving liege homages on behalf of the king. The position of butler seems to have been of little importance.

The constable rivaled the seneschal as an officer of the first rank. He presided over the high court in the king's absence. He dealt with the boundaries of the royal domain and the fiefs of vassals. He commanded the army in the king's absence. He divided the troops into "battles" and personally commanded the vanguard. He reviewed the soldiers and could strike them if they were at fault (he could not strike a knight, but could kill his horse).

146. LaMonte, *Feudal Monarchy*, pp. 114-137. The *Livre au roi* defines their competence (caps. 9-12 in *RHC, Lois*, I, 612-614). At Antioch there were two marshals instead of one; the position of seneschal was hereditary (Cahen, *Syrie du nord*, pp. 452-455, 463-464). At Tripoli there seem to have been two constables at the outset; later, the position of constable became hereditary (Richard, *Comté de Tripoli*, pp. 49-50; Röhrich, *Regesta regni Hierosolymitani, Additamentum* [Innsbruck, 1904; repr. New York, 1960], no. 1224a). When the county and the principality were joined, the two sets of officers continued, but one of the two offices of marshal disappeared at Antioch.

The marshal assisted the constable, helping him to organize the men into "battles." He was particularly responsible for the *restor* (the replacement of horses killed in the king's service). He could confiscate the fief or the pay of a soldier insufficiently armed. And he commanded the rear guard of the army.

Both constable and marshal had legal jurisdictions. The constable was the judge of the army, even when there was no campaign, as far as the knights were concerned.<sup>147</sup> However, a *soudoyer* who presented a claim for pay went before the marshal if he was only a squire.

The army did not include only knights who held fiefs. There were those who were not knights, among whom the turcoples were a group apart. In imitation of the Byzantine *tourkopouloi* they were lightly armed cavalry, mostly converted Moslems, who had been given small fiefs. They formed the vanguard of the army.<sup>148</sup> There were also contingents of sergeants recruited from among the townsmen. Each town, each *bourgade*, as well as prelates and abbeys, had to supply a fixed number of men (totaling altogether 5,025 sergeants and 577 knights). In addition, towns and bourgades having a Frankish population had to provide soldiers for the defense of the walls. In addition, there were Christian Syrians as well as contingents furnished voluntarily by the confraternities which had taken upon themselves the duty of helping in the defense of the Holy Land.

Knights and sergeants who held fiefs had to be ready on the order of the king to go where they were assigned and stay there under the king's orders for a whole year.<sup>149</sup> But there were also recruited men who did not hold fiefs or specialized tenures, especially pilgrims who came to the Holy Land every year, and who often had made a vow to stay there for some period of time in its defense. Some of the knights took them into their service,<sup>150</sup> but the king had wide recourse to this kind of recruitment, offering pay (*soudée*) to knights and sergeants (*soudoyers*). The marshal was in charge of them, getting four bezants for each *soudoyer*. He maintained strict discipline among them. A *soudoyer* leaving the service before the end of an engagement was punished by confiscation of his horse and armor, if he was

147. *Livre au roi*, cap. 14: "Li counestables est tenus d'oyr et d'entendre les clains et les tors que l'un chevaler fait à l'autre . . . et par devant le counestable deivent estre jugiés et chastiés les mausfais as chevalers" (*RHC, Lois*, I, 615).

148. Richard, *Royaume latin*, pp. 129-130. The title of *turcopolier* given their leader was known only in the kingdom of Cyprus.

149. John of Ibelin, cap. 217 (*RHC, Lois*, I, 345-348).

150. Thus John of Rheims had to furnish the king one pilgrim knight for his fief (*idem*, cap. 271 [*ibid.*, I, 425]).

a knight or sergeant; if he was in the infantry, his hands were pierced with a red-hot iron.<sup>151</sup>

We know little about the war fleets in the Latin east. The crusader states often had recourse to the Italians. However, in 1161 count Raymond III of Tripoli equipped galleys to devastate Cyprus, as Reginald of Antioch had done in 1156. Baldwin III raised a fleet of fifteen galleys which he in 1153 placed under the command of Gerard of Sidon, who was called *mestre des galiës*. And we know of a fief that the count of Tripoli gave to a vassal on condition that he keep an armed galley in readiness.<sup>152</sup>

The last great office was the chancellery. In each state a chancellor, usually an ecclesiastic, was the head of the palace clerks. He drew up the *privilèges* issued by the king, prince, or count. These acts, drawn up on the model of the *charte*, tell us something of the chancellor's assistants, recruited among the chaplains. The chancellery had no great development; there were other offices responsible for administrative or judicial correspondence in Latin (or French, from the thirteenth century on) as well as in native languages, which were not under the direction of the chancellor.

In the kingdom of Jerusalem we occasionally find representative assemblies, distinct from the high court, which come together for the purpose of deliberating over the affairs of the kingdom. In 1120 a *concilium* met at Nablus, including prelates and barons, to work out solutions for the difficult situation in which the kingdom found itself, and to establish peace; this meeting recalls the peace assemblies then held in the west.<sup>153</sup> In 1152 possibly only the knights met in Nablus to deliberate when a clan of Turcomans sought to take Jerusalem by surprise.<sup>154</sup> But in 1166 it was in the presence of a *curia generalis* in Nablus, at which there were present the patriarch, Amalric of Nesle, the prelates, and the barons and people, that king Amalric discussed the needs of the kingdom.<sup>155</sup> In 1177 an assembly of barons and prelates studied the means necessary to repair the walls of Jerusalem,

151. *Idem*, caps. 134–137 (*ibid.*, I, 209–212).

152. Richard, *Comté de Tripoli*, p. 54; Röhricht, *Regesta*, no. 754.

153. William of Tyre, XII, 13 (*RHC, Occ.*, I, 531–533); Mansi, *Concilia*, XXI, col. 262. On the conditions under which it was held cf. Richard, "Quelques textes sur les premiers temps de l'église latine de Jérusalem," *Recueil de travaux offerts à M. Clovis Brunel*, II (Paris, 1955), 426–430.

154. Grousset, "Sur un Passage obscur de Guillaume de Tyr," *Mélanges syriens offerts à M. René Dussaud* (Bibliothèque archéologique et historique, XXX; Paris, 1939), II, 937–939.

155. William of Tyre, XIX, 13 (*RHC, Occ.*, I, 902–904). In 1171 another assembly met to provide against the danger posed by the unification of Syria and Egypt, but its composition appears to have been more limited ("convocat universi regni principes," according to William of Tyre, XX, 22, *ibid.*, I, 980–983).

and it would be surprising if the residents of the town were not also consulted.<sup>156</sup> Finally, in 1183 a full assembly discussed the means for resisting Saladin.<sup>157</sup> The assemblies of 1166 and 1183, in particular, recall those which in France gave birth to the assemblies of estates, and in England to parliament.

In fact, they too had financial consequences. That of 1166 decided to levy a tax of a tenth on the movable goods of all subjects of the kingdom.<sup>158</sup> In 1183 the assembly reached a decision, the text of which William of Tyre has preserved, to establish a tax of one bezant on all property worth 100 bezants, of two per cent on all incomes other than the *soudées* (taxed at one per cent only), and a hearth tax of one bezant on all households of serfs or of freemen having less than 100 bezants income. The responsibility for collection of these taxes was given to four leading citizens of each diocese; each of three other men held a key to one of the two coffers (of Jerusalem and of Acre) where the money was to be kept, so that the king could not use it for purposes other than the defense of the kingdom.

These assemblies are comparable to those which met to draw up assises, but while the high court rendered judgments which set a precedent, these *ad hoc* meetings effectively made decisions of a legislative nature.<sup>159</sup> John of Ibelin says that the first elements of the law of Jerusalem were brought together by Godfrey of Bouillon during a meeting with the patriarch, princes, and barons present on the crusade, and that later, with each "passage" (that is, at the time of the arrival of pilgrims from the west), the king assembled at Acre the patriarch, barons, knights, and the most qualified clerics or laymen, together with persons of rank from the west who were versed in legal matters, in order to draw up the assises. These texts were later transcribed on parchment, sealed by the king, the patriarch, and the viscount of Jerusalem, and locked up in a coffer in the Holy Sepulcher.<sup>160</sup>

This account has certainly been embellished, but it preserves evidence of the participation of certain pilgrims from the west in juridi-

156. *Idem*, XXI, 25 (*ibid.*, I, 1047-1049).

157. *Idem*, XXII, 23 (*ibid.*, I, 1099-1112); Benjamin Z. Kedar, "The General Tax of 1183 in the Crusading Kingdom of Jerusalem," *English Historical Review*, LXXXIX (1974), 339-345.

158. The Latin text says "nemine excepto"; the French translator says that those who participated in the Egyptian campaign would be exempt from the tax; cf. LaMonte, *Feudal Monarchy*, pp. 179-182.

159. LaMonte, "Three Questions Concerning the Assises of Jerusalem," *Byzantina-metabyzantina*, I (1946), 204-208; Maurice Grandclaude, "Liste d'assises remontant au premier royaume de Jérusalem," in *Mélanges Paul Fournier* (Paris, 1929), pp. 329-346.

160. John of Ibelin, prologue (*RHC, Lois*, I, 3-4).

cal decisions.<sup>161</sup> The assemblies which drew up the assises had an improvisational character, such as the one which prepared the assise of Bilbais limiting the participation of knights in sieges. Some included only knights, such as the one king Amalric held at Tyre to deal with the participation of vassals in the payment of a ransom for their lord,<sup>162</sup> or the one which dealt with street-sweeping and was later considered void because it had been promulgated by the king without the assent of the people. There was a good deal of uncertainty, therefore, about these seemingly legislative assemblies. Some assises might be drawn up in meetings of the high court, more or less enlarged; others emanated directly from the king. Aimery of Lusignan considered having an edition of a collection of assises made by a commission of the best jurists of the kingdom.<sup>163</sup> The high court, as LaMonte has shown, was in origin only an unspecialized *curia regis*, the composition of which the king might extend or limit according to need, and was competent to make legislative decisions.

