

NATIONAL RESEARCH UNIVERSITY HIGHER SCHOOL OF ECONOMICS

Aleksandr Rusanov

THE CONTINUITY OF UNIVERSITY HISTORY: A CASE-STUDY OF PORTUGUESE STUDIUM GENERALE (1288–1377)

BASIC RESEARCH PROGRAM

WORKING PAPERS

SERIES: HUMANITIES WP BRP 37/HUM/2013

Aleksandr Rusanov¹

THE CONTINUITY OF UNIVERSITY HISTORY:

A CASE-STUDY OF PORTUGUESE STUDIUM GENERALE

 $(1288-1377)^2$

The paper reviews the problem of caesuras and continuity of Portuguese University's history. A study of the University papers showed gaps in its institutional history caused by several relocations from Coimbra to Lisbon. Sometimes such caesuras raise doubts in the continuity of the University's history and suggest the existence of different *studia generalia* that alternated with each other for the period under study. However, contemporary historians and members of the university community view the different universities as parts of one and the same university. Our case-study demonstrates that this view is based on the documents concerning economic privileges granted to the University by the country's rulers and the Roman popes. If recognized as a new university, the *studium generale* would have lost its former privileges. Thus, the logic of collective memory of Portuguese University was based on the image of its historical continuity.

JEL Classification: Z.

Keywords: university history, Portuguese University, royal privileges, archives, economics

¹ National Research University Higher School of Economics (Moscow, Russia). Poletaev Institute for Theoretical and Historical Studies in the Humanities (IGITI). Research assistant; E-mail: lather@mail.ru.

² The results of the project «Designing traditions: problem of gaps and continuality in the university history in Russia", carried out within the framework of the Program of Fundamental Studies of the Higher School of Economics in 2013, are presented in this work.

Overview

Historical continuity is one of the most topical problems in contemporary studies of university history. A rare university would boast a quiet stream of life and a lack of gaps in its history caused by wars, fires, epidemics, student unrests, religious conflicts etc. In our paper, the combined theoretical framework for analysis of this problem was based on the historical constructivism theory and the "middle level" theories by Eric Hobsbawm and Terence Ranger on "invented traditions" and Jurgen Osterhammel's theory of historical continuity and caesuras. I review the continuity problem by the example of Portuguese University in the $13^{th} - 14^{th}$ centuries and apply analytical instruments in researching its archives.

This case seems attractive to historians due to evident gaps in the past, caused by the university's frequent relocations from one place to another. During the 14th century Portuguese University drifted between Lisbon and Coimbra and four times changed its locations. The purpose of this paper is to show that despite frequent transfers (and the twists and turns of Portuguese history of that time), the university was able to build and maintain its identity as one educational institution through centuries.

Academic interest in the Middle Ages is commonly inspired by the genealogy of contemporary universities. Moreover, the historians wishing to draw a straight line between the past and modernity have a stable image of university's *idea* (or *spirit*), which "manifests itself in all times." In the context of this reasoning, the medieval university is seen as being the "ancestor" and hence better embodying the *amor sciendi* that was generated by life itself. In 1863, in his essay on the "university issue", famous Russian surgeon Prof. Nikolay Pirogov wrote that "the ancestors of universities were closer to the ideal than we are nowadays." With the "development of the civic consciousness and the spread of education in the masses," he believed, "the original purity of the ideal did not survive. The government, the church and society asserted their claims... So we see... that universities are not purely scientific, but government, clerical, educational and national institutions." Of course, the image of the medieval universities as being "purely scientific" institutions – the quality lost by contemporary schools – was caused by the idealistic perception of universities by modern professors. Contemporary demands dictated the desired angle of research of university history.

It seems obvious that with the obsolescence or revision of the university concepts changed the academic understanding of continuity: new gaps were constructed, old caesuras were retouched.

³ Pirogov N.I. Universitetsky vopros // Universitetskaya ideya v Rossiiskoy imperii XVIII – nachale XIX vekov. Moskva, 2011. S. 255.

I will try to demonstrate that these changes constitute a more complex system of communication than it may seem at the first glance. Indeed, the corporation members commonly view themselves from different stands, with one particular stand not necessarily prevailing. I proceed from the premise that there can be many university histories; in our case, it would be more appropriate to apply to different universities the "family kinship" term, coined by Ludwig Wittgenstein in his late works.

