

## How to End a Crusade: Techniques for Making Peace in the Thirteenth-Century Kingdom of Valencia

JAMES the Conqueror, king of confederated Arago-Catalonia, waged a stubborn piecemeal crusade from 1232 to 1245 against the Islamic regions of Eastern Spain.<sup>1</sup> He spent much of the next 30 years defending his conquest against rebellion and invasion, a labor continued by his son, King Peter the Great. Roughly the size of the crusader kingdom of Jerusalem or of today's Israel, the kingdom of Valencia comprised a fertile ribbon of coastland, hemmed by highlands and at places by imposing mountain country, sown with major cities, buzzing with foreign commerce, and armored by fifty castles and innumerable tower outposts. The monolithic Almohad empire had shattered into fragments across Spain and North Africa after the battle of Las Navas in 1212, spawning a plethora of autonomous, squabbling entities; Abu Sa'Id,

the *wali* of Valencia, saw his Murcia province break off, his subregions move toward independence, and his very capital snatched away in civil war by the usurper, Zayyān. His northern neighbor, James, exploited this chaos, first bloodily mastering the Balearics and then swooping on Valencia in raids cleverly designed to neutralize keypoints so as to isolate their dependent castles.

Laying siege where he had to, by-passing where he dared, James slowly carved out his colonial state on the precedent of Mudejar or subject-Moor areas in his homeland, transforming enemies into taxpaying "vassals" and "natural" subjects. James was not a simpleminded ironclad on horseback, but a statesman-soldier who carried along a bureaucracy of lawyers and notaries, and who devoted as much attention to the patient mechanisms of

peace as he spent on the enthusiastic violence of war. The records of his reign, especially the surrender charters and royal memoir, allow us to reconstruct peacemaking techniques in the days of Dante and Aquinas. It is a subject as neglected as it is profitable.

### Challenge, Consultation

King James might formally summon a fortress to surrender, as at Chivert, Cervera, and Enguera; if reaction was in doubt, as at Elche, he had to consider "whether to march by or besiege it." Alfandech castle "surrendered immediately on the day after" receiving such a challenge. As the crusaders entered in force a neighborhood isolated or imperiled by the royal strategy, its Muslims commonly dispatched messengers to initiate negotiations. Pairs of agents turn up several times in James's memoirs—as at Biar, Almazora, Peñíscola, and Villena. Once, a single Moor "came for himself and for others." At Nules, Uxó, and Castro castles the king asked ten envoys each—"from the more important and powerful notables who were there"; initial messengers from these places, however, were the usual pair. Reading the context closely, as in the Biar account, we see that the

envoys first contacted the king's executive officers (*porters*), as was only natural; subsequently James would "cause them to come before me." The delegates took along, at least sometimes, a small body of retainers; one such group prepared a meal during the parley. James respected the diplomatic status of the agents. When the *qā'id* of Játiva paled, fearing a trap, the king reassured him by reminding him of this policy: "You are just as safe as if you were in the castle of Játiva . . . for my policy [*cort*] is such that I never arrest any man who comes to me, whatever his offense." The Elche negotiators enjoyed formal safeguard throughout.<sup>2</sup>

The king could put off an answer while he consulted his barons—though at times he could be careful to avoid involving them—or occasionally the queen alone. If indicated, he prayed for guidance. He might already have prepared for this visit by maneuvers designed to unsettle the negotiators—by a series of raids or the preliminaries to a siege, or by sophistically urging the example of larger castles which had already sought safety in surrender, or by grimly invoking the possibility of massacre like the Majorca holocaust. James was not above hustling a reluctant leader into precipitate action, as when he reminded the Almenara agents "that other castles were conducting negotiations to surrender, and that if they [his guests] took the lead over the others they would thus win greater favor from me for the good beginning they had made with me." Though he used the technique of bluffing during the Valencian crusade, James's most brilliant use of effrontery had been the capture of Minorca island, a matter of lighting over 300 false campfires and then demanding surrender with as much aplomb as he could muster. A sudden flash of ruthlessness could be effective. Seventeen corpses headless and hanging did not shake Enguera; but at Murcia tardy resistance to James's interpretation of treaty terms collapsed when he fiercely prepared to storm the town.

King James usually dealt with the whole *aljama* of a town, valley, or district as though it were a medieval commune. It is in precisely this sense that he received the sheiks of Murcia city offering to surrender. They were the city's "capitols," a term applicable to the councilmen of a Catalan commune or in its root meaning to the canons of an incorporated cathedral chapter. In the same spirit James later addressed his Pego Mudejars as "the *aljama* and whole commune [*universitats*] of the Saracens of the valley of

Pego." The Chivert charter noted that sixteen town leaders were acting "at the will of the other *prohoms*" (*probi homines*), a designation recurring also in the Játiva charter and strongly reflecting the Christian commune.<sup>3</sup> The contemporary tendency in James's Christian realm was towards organizing society, including the town itself, in terms of semi-autonomous corporations enjoying legal personality, privileges, and immortality. Though the Valencian Islamic *aljama* had operated through a council of town notables or sheiks, with local peculiarities rooted in Roman antecedents, neither their administrative system nor their social structure followed the European pattern. By perceiving them in his own alien terms, King James altered the *aljamás*, beginning an assimilation of the Islamic town-form here to the Christian. Thus the first encounter with the Conqueror initiated the acculturative changes inevitable in colonialism.