From the end of the twelfth century, the weakness of the authority of the king and the other princes led to the appearance of a very unusual communal movement, marked by the birth of the communes of Antioch (1193), Acre (1231), and Tripoli (1288).<sup>164</sup> This was not a bourgeois movement seeking improvement in the status of townsmen or a new administrative or judicial autonomy but, as Prawer has shown, a means of overcoming the impossibility of making the normal institutions work in a period of crisis. In Antioch the commune was proclaimed in 1193 or 1194, following the treaty of Baghrās, which ceded Antioch to the Rōupenid prince Leon II, in order to prevent the Armenians from occupying the city. Prince Bohemond

161. Thus Stephen, count of Sancerre, played a decisive role, in 1171, in resolving the problem of the partition of a fief among three sisters who succeeded Henry le Buffle, the brother of Philip of Milly.

162. *Gestes des Chiprois*, cap. 202 (*RHC, Arm.*, II, 721); John of Ibelin, cap. 249 (*RHC, Lois*, I, 398). See above, notes 124 and 132.

163. Philip of Novara, cap. 47 (*RHC, Lois*, I, 522-523).

164. Cf. LaMonte, "The Communal Movement in Syria in the Thirteenth Century," in *Anniversary Essays in Mediaeval History by Students of Charles Homer Haskins*, ed. Charles H. Taylor (Boston and New York, 1929), pp. 117-131, and especially Prawer, "Estates, Communities and the Constitution of the Latin Kingdom"; the question of the communal movement has been taken up following Prawer's study: Mayer, "Zwei Kommunen in Akkon?" *Deutsches Archiv*, XXVI (1970), 434-453; *idem*, "On the Beginnings of the Communal Movement in the Holy Land: The Commune of Tyre," *Traditio*, XXIV (1968), 443-457; Riley-Smith, "The Assise sur la ligèce and the Commune of Acre," *Traditio*, XXVII (1971), 179-204; *idem*, *The Feudal Nobility*; and Richard, "La Féodalité de l'Orient latin et le mouvement communal: Un état des questions," in *Structures féodales et féodalisme dans l'Occident méditerranéen (Xe-XIIIe siècles)* (Collection de l'École française de Rome, 44; Rome, 1980), pp. 651-665.

III and his eldest son Raymond were captives. The new patriarch, Ralph II, took over the leadership of the popular rising which had broken out, and the knights joined in. They all bound themselves together in a communal oath. Greeks and Latins stood shoulder to shoulder. The commune was directed by a mayor and consuls. It had its bell tower to summon everyone. It could impose taxes on all the inhabitants. After driving off the Armenians it continued in existence. Bohemond IV sought its support in 1198 in his claim to succeed to the principality, turning to account his anti-Armenian stance, which was much stronger than that of the court of the barons, which supported Raymond Roupen. In 1206 the patriarch changed sides, and with the help of the knights tried to evict Bohemond's partisans from the commune. His failure allowed Bohemond in turn to use the commune as an instrument of his power. With its aid he evicted the barons, knights, and burgesses who were opposed to him. The Greek element was predominant, which upset Innocent III. But after the end of the war of succession in Antioch the commune vanished, and the normal institutions reappeared.

The communes of Acre and Tripoli were established by using the framework of an earlier institution, that of the confraternities or brotherhoods (*fraries*).<sup>165</sup> The brotherhood was a pious association accepting the patronage of a saint or indulging in some particular devotion to the cult which it sought to promote. The members bound themselves together by obligations of mutual assistance. The statutes of the Italian brotherhood of the Holy Spirit in Acre (1216) looked after the distribution of alms to the sick, the organization of an almshouse, the ransoming of captives, and the relief of the poor. The brotherhood arbitrated disputes among its members, and took the place of absent relatives in the pursuit of justice when one of its members was murdered. It also had a military organization, arming and leading its members grouped under its banner to the defense of the kingdom. Most of these brotherhoods had a national or ethnic character; the Italians, other than those in the maritime towns, belonged to the Holy Spirit, the Spaniards to St. James, the Melkites to St. George and Bethlehem. Even the merchants from Mosul had their brotherhood. But in the thirteenth century another one, that of St. Andrew, accepted members without distinction as to origins.<sup>166</sup>

165. On the brotherhoods cf. Richard, *Royaume latin*, pp. 230–231, and “La Confrérie des ‘Mosserins’ d’Acre et les marchands de Mossoul au XIIIe siècle,” *L’Orient syrien*, XI (1966), 451–460. See also Riley-Smith, “A Note on Confraternities in the Latin Kingdom of Jerusalem,” *Bulletin of the Institute of Historical Research*, XLIV (1971), 301–308.

166. It seems quite likely that the seal of the *elemosina fraternitatis Acconensis* (in Schlum-

When the barons of John of Ibelin's party sought some means of organizing resistance against Frederick II's representative Richard Filangieri in 1231, they decided to use the brotherhood of St. Andrew; barons, knights, and townsmen joined it with the discreet encouragement of the patriarch. The brethren were therefore able to respond to John of Ibelin's appeal by sending him a contingent of forty-three knights. Then John effected the transformation of the brotherhood into a commune. Each brother took the communal oath; they elected a mayor (John himself), as well as consuls and captains; they had a bell tower to summon the members of the commune. These were normally residents of Acre, but they included the chief barons of the kingdom. Frederick II and Gregory IX sought in vain to procure the dissolution of this commune.<sup>167</sup> It represented, in fact, a compromise between a commune which took over the administration of a town, and a lordship governing a state on the Italian model. It allowed barons, knights, and townsmen to govern themselves in the absence of a regent of the kingdom, capable of summoning the high court and receiving the homage and oaths of fealty. The recognition of queen Alice and her husband Ralph of Nesle (or "of Soissons") as "lords of the kingdom" would render it unnecessary, and seems to have led to its disappearance.<sup>168</sup>

The institutions of the kingdom were just as deeply affected. Acre, with its turbulent townsmen, foreign colonies, fortified houses of religious orders, and households of great barons, was the first city of the kingdom. The representative of the "lord of the kingdom" had difficulty in establishing his authority. Thenceforth one could not avoid dealing with the brotherhoods. For example, a letter of Urban IV in 1264 was addressed to the rectors of the brotherhoods among other high persons of authority in the kingdom.<sup>169</sup> The brotherhoods put themselves under the military orders, influenced by their common religious devotion. That of St. James of the Spaniards was bound by oath to the Hospitallers, and fought by the side of the Genoese against other brotherhoods during the war of Saint Sabas. In 1264

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berger *et al.*, *Sigillographie de l'Orient latin*, p. 140) belonged to this brotherhood. See also Chandon de Briailles, "Bulles de l'Orient latin," *Syria*, XXVII (1950), 296-297.

167. Praver, "Estates, Communities, and the Constitution of the Latin Kingdom"; see also *AOL*, I (1881), 401-403; *MGH, Epistolae saeculi XIII*, I, 554, 571. Praver has shown that this commune served Simon of Montfort as a model for the Provisions of Oxford.

168. Demonstrated by Praver in his excellent discussion. However, in 1257 there was still a "syndic and proctor of the seigneurie of Jerusalem," Stephen of Sauvigny (Röhricht, *Regesta*, no. 1259), whose title is reminiscent of the "syndics" of the commune cited in a letter of Gregory IX in 1235 (Rodenberg, *op. cit.*, p. 554).

169. *Les Registres d'Urban IV (1261-1264)*, ed. Jean Guiraud, II (Paris, 1901), 419 (no. 867).

the brotherhoods participated in the choosing of the bailie of the kingdom. These groups became powers comparable to the religious orders and to the "communes" of the privileged foreigners, within an urban framework which was thenceforth the characteristic feature of the life of the kingdom.<sup>170</sup>

The commune of Tripoli emerged as a provisional expedient also, bringing together barons and townsmen who refused to recognize the authority of princess Sibyl's representative. Here also they adopted a religious patron, Our Lady. They elected various officers and a captain (*chevetaine*). But the commune disappeared very quickly when the Mamluks besieged Tripoli.

The appearance of these institutions born of insurrection accompanied the weakening of the king and the prince of Antioch. The inhabitants of the towns, and above all the barons, succeeded in organizing a government which did without the participation of the sovereign, whose authority was thus limited more and more by the need to gain the assent of vassals and townsmen who were theoretically his subjects.

170. For the evidence see Praver, "Estates, Communities and the Constitution of the Latin Kingdom," cf. Richard, "La Confrérie des 'Mosserins' d'Acre."



## D. *The Establishment of the Latin Church*

Alongside the political organization of states, the Latin church was established in territories conquered by the crusades.<sup>171</sup> Before this, Christians of the Latin rite had only places devoted to the service of pilgrims in the Holy Land, the Benedictine monastery of St. Mary *Latine* at Latakia, and the Hospital of St. John founded by the Amalfitans in Jerusalem. Latin Christians recognized as their own the church which professed dogmas defined by the Council of Chalcedon and which had at its head the Greek patriarchs of Jerusalem and Antioch. In Palestine, however, the Greek church was weak; other than the patriarch there were only three or four bishops. In Syria it was stronger, thanks to a century of reoccupation by the Byzantines. The hierarchy had suffered during the Turkish invasion, but it had survived. The more recent Greek schism had been accepted without much enthusiasm by the eastern patriarchs, and so the illusion of the church's unity could still be maintained.