The co-existence of different concepts of the ideal university can be found, among other things, in the terms given by the medieval students⁴. As is well-known, the higher school was denoted by two terms: *universitas*, emphasizing a corporate aspect (not only the university community)⁵; and *studium generale*⁶. The latter appeared in the early 13th century. In the late 19th century, British scholar Hastings Rashdall proposed to distinguish between a general (this definition could be applied to any large educational institution, particularly in the 13th century) and narrow sense of this word. The latter are universities, whose graduates were granted *jus ubique docendi* – the right to teach freely in the Christian world⁷. As Heinrich Denifle noted, not a single university has been founded without the Papal or Emperor's sanction since the mid-13th century⁸. A lack of this sanction deprived many educational centers of the university status, such as schools in Lyon and Reims. It is worth noting that in the period of the foundation of Portuguese University (1288–1290) the *jus ubique docendi* was only taking shape. The universities of Bologna and Paris received the bulls confirming their graduates' rights to universal recognition as late as 1292.

Trends in the corporate relations can be best seen through economic life. For the period under study, the essential problems of academic life included housing rent or rental of classrooms, professors' wages, food supplies and purchase of construction materials. Changes in the college location or the country's economic situation would lead to the reconstruction of the entire university organism, the destruction of stable ties and communication procedures. However, every time a university moved to a new place, its professors and employees reproduced the former economic model and reaffirmed the royal privileges.

_

⁴ On comparison of these terms see: Cobban A.B. The Medieval Universities: Their Development and organisation. London, 1975; Classen P. Studium und Gesellschaf im Mittelalter. Stuttgart, 1983; Rüegg W. Themes // A History of the University in Europe. Vol. I. Universities in the Middle Ages. Cambridge. 2003: Verger J. Patterns // Ibid.

⁵ See: Michaud-Quantin P. Universitas: expressions du movement communautaire dans le moyen âge latin. Paris, 1970; Oexle O.G. Die mittelalterlichen Gilden: ihre Selbstdeutung und ihr Beitragzur Formungsozialer Strukturen // Miscelania Medievalia. Bd. 12/1: Sociale Ordnungenim Selbstverständnis des Mittelalters. Berlin; New York, 1979.

⁶ See: Ermini G. Concetto di 'Studium generale // Scritti di Diritto Comune. Padua, 1976. P. 213–237.

⁷ Rashdall H. The Universities of Europe in the Middle Ages. Oxford, 1895.Vol. 1.P. 8.

⁸ Denifle H. Die Universitäten des Mittelaltersbis 1400. B. I. Die Entstehung der Universitäten. B., 1885. S. 33.

There are case studies of this issue in the Portuguese historiography⁹. But, unlike these works, I am not going to reconstruct the University's methods of economic management and economic ties. This article is focused on a single issue – how the financial records help to draw an integral image of the economic life in *the same* university, despite changes in its locations, faculty, students and the country's leadership.

As it often happens in researching the medieval phenomena, we lack rich and diverse sources on the period and region under study. We basically deal with the texts of the privileges, granted to the university by the royal or Papal authorities. The Portuguese University archive lacks earlier matriculas that would allow us to precisely establish the composition of its corporation or narrative texts describing the academic life.

Owing to this fact it is hard to say how these privileges, including those concerning economic aspects, got used in practice. Some conclusions on this issue can be made based on student applications cited in the charters reflecting the scholars' needs. The extent to which they were satisfied can be evidenced from the later charters quoting students' complaints on the obstacles they were facing in getting used the privileges they were granted.

Most of these manuscripts constitute a cartulary, entitled *The Green Book* (*Livro Verde*). ¹⁰ Created in the first half of the 15th century, it dates back to the first books of the university privileges that appeared in the second half of the 14th century. It is worth noting that this collection of legal texts, the last of which is dated 1456, remained in full force and effect up to Marquis de Pombal's reforms in the 18th century. ¹¹ It was well-known to all historians of the University, possibly beginning from F. Brandão, the erudite monk in the 17th century, who gave a detailed description of