It is not surprising that the Latins accepted the Greek patriarch of Antioch, John V the Oxite, whom they found on their arrival. They returned his cathedral to him, and showered it with gifts. At Albara, however, where they found no bishop when they took the town, they selected their own, Peter of Narbonne, and placed him on the episcopal see which had been reestablished there.<sup>172</sup> In fact it was logical that the Latins, now the dominant social group, would choose from their own ranks the clerics and bishops for the churches they restored, while still recognizing the legitimacy of Greek prelates who in principle belonged to the same church as they did.

171. The fundamental study remains that of Wilhelm Hotzelt, "Kirchliche Organisation und religiöses Leben in Palästina während der Kreuzzugszeit," *Das Heilige Land (Palästinahefte des Deutschen Palästina-Vereins)*, II (1940), 1-106. This was redone in more complete form, including a monograph on each of the patriarchs of Jerusalem, under the title *Kirchengeschichte Palästinas im Zeitalter der Kreuzzüge 1099-1291* (Cologne, 1940). See also Mayer, *Bistümer, Klöster und Stifte im Königreich Jerusalem (MGH, Schriften, XXVI; Stuttgart, 1977)*. The reconstitution of the Latin church in the crusader states, and its relation to early ecclesiastical geography, have been studied by Giorgio Fedalto, *La Chiesa latina in Oriente*, I (Verona, 1973), 49-134; and Bernard Hamilton, *The Latin Church in the Crusader States: The Secular Church* (London, 1980), with important bibliography.

172. Cahen, *Syrie du nord*, p. 308; Richard, "Note sur l'archidiocèse d'Apamée et les conquêtes de Raymond de Saint-Gilles en Syrie du nord," *Syria*, XXV (1946-1948), 103-108.

But it was a delicate situation. The Greek patriarch followed a pro-Byzantine policy, and did not expressly recognize the primacy of the pope. The differences which arose between Bohemond and Alexius Comnenus made John V's position untenable. From 1099 on, Latin archbishops were enthroned at Tarsus, Mamistra, and Edessa; none of them seem to have been consecrated by John V. In 1100 John left for Constantinople, where he abdicated.<sup>173</sup> The bishop of Artesia (‘Artāh), Bernard of Valence, was chosen by the Latin clergy to succeed him. He took over the cathedral and the possessions of the patriarchate, surrounding himself with Latin canons. The basileus did not accept this replacement. From 1108 on, by the treaty of Devol, Alexius I claimed the right to appoint to the see of Antioch a Greek patriarch to be chosen from among the clergy of the great church of Constantinople. John Comnenus made the same claim in 1137, and titular patriarchs of the see of Antioch succeeded one another in Constantinople. In 1158 Manuel Comnenus forced prince Reginald to accept a Greek, Sotericus, but he was never installed. Athanasius II was installed in 1165, but died in the earthquake of 1170 and was not succeeded by another Greek. In 1206 or 1207 Bohemond IV installed a Greek, Symeon II, after driving out the Latin patriarch. Under pressure from the Mongols, Bohemond VI did the same in 1260. But these were exceptional cases, arising from external pressure or internal crisis.<sup>174</sup>

The same sort of thing happened in 1158 when the Byzantines drove the Latins out of Cilicia. The Latin archbishops of Tarsus and Mamistra had to withdraw from their sees, which they reoccupied only when the princes of Antioch and then the Armenian barons of the Amanus retook the Cilician plain.<sup>175</sup>

In Jerusalem the Latins found the see vacant. Mistaken tradition had it that the patriarch, Symeon II, driven from the city by the Egyp-

173. His departure was definitely in 1100 (Yewdale, *Bohemond I*, p. 103). His abdication is dated October 1100 (Venance Grumel, "Les Patriarches grecs d'Antioche du nom de Jean," *Échos d'Orient*, XXXII [1933], 295-296. The three archbishops were, respectively, Roger, Bartholomew I, and Benedict.

174. Grumel, "Le Patriarcat et les patriarches d'Antioche sous la domination byzantine," *Échos d'Orient*, XXXIII (1934), 53-55. On the problems caused by the adhesion of the patriarch David to the program of church union proposed by Innocent IV in 1245, because of the simultaneous presence of two hierarchies both in communion with Rome, see Martiniano Roncaglia, "Frère Laurent de Portugal, O.F.M., et sa légation en Orient (1245-1248)," *Bolletino della badia greca di Grottaferrata*, new ser., VII (1953), 33-44; Hamilton, *Latin Church*, pp. 217-221. Symeon II had been elected at Antioch instead of being designated, as was customary, by the emperor and the patriarch of Constantinople (at Nicaea 1204-1261).

175. It was in reaction against his excommunication that Leon II in 1212 replaced a deceased Latin archbishop-elect of Tarsus with a Greek (Cahen, *Syrie du nord*, p. 619).

tians, had taken refuge in Cyprus where he died. In fact, he had gone to Constantinople. The Latins chose a new patriarch from their own ranks. So another succession of Greek titular patriarchs was established in Constantinople, although after the middle of the twelfth century they returned to Jerusalem and resided in a Greek monastery.<sup>176</sup>

Latins, therefore, replaced Greeks in the cathedrals, and took possession of the goods of patriarchates, bishoprics, and some monasteries, above all those of the Holy Sepulcher. But in Jerusalem itself an act of 1173 shows the presence of a group of Greek clerics attached to the Holy Sepulcher, with their *protopapas*, and a certain Meletos had the title of archbishop of the Greeks and Syrians (Melkites) of Gaza and Eleutheropolis (Beth Gibelin). This is an example, undoubtedly, of a Greek prelate installed within the framework of a diocese of the Latin church to govern the clergy and faithful of the Greek rite living in the diocese, one whose election had to be submitted to and approved by the Latin bishop. In order to satisfy the prescriptions of canon law, this arrangement required that the Greek prelate take the name of an episcopal city other than one of which a Latin bishop was the titular; this arrangement seems to have become common.<sup>177</sup>

The difficulties which arose between Latins and Greeks, who thought of themselves as belonging to the same church, and so in principle coming under the same bishop, did not arise between Latins and other kinds of Christians, whom the Latin church looked upon not only as schismatics, but even as heretics. Armenians, Nestorians, and Monophysites regained their churches and, after some difficulty, their property; they intended to keep their traditional hierarchy without being forced to recognize the supremacy of the local Latin clergy, even when they declared their obedience to the church of Rome.<sup>178</sup>

176. Hotzelt, "Kirchliche Organisation," pp. 68, 96. It was only after Saladin's death (1193) that the Moslems allowed the Greek patriarchs to return to the Holy Land: Dositheus (1187-1189) and Mark Cataphlorus (1189-1195) never left Constantinople, but Euthymius (1195-1222) died at Sinai (Hamilton, *Latin Church*, pp. 180, 310-312).

177. J. Delaville Le Roulx, "Chartes relatives aux Hospitaliers," *AOL*, I (1881), 413. When, in 1220, the episcopal hierarchy of Cyprus was set up on the same basis, with a Greek bishop in each diocese, but with the title of another city, it was done by evoking the custom of the kingdom of Jerusalem; see Aloysius L. Täutu, ed., *Acta Honorii III (1216-1227) et Gregorii IX (1227-1241)* (PC, Fontes, ser. 3, vol. III; Vatican City, 1950), no. 108.

178. For example, the Maronites. Likewise, in 1247, the Jacobite patriarch Ignatius II, making an act of obedience to the pope, asked that the prelates and churches under him not come under the jurisdiction of Latin clergy (Holtzelt, "Kirchliche Organisation," pp. 72-73). On the problem of conscience for the Latins, respecting their attitude toward the "heretics" and "schismatics" whom they found on their arrival at Antioch, cf. the letter sent from Antioch by the crusade leaders in 1098: ". . . Turcos et paganos expugnauimus: haereticos autem . . . expugnare nequimus," they wrote to Urban II, declaring themselves ready on the pope's orders to help him to "eradicate and destroy all heresies" (Fulcher of Chartres, in *RHC, Occ.*, III, 351).

Some of the Orthodox, however, made no difficulty about being placed under the jurisdiction of the Latin patriarchs,<sup>179</sup> but in principle the Latin patriarch's jurisdiction extended only to Latins or to native Christians of the Latin rite. It was because of this that wherever the Moslem reconquest annihilated the Latin population, the Latin church disappeared.

The selection of two patriarchs was a novelty in the Latin church. It illustrates the desire of newcomers to accommodate themselves to the traditional organization of the eastern church. But the act in itself was exceptional: to choose a bishop was usually the affair of the cathedral chapter, and there were as yet no chapters. In Jerusalem the clergy in the ranks of the crusading army designated as patriarch Arnulf "Malecorne" of Chocques, chaplain of duke Robert II of Normandy; Arnulf had been invested with the powers of a legate by Urban II and had to some extent taken the place of Adhémar of Monteil after the latter's death.<sup>180</sup> Did Arnulf actually receive the title of patriarch? Both Raymond of Aguilers and Guibert of Nogent say that he did. Fulcher of Chartres says that he was designated only provisionally subject to papal confirmation, but it is possible that this interpretation was made after the event.<sup>181</sup> Late in 1099 a new papal legate, Daimbert of Pisa, declared the election irregular on the grounds of simony, and he later took Arnulf's place on the patriarchal throne after having been designated in an assembly held in Jerusalem, under pressure from Bohemond and Baldwin of Edessa (December 21, 1100).

Daimbert clashed with king Baldwin I, was accused before a council presided over by the cardinal-legate Maurice of Porto in March 1101, and went into exile at the end of that year, but the prince of Antioch reestablished him in his see in 1102. A new council judged him and deposed him on grounds of simony, embezzlement, treason against the king, and the shedding of blood (the Pisans whom he had led had

179. A Georgian monastery, for example, was put under the authority of the patriarch Gibe-  
lin (Richard, "Quelques textes," pp. 423-426).

180. The fact is reported by Clarius, who got it from Alexander, one-time chaplain of Stephen of Blois who had also been invested with the powers of a legate; cf. Richard, "Quelques textes." On Arnulf, cf. Raymonde Foreville, "Un Chef de la première croisade, Arnoul Malecorne," *Bulletin historique du Comité des travaux historiques et scientifiques* (1953-1954), pp. 377-390.

181. Cf. Emil Hampel, *Untersuchungen über das lateinische Patriarchat von Jerusalem . . . (1099 bis 1118)* (Breslau, 1899), pp. 8-14. Albert of Aachen, VI, 39 (*RHC, Occ.*, IV, 489), says that he was given the titles of "cancellarius sanctae Ecclesiae Iherusalem, procurator sanctorum reliquiarum et custos eleemosynarum fidelium," but he probably received these titles only after he gave up the patriarchate (on these functions, cf. the text of Clarius cited above, note 180; see also Hansen, *Das Problem eines Kirchenstaates in Jerusalem*, pp. 23, 26, 29).

slain Greek Christians during their crusade). Evremar of Chocques replaced him, but Daimbert appealed to Rome and was about to recover his see when he died in 1105. Arnulf now claimed that the finding in Rome amounted to Evremar's deposition. The pope had to intervene, but Evremar preferred to resign (December 1107) and was replaced by the papal legate Gibelin of Sabran (1108).<sup>182</sup> On Gibelin's death Arnulf was elected patriarch by the canons of the Holy Sepulcher (1112), and, although condemned for simony by a council held at Jerusalem in 1115, he was able to clear himself at Rome and remained patriarch until his death in 1118.<sup>183</sup>

From then on the patriarchs were regularly elected by the canons of the Holy Sepulcher. They proceeded by selecting two candidates whom they presented to the king. He chose one of them and invested him.<sup>184</sup> The patriarchs, however, had to tolerate the activity of papal legates invested with extensive powers and enjoying broad prerogatives.<sup>185</sup> However, in the thirteenth century, the pope ordinarily conferred legatine powers on the patriarch himself within the jurisdiction of his patriarchate.<sup>186</sup>

After 1187 the patriarch did not live in Jerusalem, but in Acre. The reoccupation of the holy city in 1229 did not lead to his renewed residence there except on rare occasions. After 1244 his residence at Acre became the norm. This raised some difficulties for the local bishop. Alexander IV had to exempt the patriarch and his entourage from the jurisdiction of the bishop, and the patriarch James Pantaléon (1253–1261), after he became pope as Urban IV, decided to unite the see of Acre to the patriarchate.<sup>187</sup>

182. Hampel, *Untersuchungen über das lateinische Patriarchat*, pp. 49, 59–62. See also the corresponding notices in Hotzelt, *Kirchengeschichte Palästinas*.

183. William of Tyre echoes traditions hostile to Arnulf, accusing him of imposing the rule of canons regular on the chapter of the Holy Sepulcher in order to monopolize the goods of the canons (1114). But not only was this kind of change very frequent in the west at the time; on this particular occasion it had been necessary to establish some kind of division of goods between the patriarch's *mensa* and that of the chapter. The division is specified in a bull of Celestine III (1195), edited by Rozière (*Cartulaire*, no. 128, pp. 233–238); cf. Hotzelt, "Die Chorherren des heiligen Grabes," *Das heilige Land*, II (1940), 107–136.

184. On the succession of patriarchs cf. Louis de Mas Latrie, "Les Patriarches latins de Jérusalem," *ROL*, I (1893), 16–41, and Hotzelt, *Kirchengeschichte Palästinas*. On the method of election cf. Rudolf Hiestand and H. E. Mayer, "Die Nachfolge des Patriarchen Monachus von Jerusalem," *Basler Zeitschrift für Geschichte*, LXXIV (1974), 109–130.

185. Cf. William of Tyre, XVIII, 29 (on the reception of the cardinal, John, sent by Alexander III in 1161 to obtain his recognition as legitimate pope), in *RHC, Occ.*, I, 870–871.

186. This custom began with the patriarch Ralph of Mérencourt (1223), and was continued by Gerald of Lausanne (1225–1239); cf. Wilhelm Jacobs, *Patriarch Gerold von Jerusalem* (Aachen, 1905).

187. *Les Registres d'Alexandre IV*, ed. Joseph de Loye and Pierre de Cenival, II (Paris,

The patriarchate of Antioch posed a problem. It was the oldest see of St. Peter, and the crusaders wondered if the pope ought not to take it over himself. It was in this sense that they wrote to Urban II.<sup>188</sup> After John the Oxite's departure, however, the Latin prelates dependent on Antioch unanimously chose Bernard of Valence (1100–1135), who had no difficulties either with the prince or with the canons of his cathedral chapter.<sup>189</sup> It may have been Bernard, however, who began to take advantage of the fact that his see was older than that of Rome, in order to establish a certain independence of the papacy.<sup>190</sup> His successor, Ralph of Domfront (1135–1139), elected somewhat irregularly, claimed that he could confer the pallium on himself without having to ask the pope for it, on the grounds of this claim of temporal priority. Threatened with deposition, however, he submitted. He went to Rome in order to get rescinded the sentence which had been imposed on him at the synod of Antioch in November 1139.<sup>191</sup>

He was succeeded by a great churchman, Aimery of Limoges (1139–1193), who had to withdraw from Antioch temporarily in 1165 to give place to the Greek patriarch Athanasius II. He installed himself in the castle of Cursat (Quşair), which became the preferred residence of the patriarchs thenceforth. Aimery is known above all for his relations with the eastern churches. He obtained from the Jacobite patriarch, Michael the Syrian, the treatise *Against the Manichaeans*, to be used at the Third Lateran Council (1179); and it was at his instigation that the Maronite patriarch Jacob undertook an act of obedience to Rome.<sup>192</sup> Peter of Angoulême, however, who was elected

1917), 547–548 (no. 1775); *Registres d'Urban IV*, ed. Guiraud, II, 65 (no. 168). James Pantaléon designated two vicars to replace him in the administration of the bishopric of Acre and the patriarchate. One of these, Thomas Agni of Lentini, bishop of Bethlehem, took over the legation for almost the entire pontificate (*ibid.*, nos. 191 and 191 bis).

188. They wrote on September 11, 1098, as follows: "Quid igitur in orbe rectius esse videtur, quam ut tu . . . ad urbem principalem et capitalem Christiani nominis venias . . . ? Mandamus igitur . . . ut tu . . . qui beati Petri es vicarius, in cathedra ejus sedeas" (Fulcher of Chartres, in *RHC, Occ.*, III, 351; cf. Heinrich Hagenmeyer, *Epistulae et chartae ad historiam primi belli sacri spectantes* [Innsbruck, 1901], no. xvi).

189. The chapter first had twelve canons; the number went up to twenty in the thirteenth century. There is a list of the bishops of the patriarchate in Cahen, *Syrie du nord*, pp. 319–323; see also Mas Latrie, "Les Patriarches latins d'Antioche," *ROL*, II (1894), 192–205.

190. Such is the hypothesis, with respect to the quarrel over the obedience of the province of Tyre (below, p. 240), of John G. Rowe, "The Papacy and the Ecclesiastical Province of Tyre," *Bulletin of the John Rylands Library*, XLIII (1960), 160–189. It is not convincing.

191. *Ibid.*, pp. 183–184.

192. The Maronite patriarch had made a nominal act of obedience in 1140, but he officially abjured Monotheletism on the eve of the Lateran council; cf. Kamal S. Salibi, "The Maronite Church in the Middle Ages," *Oriens Christianus*, XLII (1958), 92–104. The act of obedience was renewed under Innocent III, but some Maronite elements resisted the union with Rome which a large part of their church had accepted, which necessitated more discussion.

in 1196, supported Leon II of Cilician Armenia against Bohemond IV, and was deposed by the cardinal legate Soffredo on disciplinary grounds. In 1208 the prince threw him into prison, where he died of thirst; Bohemond had already replaced him with a Greek patriarch, Symeon II. The next patriarch was again a Latin, Peter of Locedio (1209–1217). Opizo Fieschi (1247–1268, d. 1292) was also forced by the Mongols to give place to the Greek Euthymius, and withdrew from Antioch to Italy about 1260, leaving behind a vicar, Bartholomew; he soon became bishop of Tortosa, being replaced as vicar in 1263 by the Dominican Christian, who was killed by the Egyptians in 1268.

The establishment of an episcopal hierarchy in each of the patriarchates would raise difficulties. There was a decision attributed to Urban II according to which the conquered territories were to come under sees in the states to which such territories had previously belonged, and a decree attributed to Adhémar of Monteil fixing the river an-Nahr al-Kabīr, in the county of Tripoli, as the boundary between the patriarchates of Antioch and Jerusalem.<sup>193</sup> Both these texts are suspect. The first elevations of episcopal sees seem to have come about at random, where some conquered town seemed important enough to have a bishop, or where it appeared that a surviving church ought to be a cathedral (such as at Lydda). It is worth noting that the patriarch Daimbert of Jerusalem in December 1099 consecrated the bishop of Artesia and the archbishops of Edessa, Tarsus, and Mamistra,<sup>194</sup> while Peter of Albara and Robert of Lydda received the episcopal blessing of the bishops who participated in the crusade, thus allowing Robert to install Daimbert in the patriarchal see.

Very quickly, however, the Latins decided to adopt as episcopal sees those towns which had been such before the Moslem occupation, and to reorganize the ecclesiastical provinces by using the *Notitiae* which had described the divisions of the bishoprics and archbishoprics of each patriarchate. The question gave no difficulty in the principality of Antioch, and archbishop Benedict of Edessa made no trouble about his subjection to the patriarch of Antioch.

The ecclesiastical province of Phoenicia presented a more delicate problem. The metropolitan center, Tyre, remained in Moslem hands until 1124. The bishoprics of Beirut, Sidon, Acre, and Banyas would

193. Röhricht, *Regesta*, no. 72. If Urban II really made the decision attributed to him, it was only in the case where there might have been some doubt respecting the connection of an episcopal see to an already existing ecclesiastical province.