9

⁹ There are some articles dedicated to this subject: Leitão Bandeira A.M. A história do património da Universidade antravés das fontes primárias do seu Arquivo // Universidade(s). História, memória, perspectivas. Vol. 3; Cruz Coelho M. H. da. As Finanças // História da Universidade em Portugal. Vol. I. T. I (1290–1536). Lisboa-Coimbra, 1997. P. 39–68. Some aspects of the problem are overviewed in other article of the collective work of 1997; Dias P. Espaços escolares // Ibid. P. 33–38; Nobre Veloso M. T. O quotidiano da academia // Ibid. P. 129–152. Also investigations of this subject took place in some general works: Braga T. História da Universidade de Coimbra nas suas relações com a instrução portuguesa. T. I. 1289 a 1555. Lisboa, 1892; Brandão M., Almeida M. Lopes de. A Universidade de Coimbra. Esboço da sua história. Coimbra, 1937; Moreira de Sá A. Dúvidas e problemas sobre a Universidade Medieval Portuguesa. Lisboa, 1964; Veríssimo Serrão J. História das universidades. Porto, 1983; Coimbra, 1991. The problem of the economic life of the University is shown in the works dedicated to the urban context of it life: Gomes S.A. Escolares e a Universidade na Coimbra Medieval // Estudos a homenagem a João Francisco Marques. Vol. I. Lisboa, 2003. P. 511–531; Martins A. Lisboa, a cidade e o Estudo: a Universidade de Lisboa no primeiro século da sua existência // A Univeridade Medieval em Lisboa (Séculos XIII–XVI). Lisboa, 2013. P. 41–88; Norte A. Processos de institualização do Estudo Geral Português // Ibid. P. 149–186.

¹⁰ Facsimile edition: Livro Verde da Universidade de Coimbra: cartulário de sèculo XV. Coimbra, 1990. About its history see:

Rodrigues M. A. Introdução // Ibid. P. I–XIV.

¹¹ On reforms and changes in the university's legal system see: O Marquês de Pombal e a Universidade. Coimbra, 2000.

the University's history in one of the volumes of *The Lusitan Monarchy*¹². Some documents from the *The Green Book* were published by university historians in the 17th – 18th centuries. The complete publication of *The Green Book* came out in 1940¹³. All its documents were later incorporated into the fundamental edition of *Charterularium Universitatis Portugalensis*¹⁴. Since all the documents in this edition are arranged in chronological order, *The Green Book* was absorbed by other historical sources.

As a rule, the researchers of Portuguese University exploring *The Green Book*, are more interested in copies of the records that have not survived to this day. For me, this cartulary is important as a code of laws, which, despite its long and tangled history, was seen by the students as a single source of their university rights. This approach would allow us to understand Lisbon-Coimbra University's participation in the pan-European process, termed by J. Verger and Ch. Vulliez "cartularization" of the universities and serving as an important aspect of institutialization of *studia generalia*¹⁵.

The University's Foundation and Relocations

Portuguese University was established in Lisbon between 1289 and 1290. Its foundation is credited to King Dinis of Portugal, but there are more reasons to believe that the clergy more contributed to its establishment.

It was only by the late 14th century that its faculty numbered more than two dozen. Equally small in the first century of its existence was the number of students. Clearly, Portuguese University of that time played a minor role in Medieval Europe. To get a good appointment in the royal Chancellery, one would have to get a degree from the University of Paris or Bologna, two major destinations of the local applicants.

The University's first relocation from Lisbon to Coimbra, and possibly its re-foundation was documented in 1308. Naturally, it had taken several years to do so. The main reason for the transfer the King saw in contradictions between the corporation and inhabitants of the city¹⁶. These were most likely caused by the conflicts arising from the housing rent and tax privileges for the university students and professors.

¹² Brandão F. Monarchia Lusytana, Ouinta Parte, Lisboa, 1976, Fl. 163–167, (facsimile edition of original book (1650)

¹³ Livro verde da Universidade de Coimbra (cartulário do século XV). Ed. A. G. da Rocha Madahil. Coimbra, 1940.

¹⁴Almost all known records on the history of the medieval Portuguese university are published in a monumental edition: Chartularium Universitatis Portugalensis. Vol. I–XIII. (1288–1525). Coimbra, 1968–1995. (Further – CUP).

¹⁵ Verger J., Vulliez Ch. Cartulaires universitaires français // Les cartulaires : actes de la table ronde organisée par l'Ecole nationale des chartes et le GD.R. 121 du C.N.R.S. (Paris, 5–7 déc. 1991). Paris, 1993. P. 423–449.

¹⁶ Bula de Clemente V autorizando a concessão de seis igrejas paroquiais ao Estudo que ia ser transladado para Coimbra (Doc. 22) // CUP Vol. I. P. 39–40).

The cause of the University's relocation to Lisbon is not too evident for us, even though it is laid out in the royal charter of August 17, 1338¹⁷. The bellicose Afonso IV gave the following reason for the relocation of the *studium generale*: "Since I spend most of the year in the city of Coimbra... the dwellings located in the vicinity of this city and usually inhabited by scholars studying in my university that until now has been in this city, can be rented by my officials and those living in my grace. These houses often raise a bone of contention between them." The King did no better than to transfer the University to Lisbon.