194. Ralph of Caen, in *RHC, Occ.*, III, 704 (the Greek patriarch John the Oxite was then established at Antioch).

be conquered by the kings of Jerusalem, while those of Tripoli, Bortron, Arca ('Arqah), Orthosias, Byblos (Jubail), Maraclea, and Tortosa were conquered by the counts of Tripoli. Frankish occupation was first undertaken from the county of Tripoli. It has been suggested that Raymond of St. Gilles had unsuccessfully tried to make Tripoli the metropolitan center by appointing an archbishop there.<sup>195</sup> Another hypothesis, however, is that the reason no bishop was nominated at Tortosa and Jubail, but only at Tripoli, was that the patriarch of Antioch was waiting for Tyre to be taken in order to reorganize the province entirely and determine which sees were to be established.<sup>196</sup>

In any case, the fall of Beirut to Baldwin I was followed by the king's nomination of a bishop, also named Baldwin, who acknowledged the authority of the patriarch of Jerusalem (1111-1112). Bernard, the patriarch of Antioch, protested, arguing that Beirut and all of Phoenicia belonged to his see. Rome could not make up its mind, because no one knew at the outset the details of the *Notitia* of Antioch, and because king Baldwin I and patriarch Arnulf of Jerusalem based their claim on the decision attributed to Urban II about the connections of bishoprics to ecclesiastical circumscriptions modeled on the states founded by the crusaders. In 1113 Paschal II decided in favor of the Antiochene view. The episcopate of the county of Tripoli continued to look to Antioch,<sup>197</sup> but Jerusalem retained Beirut. Although the see of Tyre was erected in 1124, it remained vacant for some time; the conflict would break out again when the patriarch of Jerusalem, basing his claim on an earlier decision by Paschal in his favor, got from Honorius II confirmation of this decision and an order to the bishops of the county of Tripoli to recognize the authority of the archbishop of Tyre.<sup>198</sup>

In 1135, however, the new archbishop of Tyre, Fulcher of Angoulême, undertook to restore the unity of his province, and entered into relations with the patriarch of Antioch, to whom he proposed to sub-

195. A text from Languedoc, in fact, mentions an "archbishop" of Tripoli between 1105 and 1107 (Richard, *Comté de Tripoli*, p. 59).

196. Rowe, "The Papacy and the Ecclesiastical Province of Tyre," pp. 163-164. The only support for this lies in the fact that the texts do not mention bishops at Tortosa and Jubail at the beginning of the twelfth century, but acts concerning this province are scarce.

197. Thus in 1125 the church of Tripoli made an agreement with the Hospitallers over the tithes of the diocese of Arcas, with a reservation in the event that the patriarch of Antioch might terminate the union of the sees of Arcas and Tripoli (Delaville Le Roulx, *Cartulaire général*, I, no. 72).

198. Rowe, "The Papacy and the Ecclesiastical Province of Tyre," has connected the raising of the siege of Tortosa, which he puts in 1127, and that of Jubail, which he puts after 1128, with these vicissitudes, and thinks that Honorius II reverted to Paschal II's first decision because his second decision could not be put into effect; all this is uncertain.



ject himself in return for the restoration of the bishoprics of Tripoli. Rome gave its consent, after some hesitation, to the reconstitution of the province of Tyre in 1139, but the patriarch of Jerusalem, William of Messines, would not agree. The archbishop of Tyre had to settle for the obedience of the bishops of old Phoenicia located within the kingdom of Jerusalem, while the three bishoprics in Tripoli continued in their dependence on Antioch.<sup>199</sup>

A similar conflict arose with respect to the old province of Arabia, with Bosra as metropolitan center, when king Amalric of Jerusalem reestablished an archiepiscopal see at Kerak in 1167. Since Arabia had earlier depended on Antioch, the patriarch Aimery demanded the submission of the new archbishop, Guerricus, when raising the question of Tyre, but without success.<sup>200</sup>

Aside from these problems, which arose because of the refusal of the king of Jerusalem to accept the recognition by any bishop in his kingdom of the authority of any patriarch other than that of Jerusalem, the reconstruction of ecclesiastical provinces under their traditional metropolitans seems to have gone on without hindrance. The old province of II Syria, divided between the principality of Antioch and the county of Tripoli, and pierced by Moslem enclaves, was revived with its metropolitan center at Apamea, to which the bishop of Albara was transferred, with bishoprics at Valania and Rafaniyah.<sup>201</sup>

The desire to revive those churches which had disappeared under Moslem domination did not result in the systematic restoration of all the bishoprics in conquered towns. Some of them were deserted and not worth reviving, although the crusaders gave the title of bishop of Lydda to Robert, conceding to him the great church of St. George and the neighboring town of Ramla;<sup>202</sup> others were much too important. The Latins respected the old ecclesiastical organization, leaving to each diocese its individuality, but they adopted the technique of

199. On all this see Rowe, *op. cit.* Tyre claimed (in error) the obedience of Haifa (Cayphas), which the patriarch of Jerusalem turned down.

200. Cf. Richard, "Évêchés titulaires et missionnaires dans le *Provinciale romanae ecclesiae*," *Mélanges d'archéologie et d'histoire*, LXI (1949), 228-230; the matter was still pending in 1206 (see below, note 207). William of Tyre, XX, 3 (*RHC, Occ.*, I, 944), calls the archbishop Guerus.

201. Richard, "Note sur l'archidiocèse d'Apamée," pp. 103-108; only in 1263 did Urban IV end the dependence of the diocese of Rafaniyah (reduced by this time to the region of Krak des Chevaliers) on Apamea, by uniting Rafaniyah and Tortosa. We have the text of the profession of obedience of bishop Eustace of Valania to the archbishop, Otto, dated December 6, 1214; Francis Wormald, "The Pontifical of Apamea," *Het Nederlands kunsthistorisch Jaarboek*, V (1954), 271-279.

202. During the crusade (June 3, 1099). Possibly the crusaders wanted to give a bishop the fortress of Ramla, which they had just taken, as they had already done at Albara.

uniting churches on a large scale. This allowed a bishop to administer several dioceses while preserving the possibility of their future separation.<sup>203</sup> Thus Acre, an important town conquered as early as 1104, received its own bishop only about 1130, after its diocese had been administered by the patriarch of Jerusalem.<sup>204</sup> The restoration of dioceses, therefore, was a gradual affair.

On the other hand, some places which had not hitherto been bishoprics, but which had been pilgrim centers, became the residence of a bishop and cathedral chapter, as also did some prominent centers which had been unimportant before the Arab conquest. This was effected by the transference of a bishopric. The establishment of a bishop in Bethlehem (1110), for example, was irregular; it was thought that the see of Bethlehem might replace that of Ascalon.<sup>205</sup> In Galilee the monastery of Mount Tabor seems to have claimed the archiepiscopal title, but backed down before bishop William, who had been legally installed in Nazareth and who became archbishop in 1128 when it was decided to transfer the archiepiscopal see of Scythopolis (Bethsan)<sup>206</sup> to Nazareth. In 1168 the archiepiscopal see of Philadelphia ('Ammān), which the crusaders never occupied, was transferred to Kerak, which was wrongly thought to have been the ancient Petra.<sup>207</sup>

When it was finished, the ecclesiastical organization of the Latin church in the crusader states had the following form. The patriarchate of Antioch comprised six archbishoprics, Apamea (made an archiepiscopal see to which bishop Peter of Albara was transferred after the fall of Albara), Mamistra, Tarsus, Duluk (transferred from Hierapolis, although the archbishop resided in fact at Tell Bashir),

203. See above, note 197; the diocese of Arcas was united to that of Tripoli. In 1168 patriarch Amalric of Jerusalem was confirmed by pope Alexander III in the possession of the tithes and properties of Darum, Jericho, Nablus, and other principal places of dioceses not provided with bishops (Röhricht, *Regesta*, no. 439).

204. At the time of the council of Nablus in 1120, patriarch Gormond appropriated, as coming from *sua diocesis*, the tithes of Jerusalem, Nablus, and Acre (Ptolemais); he also disposed of the tithes of the diocese of Acre in 1129 (Mansi, *Concilia*, XXI, col. 263; Röhricht, *Additamentum*, no. 129a). John, the *primus Latinorum episcopus Tholomaidae*, is cited in 1135 (Röhricht, *Regesta*, no. 155); he was termed "praepositus" in 1129 (*ibid.*, no. 127).

205. This raised difficulties in 1153 when Ascalon was occupied by the Latins, and a bishop named Absalom was appointed; cf. Paul Riant, "Éclaircissements sur . . . l'église de Bethléem-Ascalon," *ROL*, I (1893), 140. The first Latin bishop of Bethlehem was Aschetimus (1110, d. 1130).

206. The history of this is obscured by the forgery of certain claims of Mount Tabor; cf. Hotzelt, "Kirchliche Organisation," p. 59.

207. William of Tyre, XX, 3 (*RHC, Occ.*, I, 944-945). Some confusion arose; the *Notitia episcopatum* of Antioch attached the province of Arabia to Antioch, with Bosra as metropolitan center and Philadelphia as one of its suffragans. The *Notitia* of Jerusalem put under Jerusalem a province of Syria, with Bosra as metropolitan center, and a province of Arabia with Rabbath Ammon ('Ammān, Philadelphia) as metropolitan center. This is why Antioch protested against the elevation of Kerak.