As can be judged by the documentary evidence, the new Lisbon stage in the University's life was unstable – the lectures were cancelled for many years. Such instability was owed to the economic power of the city that created conditions for restricting student privileges, and the King's ill-considered measures for economic adjustment of the University to the new environment. One more factor at play was the great epidemic of plague that broke out in the late 1340 and killed more than one-third of Portugal's population. There is no doubt, however, that at this period of time, the privileges were still believed to be valid and granted to those entitled thereto¹⁹.

The royal charter announcing the University's third relocation didn't survive, or possibly didn't exist at all. In either case, this event is difficult to date. What little has survived are the royal charters documenting the University's living arrangements at the new location, in Coimbra. The earliest one is dated December 6, 1354. It also confirmed the university privileges.

Given the lack of documentary evidence, it is hard to tell the reasons for the University's relocation and the role that the King or any other forces involved played in this event. Bearing in mind the King's little interest in the fate of the *studium generale*, we can suggest that the transfer was initiated by none other than the academic corporation that got scared of the plague. It is also possible, however, that the relocation was caused by new conflicts with the local citizens.

There are sound reasons to believe that in the early 1350s the University resumed its activities after a long crisis whereby it worked irregularly or was altogether closed. The university members apparently appealed to the King for permission to return to Coimbra, which had lost its significance for Afonso IV. The King and his inner circle were not interested in the University. It were the scholars who reminded the King of themselves, requesting Afonso IV and his successors to

7

¹⁷ Carta de D. Afonso IV transferindo o Estudo Geral, de Coimbra para Lisboa (Doc. 109) // CUP Vol. I. P. 132–133.

¹⁸ "como a mjm conuem de fazer morada gram parte do ano na Cidade de Coimbra... e como as pousadas que son dentro na çerca dessa vila em que sooem de pousar os scolares que stan no meu studo geeral que ata ora foy en essa vila aadur podem auondar pera os meus offiziaaes e pera os que uiuem na mha merçee e como per Razom dessas pousadas recreçen aas uezes uoltas e peleias grandes antre eles" (Ibid. P. 131).

¹⁹ See: Martins A. Op. cit. P. 57–60.

confirm the old privileges that were quite difficult to restore after the University's long absence in the capital²⁰.

And finally, the fourth relocation of the University returned the *studium generale* to Lisbon for almost two centuries, putting an end to its nomadic life. The reasons behind this move are laid out in King Fernando's charter issued in Coimbra on July 3, 1377²¹. Stressing the need to increase the number of lawyers, the King assured that "If our university was transferred to the city of Lisbon, we would have more *letrados*²², than we had, should this university have remained in Coimbra, for some professors whom we decreed to invite from other kingdoms, do not want to read lectures other than in Lisbon."²³

Thus, the major reason for the University's relocation was the state's demand for specialists and the quality of their professional qualification. However, King Fernando's words can serve as the evidence of his low popularity that was recorded, in particular, by the famous chronicler Fernão Lopes²⁴. At that time, the Cortes openly accused the King of embezzlement of the funds granted by the Pope for the University's needs²⁵.

A complicated domestic situation in the country forced the King to grant new privileges to the University. The university staff hardly opposed the idea of moving from the war-devastated Coimbra, where they proved unable to fully get used the rights granted to them by King Dinis. The transfer of the *Studium generale* took place in the autumn of 1377. In any event, the contemporaries called it "Lisbon University" ²⁶. Bearing in mind that the charter of June 3, 1377 only ordered the relocation, the move, in fact, took much less time than the earlier years-long transfers in the 14th centuries. It is also worth noting that the numerous royal charters that appeared after the said order regulated various aspects of university life. This fact allows us to view 1377 as the date of the new foundation of Portuguese University²⁷.

~

²⁰ See: Idem. P. 60–63; Mattoso J. A Universidade e a Sociedade // História da universidade em Portugal... P. 307–308.

²¹ Carta de D. Fernando transferindo o Estudo Geral, de Coimbra para Lisboa, redulamentando a sua instalação e confimando-lhe os privilégios que tinha recebido (Doc. 299) //CUP Vol. II.P. 5–8.

²² Letrados (litterati) is a social group of professional lawyers. In the Pyrenees they usually became the backbone of the royal bureaucracy.

²³ "se o nosso studo... fose mudado na cidade de lixboa que na nossa terra poderia auer mais leterados que aueria se o dito studo na dita cidade de coimbra steuesse por alguums lentes que de outros Regnos mandamos vijñr nom queriam leer se nom na cidade de lixboa» (Carta... (Doc. 299). P. 5–6).

²⁴ See: Lopes F. Crónica de D. Fernando, Lisboa, 2004.