1. The Near East



2. Western Europe

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3. Central Europe

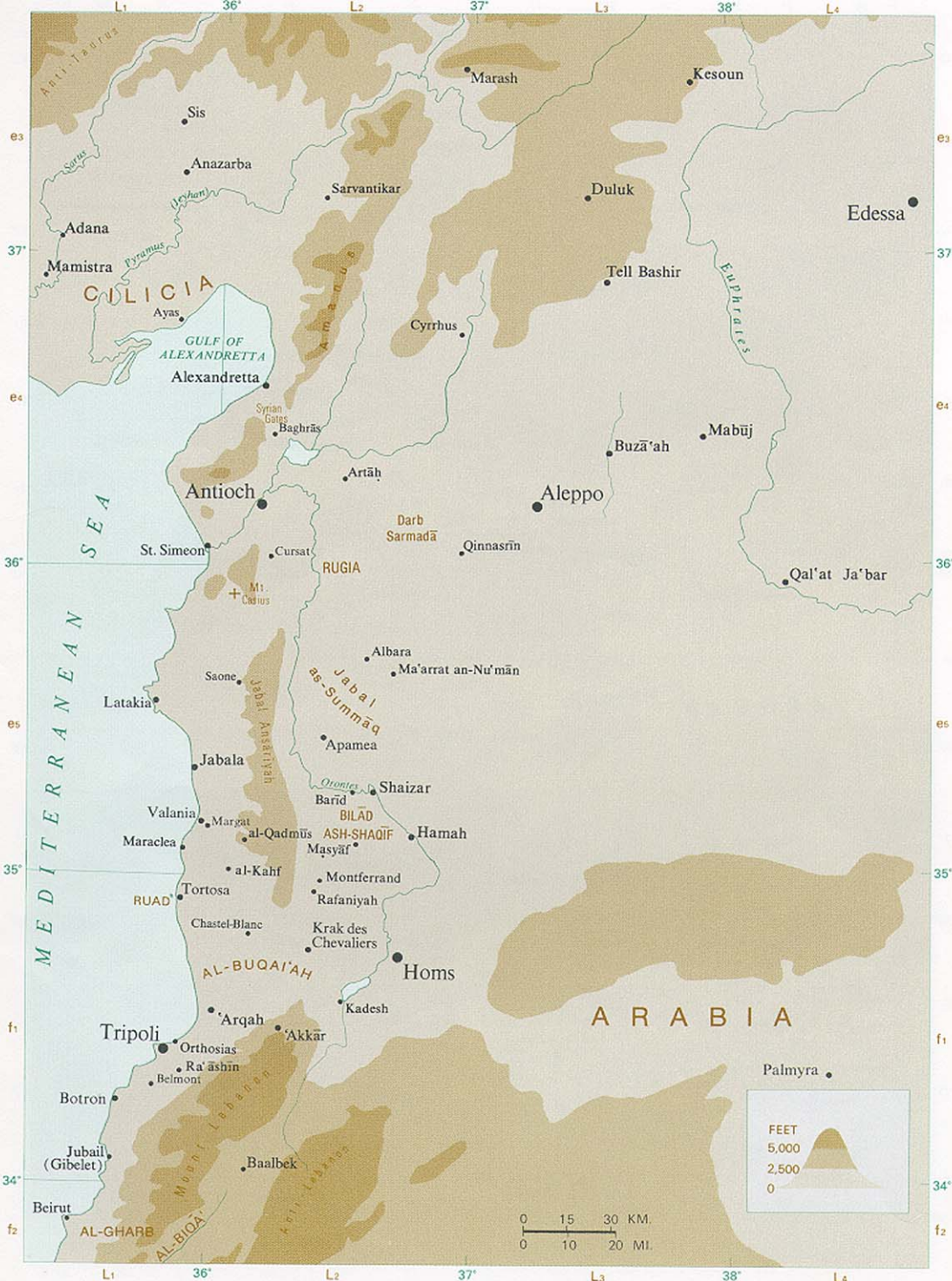
Cartographic Laboratory UTM, Madison



4. Frankish Greece



5. The Straits and the Aegean



6. Northern Syria





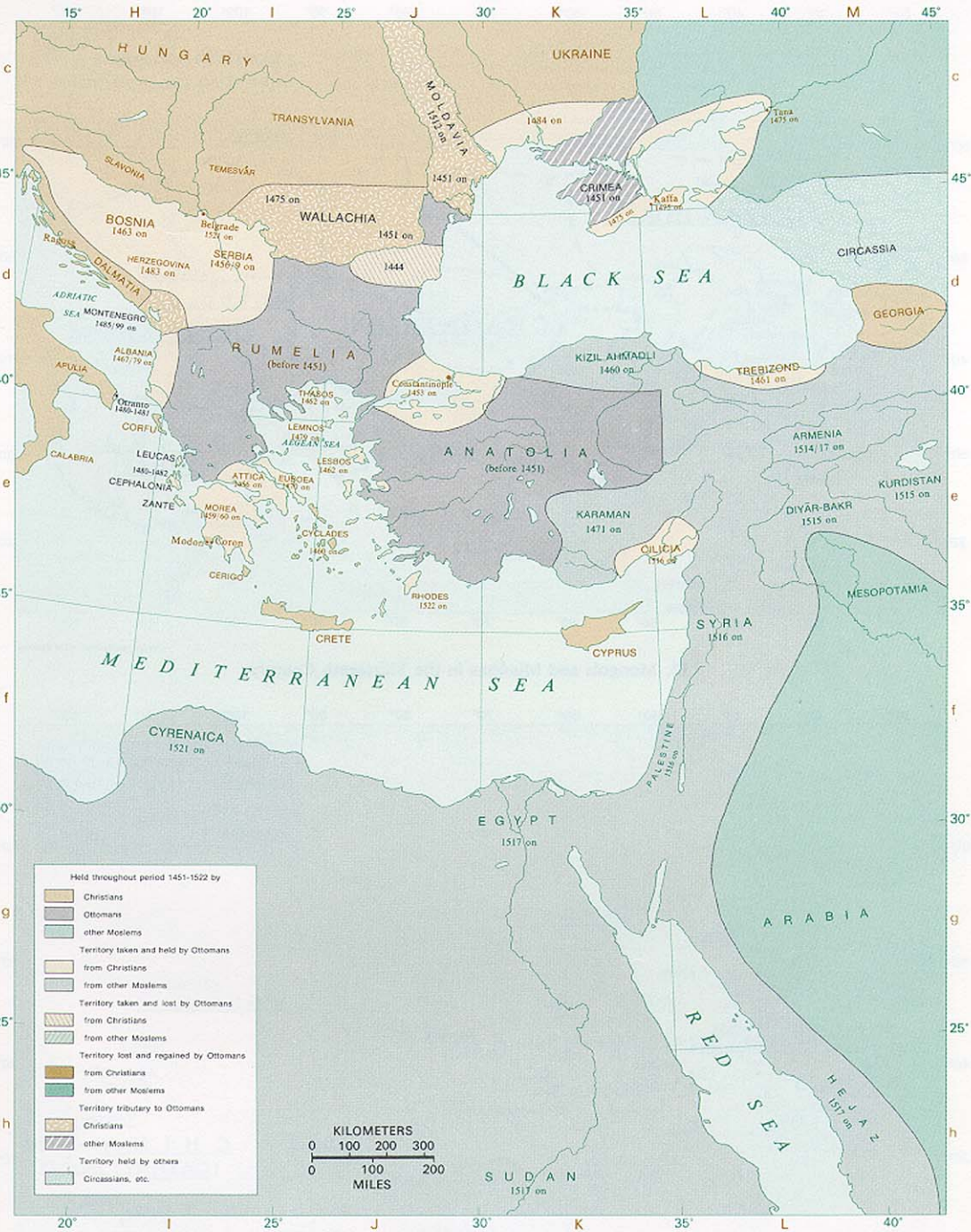




9. Venice and the Levant in 1300



10. The Ottoman Empire 1300-1451



11. The Ottoman Empire 1451-1522



12. Mongols and Missions in the Thirteenth Century



13. Missions and Mongols in the Fourteenth Century

Cyrrhus, and Edessa. The province of Apamea included the sees of Rafaniyah and Valania; Duluk, the sees of Marash and probably Kesoun. The sees of Artāḥ, Jabala, Latakia, Tortosa, Tripoli, and Jubail came directly under the patriarch.<sup>208</sup> In the patriarchate of Jerusalem many of the sees were filled rather late. There were four archbishoprics: Tyre, Caesarea, Nazareth (which had been made an archbishopric in 1128), and "Petra" or Kerak (created in 1168). The archbishop of Caesarea had a suffragan at Sebastia (created about 1145); the archbishop of Tyre had suffragans at Beirut, Sidon, Acre (created about 1130), and Banyas; the archbishop of Nazareth had a suffragan at Tiberias (created about 1130). The bishoprics of Bethlehem, Lydda, and Hebron (created in 1168) fell directly under the patriarch.<sup>209</sup>

However, the Moslem reconquest had already wiped out some of the sees, such as those of the county of Edessa, all of which disappeared about 1150. Many ceased to be provided with bishops, but not all. Some titularies took refuge in villages still in Frankish hands, either within their own dioceses or elsewhere. Thus the bishop of Sidon stayed for some time in Sarepta before Sidon was retaken by the Franks in 1228. Bishop Geoffrey of Tiberias fled to Sidon in 1243.<sup>210</sup> Urban IV sought to reorganize the episcopal hierarchy affected by these dislocations, by uniting the see of Acre to the patriarchate of Jerusalem, and the see of Rafaniyah to that of Tortosa. But bishops and archbishops succeeded one another regularly, despite the loss of their episcopal cities, thus leading to the titular episcopacy of later centuries.

Parish organization in each diocese depended upon the importance of the Latin communities to be served. In the beginning these were not very numerous. A Tripolitan text informs us that the entire seigneury of Nephin, stretching some twelve miles along the coast, formed a single parish.<sup>211</sup> However, Latin parishes became more and more

208. Cahen, *Syrie du nord*, pp. 319-323. Cyrrhus appears in this list as a simple bishopric. Its status as an archbishopric is clear from William of Tyre (XVII, 17, in *RHC, Occ.*, I, 786-789), and from the *Provinciale romanae ecclesiae*, both of which refer to a *Coricensis archiepiscopus*.