²⁵ Artigos das Cortes realizadas em Lisboa, onde se pede que a Universidade de Coimbra seja reformada nos seus lentes (276)// CUP. Vol. I. P. 296–298.

²⁶ E.g. Bula do papa Gregório XI dirigida aos Doutores, Mestres, e escolares do Estudo Geral de Lisboa, a conceder, a pedido de D. Fernando, a dispensa da obrigação de residerem nas igrejas onde tinham beneficios, durante em triénio, e de receberem, entretanto, todos os frutos, réditos e proventos dos ditos beneficios (302)// CUP Vol. II. P. 11–12.

²⁷ About idea of the "second foundation" see: Sá A. Moreira de. O Infante D. Henrique e a Universidade.Lisboa, 1960. Vol. I. P. 15; Saraiva A J O crepúsculo da Idade Média em Portugal. Lisboa, 1988. P. 119.

So what do we have now? Is it a consecutive change of four different universities or a dashed line in a history of the same university? We shall try to answer this question through the prism of economic records from the university archives.

The Continuity of Economic Benefits

At present, the University of Portugal has united archives that keeps records documenting all its relocations and residences. The economic routine, reconstructed on its basis looks like a curve bowed-out in shape.

The 1308 bull confirming the first relocation of the *Studium generale* to Coimbra contains a Papal order to Archbishop Braga and the bishop of Coimbra prescribing that the faculty get revenues from the parishes. The bull referred to a decree signed by the King, who, in his application cited in the bull, gave the exact number of the parishes (six). These were the churches which, as the bull to the King reads, he "owns by solid law." By this it meant the payment in one-third installments of the tithe being paid to the King in agreement with the Popes. Thus, all revenues from the churches were paid by the King as wages to the university professors, with the exception of salaries to the parish vicars²⁸.

This system that seemed quite stable, underwent changes as far back as during the reign of King Dinis. According to the charter dated May 6, 1322, two parishes – Pombal and Soure that had been apparently among the six parishes set by the 1308 bull and served as sources of the faculty's income were passed to the Order of Christ, the Portuguese successor of the defeated Order of Templars²⁹. The 1323 charter, regulating the university finances, reads that the parishes were passed by petition from the Master of the Order of Christ João Lourenço and the whole Order to which Dinis wished to "show favor and grace" by passing them the "fruits and revenues of the said parishes." In the meantime, the Master, as evidenced by the document, proposed to provide financial support to the university professors and officials³⁰.

²⁹ Carta de D. Dinis ordenando que as Igrejas de Pombal e Soure, pertencentes ao Estudo Geral de Coimbra, passem para a Ordem de Cristo (Doc. 57) // CUP. Vol. I. P. 82–83. It's important to underline thet this document wasn't included to the Green Book.

²⁸64 studij... quod de Ciuitate vlixbonendi ad Ciuitatem Colimbriensi petiuisti ex causa transferri redditus et prouentus Sex ecclesiarum parrochialium in solidum ius obtines patronatus statueret et deputaret ac etiam assignaret congrua sustentatione perpetuis vicarijs in ipsis ecclesijs seruituris". (Bula de Clemente V... (Doc. 22) P. 29).

³⁰ Agora don Johan lourenço Meestre de Caualaria da Ordin de Jhesu christo Do Conuento dessa ordin nos disserom que estas Igreias eram muy proueytosas a eles e a dicta ordin. E pediromnos por mercee que lhis leyxassemos auer os fruytos e rendas das dictas Igreias. e que manterriam ende os dictos Meestres. e sayriam aos outros encarregos assi come o nos ataaqui fezeramos. E nos sobredicto Rej querendo lhjs fazer graça e mercee teemos por ben leixar ao dicto Meestre os fruytos e rendas das dictas Igreias" (Carta de D. Dinis determinando ao Mestre da Ordem de Cristo o quantitativo a pagar aos professores do Estudo Geral de Coimbra (Doc. 59) // CUP Vol. I. P. 84–85).

Almost nothing is known about financing of the university after its move to Lisbon in 1337. In 1345, Afonso IV appealed to Pope Clement IV with a request to grant him a right to use church revenues to support university lecturers³¹. In response to this application, the Pope signed a bull to the bishops of Lisbon and Évora³². A suplica to the clause on *studium generale* prescribed payment from church and monastery incomes under the King's "patronage" (i.e. the third part of which was paid to the King) the sum amounting to 3000 pound "in the Portuguese currency presently in circulation."³³ The funds were designed to pay wages to doctors, masters, bachelors and cover other university expenses.

We can suggest that there is a time gap between the signing of the decree and its execution. It was only in December 1348 that the Bishop of Évora Afonso Dinis issued a charter (*literas*)³⁴, in which he, with reference to Clement VI's bull, listed the parishes remitting their incomes to the University.

In 1355, Innocent VI, upon a petition from the King of Portugal, issued a bull ordering the Bishops of Lisbon and Évora to pay salaries to university professors from the church incomes and notifying them of the University's relocation to Coimbra³⁵. The bishops were to be appointed University patrons and charged with providing assistance in arrangements at the new location³⁶. This document actually acknowledged the legal continuity of the University and its performance in different places.³⁷ The Pope recognized it as the same entity and therefore reaffirmed the church obligations to provide financial support to the University³⁸.

The recognition of the University status and the preservation of obligations can be also traced in other administrative documents. One such document is the 1376 bull³⁹ issued in response

³¹Súplica de D. Afonso, pedindo ao papa Clemente VI autorização para aplicar 3.000 libras das rendas das igrejas do seu padroado nos salários dos Mestres, Doutores e Bachreis e bem assim noutras cousas necessários à Universidade de Lisboa (Doc. 132) // CUP Vol. I. P. 148–149.

³²Bula de Clemente VI para os Bispos de Lisboa e de Évora autorizando, pedido de D. Afonso IV, a cosigação à Universidade de Lisboa de 3.000 libras de rendas das igrejas (Doc.133)// CUP Vol. I. P. 149–151.

³³"supplicat idem Rex... de fructibus, prouentibus, redditibus et omnibus alijs iuribus ecclesiarum in quibus tamen ipse Rex duntaxat ius obtinet patronatus per eum uel successores suos ad hoc assignandarum, cum rectores, priores seu Abbates in quibusdam locis uulgaliter nuncupantes mori contigerit, uel quouis modo alio vacauerint, usque ad summam trium milium librarum portugalis monete nunc currentis pro salarijs doctoribus, magistris, bacalarijs et alijs ad opus ipsius necessarijs" (Súplica... (Doc. 132) P. 148).

³⁴Letras do Bispo de Évora D. Afonso, relativas à anexação de igrejas do bispado de Lisboa à Universidade e dando execução à Bula de clemente VI (Doc. 162)// CUP Vol. I. P. 175–177.

³⁵ Bula do papa Inocêncio VI a soma de três mil libras dos rendimentos de várias igrejas para pagamento de salários aos professors da Universidade de Coimbra (Doc. 201) // CUP Vol. I. P. 213–215.

³⁶"Venerabilis fratribus... vlixbonensi et... Elborensi episcopis salutem etc^a... Nuper uero pro parte dicti Regis nobis fuit expositum quod huiusmodi frucutuum assignatio seu applicatio usque ad ad summam predictam eidem Vlixbonensi studio per vos seu alterum vestrum auctoritate dictarum literarum et iuxta earum formam facta dinoscitur..." (Ibid. P. 213–214).

³⁷Ibid.

³⁸"oneramus translationem studij supradictam auctoritate nostra confirmetis dictamque assignationem de predictis fructibus prouentibus et redditibus usquein summam predictam eidem Vlixbonensi studio taliter assignatos prefato Colimbriensi studio" (Ibid. P 214)

³⁹ Bula do Papa Gregório XI, diminuendo a contribuição para pagamento dos salários dos professores do Estudo Geral, por parte do pároco da Igreja de Santa Maria de Óbidos (288)// CUP Vol. I. P. 307–308.

to a petition by Gonçalo Pedro, a life vicar of the Virgin Mary parish in Óbidos, mentioned in the 1355 charter⁴⁰. The vicar complained that paying salaries to university professors was burdensome for his parish budget as he couldn't pay wages to the bishop and cover the church expenses. The vicar appealed to the Bishop of Lisbon requesting him to specify the amount of the university assignments⁴¹.

Sharp evidence of historical integrity of Portuguese University is material support of its students. During the University's first residence in Coimbra, in his charterers addressed to the local authorities (alcaide, alvazil, city council) and the royal representatives (almoxarife, notary) ⁴², the King granted to scholars special economic benefits, such as the advantageous position in the food market, own suppliers (meatmen, wine-makers, bakers) and even sealers ("almotaceens"). In this fashion, the royal authorities granted autonomy to the academic corporation. And did it by reducing privileges of other city communities. For example, almoxarife and notary were ordered to donate their houses to the University for food shops⁴³. Other city communities were also deprived of their buildings for the benefit of the University.