209. Hotzelt, "Kirchliche Organisation," pp. 49-51. The see of Ascalon, created in 1153 at the time the town was occupied, had been suppressed, having been transferred to Bethlehem. Alexander III, who had elevated Hebron and "Petra," intended in 1169 to do the same for Jaffa; cf. Hotzelt, "Die Chorherren," p. 121. John of Ibelin, cap. 261 (*RHC, Lois*, I, 415), cites in addition an archbishop of "Bussereth" (Bosra), and gives the archbishop of "Petra" a suffragan in the person of the (Greek) bishop of Pharan, residing at Sinai.

210. *MGH, SS, XXIII*, 899; Röhrich, *Additamentum*, no. 1151b: 1247.

211. In fact, I believe that the "ecclesia parochialis, habens baptisterium, cimiterium, oblationes . . . et cetera omnia que parochiali ecclesie conveniunt," granted by bishop Pons of Tripoli to the Hospitallers in 1119 (Delaville Le Roux, *Cartulaire*, I, 40, no. 48), is the *ecclesia*

numerous with the creation of new towns settled by Franks and the growth of towns already having a Frankish population.<sup>212</sup>

In the maritime towns, however, there were some difficulties arising from the concession of quarters to Pisans, Venetians, and Genoese, within each of which there was a church endowed with parish rights. Dedicated to the patron saint of the home city (St. Peter of Pisa, St. Mark of Venice, and St. Lawrence of Genoa), these parish churches paid tribute (*census*) to the cathedrals of Pisa and Genoa, and the bishop of Castello. But they also fell under the local bishop. For example, the patriarch of Jerusalem sent the holy chrism to St. Lawrence of Acre, and the chaplain of St. Lawrence of Tyre owed obedience to the archbishop of Tyre.<sup>213</sup> The Venetians, however, claimed exemption from the diocesan bishop for St. Mark of Tyre, founded in the third of the city belonging to Venice; and St. Mark of Acre likewise claimed to be exempt from the bishop of Acre.<sup>214</sup> Furthermore, the churches of the Italian quarters also asserted particular privileges: the Pisans of Acre, for example, married only in their church of St. Peter, even when they lived in the parishes of St. Andrew or St. Michael.<sup>215</sup>

Many parish churches belonged to monastic establishments, such as St. Peter of Jaffa, the property of the Holy Sepulcher, which thereby had the right to select the chaplain who was to serve the church, and to receive a share of its revenues, leaving to the diocesan bishop spiritual jurisdiction and the right to consecrate the *parochialis vicarius*.<sup>216</sup> There was little difference in this respect between Latin

*de Nephinis* that the Hospitallers claimed in 1198 from the bishop on the grounds of a privilege of "pope C," i.e., the privilege of Calixtus II edited in *Cartulaire*, I, 40 (pp. 635-659). This church was in the *terra que fuit Pontii de Medenes*, and it was the Meynes (*de Medenes*) family which held Nephin (Rudt de Collenberg, "Les Raynouard, seigneurs de Nephin," pp. 289-311).

212. There was a *capellanus* at Lajjūn (ecclesia Ligionis), another at the casal of Bains, and one at Ramla (Röhricht, *Regesta*, nos. 239, 333); in the county of Edessa, there was one at "Cesson" (Kesoun; *ibid.*, no. 390, dated 1163 in error). Some Latin parishes were established in 1168 in the new towns founded by the Holy Sepulcher (Rozière, *Cartulaire*, pp. 238-239), in the new *burgus* of Nablus (Röhricht, *Regesta*, no. 444), and at Jaffa (*ibid.*, nos. 440, 456).

213. Röhricht, *Regesta*, nos. 599, 692, 850, 1131, 1132, 1146; *Additamentum*, no. 1214b.

214. Röhricht, *Regesta*, nos. 770, 881, 887, 1114, 1148, 1151, 1171, 1463 for Tyre; *Regesta*, no. 1285, and *Additamentum*, no. 1061b for Acre. In 1216, Honorius III put St. Mark of Tyre under the spiritual direction of the archbishop, Simon of Maugastel, but in 1243 the Venetian bailie Marsiglio Zorzi (Giorgio) insisted that it was exempt. In 1247, a *census* was to be paid to the holy see by St. Mark of Venice for the churches of Tyre and Acre; it was still being paid in 1286, although the pope had conceded to the archbishop of Tyre the *census* due from St. Mark of Tyre. At Acre, the *plebanus* paid a *census* to the bishop as a mark of obedience only for the parish church of St. Demetrius, annexed to the Venetian quarter (1260).

215. Röhricht, *Regesta*, no. 775.

216. Hotzelt, "Chorherren," p. 121; *idem*, "Kirchliche Organisation," pp. 56, 86. According to Mayer, *Bistümer*, when a former see was not restored by the Latins, the abbots who con-



parishes and Greek or Syrian parishes; equally viewed as the property of this or that religious establishment, they had to make payments to these establishments even though they were not subject to the authority of a Latin bishop.<sup>217</sup>

Some priories, communities of monks dependent upon a large abbey, also enjoyed parish rights. The priory of St. Mary *Latine* at Latakia served as a parish church.<sup>218</sup> Gradually, because of this predominance of regular clergy, the parish clergy acquired a new status. The titles of rector or chaplain gave place to that of prior. From 1264 the church of St. Gilles of Acre, held by a nonresident prior who farmed out the goods of the church to the Templars, was called *rectoria seu prioratus secularis*; in the fourteenth century, the clergy of Cyprus in charge of parishes would be generally called *prieurs paroissiens*.<sup>219</sup>

Besides the parish clergy, each diocese also had its cathedral chapter. These sometimes adopted the rule of canons regular which was the vogue in the west at the end of the eleventh and the beginning of the twelfth century. Such was the case of the Holy Sepulcher in Jerusalem,<sup>220</sup> and also St. John of Sebastia, where Usāmah admired the piety of the canons serving the cathedral. The chapter elected the bishop. It had the usual dignitaries, although there was only one archdeacon, since the dioceses, unlike those of France and England, were not subdivided into archdeaconries. Besides their responsibility for liturgical service, of particular importance where the cathedral was a well-known pilgrimage center, the canons played a role in the education of the clergy. There was a school at the Holy Sepulcher, and at Acre a lecturer in theology, although in the thirteenth century the mendicant orders also contributed to clerical education.<sup>221</sup>

A large part of the activity of the chapters had to do with the pilgrims. In particular, they undertook charitable activities which, in

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trolled the former cathedrals enjoyed episcopal prerogatives. On the difficulties between abbot Guy of Josaphat and archbishop Robert of Nazareth over the designation of a chaplain of Lajjūn, see Röhricht, *Regesta*, no. 239; for the consecration in 1112 of the vicar of Tabor by bishop Bernard of Nazareth, *ibid.*, no. 69.

217. Cf. Richard, "Église latine et églises orientales dans les états des croisés: La destinée d'un prieuré de Josaphat," in *Mélanges offerts à Jean Dauvillier*, ed. Germain Sicard (Toulouse, 1979), pp. 743-752.

218. Röhricht, *Regesta*, no. 331.

219. *Registres d'Urbain IV*, ed. Guiraud, II, 80-81 (no. 193); III, 442-444 (no. 2640); Richard, *Documents chypriotes des archives du Vatican, XIVe et XVe siècles* (Bibliothèque archéologique et historique, LXXIII; Paris, 1962), p. 73.

220. See above, note 183.

221. Hotzelt, "Kirchliche Organisation," p. 55; also "Die Chorherren," describing the life of the canons of the Holy Sepulcher.

the case of some of the chapters, attracted a large number of gifts. The canons of Bethlehem were gradually transformed into a Hospitaller chapter, while those of the Holy Sepulcher transferred the care of pilgrims to Hospitallers who acted under their direction.

Contrary to what Gaston Dodu has written, that the Latin church sought to undermine the foundation and development of the crusader states,<sup>222</sup> one of the most striking features of the history of these states is the collaboration between the church and civil society. It is equally difficult to accept LaMonte's view that Urban II sought through the establishment of Franks in the Holy Land to extend the patrimony of St. Peter, but that his successors gave this plan up in fear of seeing the patriarch of Jerusalem, who claimed supremacy over the royal power, emerge as a rival of the pope.<sup>223</sup>

The drive to establish an ecclesiastical principality, to include the holy city itself as well as the port of Jaffa, came from Daimbert and his successor Stephen of La Ferté (1128–1130), and Godfrey of Bouillon probably looked on it as compatible with his title of "advocate."<sup>224</sup> Daimbert went even further, since he was able to get the homage of Bohemond and Godfrey in 1099, *propter amorem Dei*,<sup>225</sup> and at Easter 1100 to secure from Godfrey the acknowledgment that he was the vassal of the Holy Sepulcher and of the patriarch, which Baldwin I also acknowledged before his coronation.<sup>226</sup> Later, however, there is no evidence of the paying of homage by the king or by the prince of Antioch to the patriarch of Jerusalem. The coronation ceremony included no such obligation. The king of Jerusalem was no more the vassal of the patriarch than of the Holy See.<sup>227</sup>

In Antioch, however, the prince paid homage to the patriarch of Antioch. Possibly the custom was introduced when the patriarch Bernard consecrated Roger in 1112. It is certainly attested to by Raymond

222. "La royauté latine périt, et le royaume latin avec elle, parce que . . . l'Église chrétienne d'Orient resta non seulement une puissance à côté de l'État ou dans l'État, mais contre l'État" (Dodu, *Le Royaume latin de Jérusalem* [Paris, 1914], p. 96).

223. *Feudal Monarchy*, pp. 203–205.