Being part of the Church, the University didn't pay royal taxes, with this privilege being apparently so obvious that it was not even provided for in the royal charterers. Besides, university professors demanded exemption from the taxes, levied by city authorities, and from some general taxes, such as road tax and customs duty on food supplies that the scholars purchased for themselves and their servants. And they did gain point, as evidenced by the charter dated September 16, 1310⁴⁴.

After the University moved to Lisbon, it had to reaffirm all its rights and privileges, but not all of them were granted. Upon return to Coimbra in 1354, the University resumed with renewed energy its struggle for regaining by the Dinis privileges. The University demanded to reaffirm the old rather than grant new privileges, that is, to restore the rights once granted to the same university. If the University had recognized itself as a new community, its faculty and students would have lost legal and economic protection that their colleagues gained in the past.

4

⁴⁰ sicut exhibita nobis pro parte dilecti filij Gundisalui Petri, vicarij perpetui parrochialis ecclesie sancte Marie de Obidos Vlixbonensis diocesis peticio..." (Ibid.).

⁴¹ Nos itaque huiusmodi supplicationibus inclinati, fraternitati tue per apostolica scripta mandamus... quod porcio que vicario ipsius ecclesie assignata existit, ad sustentacionem ipsius et ad supportandum onera ei incumbencia sufficiens non existat, eidem vicario porcionem congruam, unde ipse vicarious congrue sustentari valeat, episcopalia iura soluere et alia sibi incumbencia onera supportare de huiusmodi fructibus et prouentibus ipsius eclesie sancte Marie auctoritate nostra assignare procures" (Ibid.).

⁴² Carta de D. Dinis determinando que os escolares do Estudo Geral de Coimbra possam ter açougues, carniceiros, vinhateiros etc. (Doc. 24) // CUP. Vol. I. P. 42–43.

⁴³"E mando a uos meus almoxarife e ao meu scripuam se casas ouuerem pera os dictos acougues que uos lhas dedes" (Ibid.).

^{4444....}me enujarom dizer que em nossas villas e em nossos lugares que lhes[mestres e scolares] filham portagem e acustumagem das viandas do pam e do vinho e da carne e das outros cousas que mandam trager e comprar pera seu comer e pera sa gente E esto nom tenho eu por bem se assy he porque uos mando que uos nom lhes filhedes portagem nem custumagem das dictas cousas em uossas villas e em uossos lugares" (Carta de D. Dinis ordenando que os escolares do Estudo Geral de Coimbra não paguem portagem nem costumagem (34) // CUP. Vol. I. P. 56–57).

In his charter dated 1360, King Pedro promised to restore university privileges in Coimbra, including those granted to craftsmen⁴⁵. After the nearly twenty years-long absence of the "lounging clergy" the local authorities didn't want to share economic benefits with newcomers. They complained to the King on harassment, saying that the city council of Coimbra "prevent scholars, their servants and the said university's officials from getting used the privileges." The students "are not allowed to have bakers, butchers, wine-makers and other officials."

In 1367, King Fernando signed a charter confirming and reproducing the texts of the privileges that had been granted to the University by its predecessors⁴⁸. The professors managed to restore even the university sealers, which led to a serious conflict with inhabitants of the city. This fact was apparently one of the reasons behind the University's move to Lisbon in 1377⁴⁹.

But even at the new location, the University asserted its continuity and rights to the former benefits. Even though the former bulls and charterers assigned them economic zones in Coimbra, the lecturers insisted on the universal character of these privileges regardless of the University's location in Portugal. King Fernando's charter of 1377 mentions that the University had butchers and other craftsmen in Lisbon and even specifies the city district (Rigueira) they inhabited⁵⁰. Even if some agreements had been signed between the academic corporation and the craftsmen, in the absence of direct support from the royal authorities, they couldn't be renewed on the terms, favorable to the University. This fact explains why Fernando's charter contains a long sentence obliging both present and future city officials to provide suppliers to the University.

Thus, we are dealing with a sort of contamination: "private" agreements of the second Lisbon period are given the force of the law set by the King in Coimbra. His charter legalized the integrity of university life, or at least, of its financial and economic aspects. This reflected on the identity of the university corporation struggling to promote the idea of continuity of its history.

At that period of time, economic privileges were extended to individuals involved in the University's activities but not teaching. While the earlier privileges concerned only officials, scholars' servants and professors, now they extended to people who had no relation to students' and professors' property and even living outside *studium generale*. It has to be noted that neither of them

⁴⁵Carta de D. Pedro recomendando o cumprimento dos privilégios concedidos à Universidade de Coimbra, que os oficiais do conselho não respeitavam (Doc. 214) //CUP Vol. I. P. 225–226.

⁴⁶"ellas [vnjuersidade] Reçebem grande agrauamento desse conçelho e de sseus oficiaaes porque prendem os escollares e seus sergentes E os oficiaaes do dicto estudo contra os priujlegios…" (Ibid. P. 225).

⁴⁷ "lhes tolhem e tiram as paadeiras e carneçeiros e vinhateiros E outros seus ofiçiaaes E que doestam e viltam os melhores dessa vnjuersidade..." (Ibid.).

⁴⁸Carta de D. Fernando confirmando e outorgando ao Estudo Geral de Coimbra os privilégios, cartas e mercês dos Reis suos antecessors, que transcreve (Doc.246) // CUP Vol. I. P. 265–266.

⁴⁹ See: Gomes S.A. Op.cit.; Martins A. Op. cit. P. 61–62.

⁵⁰ See: Lobo R. As quatro sedes do Estudo Geral de Lisboa (1290–1537) // A Universidade Medieval em Lisboa...P. 272–275.

had belonged to the university corporation before. That is why especially interesting in this regard is the royal charter of January 1, 1378, ordering that the house stewards running the students' estates and the tenants farming on these lands be spared of the local duties, such as building walls and ditches demarcating the plots of land (alcarcovas) ⁵¹. This privilege was granted to them due to their employers' and renters' academic honors ("por honrra do studo") ⁵².

The declining influence of the Papal authority also impacted the new organization of the university community. From now on the students and professors viewed themselves as members of the European intellectual world rather than part of the Church. When its consolidation weakened during the Schism, power and influence of the university corporations, protected by local authorities, increased.

The growth of centralized power in Portugal facilitated the enforcement of almost all university privileges. Declared as a system in the past, they couldn't be fully realized due to frequent relocations of the University. Codification of rights contributed to inner development of the corporation with a stable administrative structure and uniform norms of professional conduct. Collectively, this correlates with the rise of the economic system. We can note a similarity of the two models: *studium generale* and a corresponding corporation as an educational institution, involved in the prestigious European continuum with its economic system⁵³. In both cases, prevailing are the images of the University as a single structure that has maintained its integrity even when it had to suspend its activity.

As late as the first half of the 15th century, the members of the Portuguese academic corporation forgot about its "dotted" history and frequent relocations⁵⁴. This fact can be viewed as yet another proof that the corporate memory overcomes caesuras, creating an image of its continuing history, which was particularly important for medieval society I believe that the years-long struggle for gaining and restoring economic privileges and correspondence between the Papal, royal and university authorities contributed to the legitimization of the long and consistent tradition.

⁻

⁵¹"Outrossy diziades que alguuns leentes e scolares ham seus moordomos e serujdores casados em suas terras e suas igreias e posisõoes que lhas adubam e mandam adubar E seus beens e Recebem suas rendas de que ham seus mantijmentos em esse studo e que lhos constragem pera hir com presos e com dinheiros e a serviços de muros e alcarcouas e outras cousas semelhantes e pediades nos por mercee que uos desemos carta E mandasemos que estes taaes fossem quites e scusados de todos sobredictos encargos por honrra do studo" (Carta de D. Fernando regulando, pedido do Estudo Geral de Lisboa, diversos assuntos e confirmando-lhe os privilégios até então recebidos (Doc. 305) // CUP Vol. II P. 15).

⁵²"...que esses moordomos e serujdores nom seiam besteiros do conto nem obrigados a serujrem nas galles nem dos apurados da guisa" (Ibid. P. 15–16).

⁵³ See: Farelo M. Lisboa numa rede latina? Os escolares em movimento. // A Universidade Medieval em Lisboa...P. 235–267.

⁵⁴In the Green Book index Pope Clement V's bull of February 26, 1308 is indicated as a document providing for the University's transfer from Coimbra to Lisbon, not vice versa. (Livro Verde da Universidade de Coimbra: cartulário de sèculo XV... P. 27).

This paper only outlined approaches and arguments for researching temporal characteristics of the University's life and the continuity factors of its history. Legal and economic benefits were instrumental in maintaining the University by its faculty and students. The University is obviously interested in its "long" and consistent history as it ensures its privileged status in society.

© Aleksandr V. Rusanov, 2013

Aleksandr V. Rusanov

National Research University Higher School of Economics (Moscow, Russia). Poletayev Institute for Theoretical and Historical Studies in the Humanities (IGITI). Research assistant.

E-mail: <u>lather@mail.ru</u>, Tel. +7 (495) 621-46-93.

Any opinions or claims contained in this Working Paper do not necessarily reflect the views of HSE.