224. See above, p. 197 and note.

225. Fulcher of Chartres (ed. Hagenmeyer, *Fulcherii Carnotensis historia Hierosolymitana* [Heidelberg, 1913], p. 741 [III, 34]) writes: "Dux Godefridus et dominus Boamundus acceperunt terram suam a patriarcha Daiberto propter amorem Dei"; William of Tyre says that they received from Daimbert the *investitura* of their respective dignities. Cf. Hansen, *Das Problem eines Kirchenstaates*, p. 42.

226. Hampel, *Untersuchungen über das lateinische Patriarchat*, p. 34; see also Hamilton, *Latin Church*, pp. 53–55.

227. Hotzelt, "Kirchliche Organisation," p. 48.

of Poitiers (1136) and by Raymond Roupen (1216).<sup>228</sup> We do not know, however, which fief the prince agreed to hold from the patriarch, and some princes seem not to have paid homage at all. Certainly there were quarrels between patriarchs and princes unknown in Jerusalem. Raymond of Poitiers deposed Ralph of Domfront in 1139. Reginald of Châtillon imprisoned Aimery of Limoges, who had refused him money. Bohemond III was excommunicated when he married Sibyl in 1180 despite the fact that he already had a wife, Theodora Comnena; Antioch was placed under the interdict, while the prince besieged the patriarch Aimery in Cursat. Some patriarchs had to undertake the defense of the principality against Moslems, Byzantines, or Armenians, sometimes despite the prince himself. Finally, the crisis created by the conflict between Bohemond IV and Raymond Roupen forced the patriarch to take sides; Peter I died in prison in 1208. Only in 1239 did Bohemond V cease to be excommunicated.

Both in Jerusalem and in Antioch the ruler controlled the election of the patriarch. Baldwin I got rid of Daimbert and succeeded in appointing Arnulf, and custom would allow the king to choose between candidates designated by the canons. Henry of Champagne later defended this privilege, which had fallen into disuse when Rome began appointing the patriarch directly.<sup>229</sup> The king apparently also claimed the right to appoint certain ecclesiastical dignitaries, as well as to influence episcopal nominations: royal chancellors received bishoprics. William of Tyre reports that on his return to the Holy Land king Amalric would have given him the benefices of which he was the patron if he had not been prevented by those envious of William; later, however, when the opportunity arose, he had the diocesan bishops provide for him.<sup>230</sup> Here again is the kind of development which gave the papacy the opportunity of providing a large number of benefices and dignities, thus diminishing royal influence in the nomination of ecclesiastics.

The independence of the church was well established. It had its own possessions, often considerable; it also had its own jurisdiction. Church courts dealt only with cases concerning the clergy (except when the offense was murder or treason against the lord), heresy, sorcery,

228. Cahen, *Syrie du nord*, pp. 312, 502, 621; Joseph Gill, "The Tribulations of the Greek Church in Cyprus, 1196-c. 1280," *Byzantinische Forschungen*, V (1977), 73-93 (repr. in *Church Union, Rome, and Byzantium* [London, 1979], IV).

229. Hotzelt, "Kirchliche Organisation," p. 54; LaMonte, *Feudal Monarchy*, p. 211; *Estoire d'Eracles (RHC, Occ., II, 203)*. For Antioch see Cahen, *Syrie du nord*, pp. 312-313.

230. R. B. C. Huygens, "Guillaume de Tyr étudiant," *Latomus*, XXI (1962), 815-816.

and marriage (including adultery), but left perjury to the civil courts.<sup>231</sup> As for cases having to do with ecclesiastical property, a process of 1140 at Antioch reveals the custom of the principality: a dispute between the Holy Sepulcher and the abbey of St. Paul was transferred from the patriarch's to the prince's court because the property involved had originally been a grant made by a lay authority.<sup>232</sup> Besides the established church courts, papal judge-delegates played an increasingly large role in the thirteenth century, while in the twelfth legates had intervened above all to ensure that councils were summoned where accused prelates had to be judged.<sup>233</sup> Questions of episcopal succession were decided at Rome, which was not peculiar to the Latin east.

Tithes were always one of the great sources of contention between the church and civil authorities. In the west the tithe was primarily agricultural in nature; the clergy levied it directly on the produce of the peasantry. In the east the peasants did not belong to the Latin rite except in those villages settled by Franks, where the ecclesiastical lord collected the tithe according to the western custom.<sup>234</sup> Also, the clergy claimed tithes not from peasants but from the lords themselves<sup>235</sup> who caused much difficulty over their payment. It was only at the assembly of Nablus (1120) that the king of Jerusalem agreed to pay a tithe on his own revenues; but other documents prove that the practice had already been introduced.<sup>236</sup> Bishops were the beneficiaries of the tithe, part of which they allocated to their canons or to religious establishments, which were normally exempt from paying a tithe on their own property.<sup>237</sup>

The agricultural wealth of the churches aroused some restrictive measures designed to limit its growth. The Assises of Jerusalem forbade the sale or the grant of a fief to a church or to a religious order

231. Dodu, *Histoire des institutions*, pp. 325–328.

232. Rozière, *Cartulaire*, pp. 172–173; cf. Cahen, *Syrie du nord*, p. 443.

233. For a case concerning the forging of a papal provision see Röhricht, *Regesta*, no. 1226.

234. Rozière, *Cartulaire*, p. 238, 251.

235. This probably explains the claim of the Latin prelates, if we can believe Ernoul, to tithe Armenian colonists whom prince Toros proposed to settle in the Holy Land. See the interpretation of this episode in Cahen, "Le Régime rural syrien," p. 301.

236. Mansi, *Concilia*, XXI, col. 263; Röhricht, *Regesta*, nos. 36, 67, 69 (concerning the *decima de militia* and the *decima peregrinorum militum* on the booty taken in battle).

237. On the collection and distribution of the tithe see Richard, *Documents chypriotes*, p. 63. Rudt de (von) Collenberg, "Les Cardinaux Hugues et Lancelot de Lusignan et l'autonomie de l'église latine de Chypre, 1378–1467" (to appear in the *Praktika* of the 2nd International Congress of Cypriot Studies, Nicosia, 1982), shows how the Cypriote royal family monopolized the ecclesiastical benefices from the time of the Great Schism on.

incapable of providing the requisite service,<sup>238</sup> since it was impossible for a church to pay homage to the king. In fact, however, some ecclesiastical lordships had obligations similar to those of the vassals. The archbishop of Nazareth sent ten knights to the royal host under the command of his marshal; the bishop of Lydda sent six. Nazareth, Lydda, Apamea, and Cursat were the centers of veritable ecclesiastical seigneuries where the prelates raised their own contingents and undertook the defense of their own fortresses. Most of the religious establishments, however, had to contribute companies of sergeants, sometimes rather important (a thousand from the patriarch of Jerusalem and the Holy Sepulcher, two hundred from the bishop of Lydda). Thus, without counting the military orders, the church of the kingdom made an appreciable contribution to the defense of the territory, although only a few prelates<sup>239</sup> were great feudatories with their own vassals.

Thus the church took its place within the states founded by the crusaders who had responded to the appeal of the Council of Clermont. It left temporal power to the princes and barons. It is in this sense that we may interpret the definition of John of Ibelin according to which the king was the *seignor temporel*, the patriarch, the *seignor esprituel*. The ecclesiastical hierarchy remained for the most part outside the political framework, but took cognizance of it; the interventions of the patriarchs to lead the barons of Antioch or Jerusalem in moments of danger illustrate this, and the coöperation of the churches in the defense of the territory was marked by the importance of their contingents as well as their financial contributions when an assembly decided on a general tax (for example, in 1166 and 1183).

But the catastrophe of 1187 transformed the machinery of the Frankish states. Deprived of their territorial basis, these states could no longer guarantee any institutional continuity. They depended increasingly on outside help which brought in its wake the interference of western powers which viewed the kingdom of Outremer as a colony. From Frederick II on, the monarch was nonresident, further undermining royal authority. The barons closed ranks to oppose a foreign authority who sought to eliminate the customary control of vassals over the acts of their lord, a control which in Jerusalem drew particular force from the predominance of certain great families and

238. John of Ibelin, cap. 143 (*RHC, Lois*, I, 217).

239. Including the abbot of Mount Tabor (Richard, *Royaume latin*, pp. 102-103, 129-130). At Jerusalem the patriarch possessed an extensive domain, with broad seigneurial rights, but he apparently did not furnish a contingent for the royal army; see Prawer, *Crusader Institutions*.

the interpretation which they placed on the *Assise de la ligèce*. The result was an atmosphere of rebellion. The commune of Acre persisted for twelve years, giving way to a simple substitute for monarchical authority in the person of the "lord of the kingdom," a mere representative of the last Hohenstaufens. The restoration of Hugh III of Antioch-Lusignan in 1268 came too late to reestablish royal authority. Meanwhile the lands belonging to the princes of Antioch were torn apart by the struggle between the princely dynasty and the great families. This weakening of royal and feudal institutions went hand in hand with the gradual collapse of the crusader states, provoked above all by the increasing power of a Moslem state, Egypt of the Aiyūbids and Mamluks.

It was then that the church took on a new role. The patriarchs of Jerusalem, legates in the Holy Land, were the natural intermediaries to transmit the appeals for help and manage the assistance sent from the west at the instigation of the papacy. With the institutions of the monarchy weak, and a feudality incapable of providing the services for which it had been created, it was the church itself, now profoundly transformed, which assured the survival of the Latin states and controlled their temporal as well as their spiritual life during the last years of their existence.<sup>240</sup>

It is more useful, however, to think of the internal organization of the crusader states as it was before this period of decline, characterized by a balance established among the monarchy, the feudality, and the church, with a strict definition of their respective powers. It is precisely this balance which explains the interest which historians have always taken in their institutions.

240. *Ibid.*, pp. 296-302.