## II

### Guile; Hostages; Counterproposals

To effect a surrender, King James cheerfully stooped to bribery, to buying off a powerful autocrat, or to encouraging the traitor within. At Elche he dropped 300 besants into the sleeve of the Counsellor Muhammad, who "was pleased with me, and promised me on his Law that he would do all he could for my advantage." To an influential sheik at Játiva, James promised "wealth, more than you ever owned," if he would act for the king's interest. To the Játiva *qā'id* James offered: "I will give him ten times more than his family [*linyatge*] ever had." On Majorca James had used both spies and traitors, a practice he continued in Valencia. At Biar the people tried to stone a townsman for betraying them to James. At Almazora the traitor proved to be a double agent, so that the Christians were ambushed. Such turncoats could arrange to receive coveted posts and properties. The Elche counsellor got not only his 300 besants but riches for his family and custody of "the town with all its revenues." Each of the Almenara messengers, besides keeping their estates, asked for themselves and their relatives 33 *jovates* from among the best lands abandoned by Muslim fugitives, together with 40 sets of clothing, 2 horses, 200 cows, and 1000 sheep and goats.

Where the enemy agent seemed ill at ease, sensitive to public opinion, or fearful of intrigue, King James did not

hesitate to clear his tent of other people, setting the stage for a discreet tête-à-tête. Occasionally he took hostages from some castle commander as surety for a preliminary agreement. At Bairén he demanded the eldest son and two nephews of the *qā'id*, though in the event he satisfied himself instead with a sworn pledge from twenty notables. At Majorca the enemy *wāli* or governor sent out his young son as hostage; James gave him good care. One of the most powerful lords of the Majorca countryside, Ibn 'Abbād (Ben AAbet), offered his sons and daughters as hostages. The lord of Játiva, in retaining semi-independence, "left his son in my care," James noted in his autobiography.

Within the framework of the liberal Mudejar system he was offering, James delighted in haggling and driving the best bargain possible. His principle was that a king should "look well first" when signing a grant, to be sure whether he really wanted "to do this or not." In preparing these smaller details, he could be devious. When Uxó, Castro, and Nules arranged to make terms on the same day, he set a different time for each interview, "for I did not want one [castle] to know the treaty of another." Previously on Minorca island, after he won by ruse from the "hard pressed" delegates a generous share of revenues plus control of defences, James was not ashamed to boast of inserting into the pact at the eleventh hour a levy on butter and on cattle transport.

Preliminary negotiations could become protracted. At Murcia the two envoys sent to parley carried their notes of the meeting back to town. There the notable-sheiks and learned men assembled in council to discuss the king's conditions. The messengers then returned to James with full power to accept his terms, bringing not only a document of authorization but also a written set of counterproposals. There followed still another council, further problems, agreement on the third day, and surrender on the fourth. To arrange the capitulation of Almenara, the king met secretly with two messengers by the roadside. Then these two, a *faqih* or savant and his influential friend, returned to consult the council. Summoned next day by the king as he rode past town, the messengers requested a week's extension to "speak with their friends privately first," after which they sent for James by letter and opened the gates, though for a day the inner alcazar refused to submit. Paterna sent a courier "secretly, with documents from the whole *aljama*," as in their

turn did Bétera and Bulla. James dealt directly with the *qā'id* alone at Bairén, though "twenty notables [elders] from among the important men [*mey-lors*]" supported his oath.

At Elche the king summoned by letter "two or three Saracens from the good men [*dels bons*] of the town"; they saluted him "for the notables and for the *aljama* of Elche," a group of men "some fifty in number." Eventually the delegates left to inform this assembly of James's terms, and then brought back its counterproposals. Next day the *aljama* sent another set of terms, offering upon acceptance to surrender a tower of the defenses and to sign a formal pact. For the castle of Castro, as similarly for Nules and Uxó castles, James conducted parleys with ten leaders. He arranged the surrender of Villanueva de Castellón with the Játiva *qā'id* and a hundred chief men. At talks preceding the capitulation of Játiva itself the *qā'id* got a period of grace in order to let "the notables . . . meet in the mosque on Friday and deliberate there until Saturday." The king regarded all such groups as acting for the populace at large. The treaties themselves—as at Eslida, Ahín, Veo, Senquier, Pelves, and Sueras—he addressed to the "entire *aljama* of the Saracens."

James prepared the capitulation of Valencia city by no less than three separate meetings at dawn secretly with the diplomat 'Alí, fetched through the lines to his siege camp by a knight. He accomplished the main negotiations, still secretly, in two more formal but private sessions with a nephew of the Muslim ruler, escorted with his entourage into the Christian camp before dawn by two Christian nobles. Only the Muslim, an interpreter, James, and the queen (who played an active advisory role) engaged in these central talks, since the king feared his barons would object to allowing surrender. After this week of protracted talks, James publicly announced the agreement to a concourse of his camp's notables. He says nothing about the ceremonial signing, which so impressed Ibn al-Abbār, the poet-secretary of Zayyān, in which the Christian king came out from his camp at al-Rusāfa "decked in his finest outfit and surrounded by the magnates of his court," to draw the treaty in full sight of both armies.<sup>4</sup>

### III

#### Personal Initiative; Tactful Accommodation

King James showed impressive energy and dynamism throughout these

maneuvers, as well as experience and deftness in handling individual cases. "I had stayed in more of their [Islamic] towns than they had," he admonished his barons, "and knew better the customs of the Saracens than they did." The barons were fortunate in having so qualified a leader to apply traditional solutions to the problem of largescale surrender. Courage, experience, shrewd boldness, a certain tolerance, kingly generosity (marred by occasional meanness), and a sense of drama inform his techniques. Contact was personal wherever possible, and opportunity swiftly grasped, but the transaction then went forward with detachment, without forcing the pace. At Játiva the talks dragged on so long, he writes, that "it would be a tedious lengthening of the book" to supply details. As circumstances dictated, the king might appear for negotiations with an adequate troop of men—about a hundred at Paterna, Biar, and Elche, for example—or in his anxiety he might present himself almost alone, as when he rode a whole *day's journey into enemy land* with a handful of retainers to appear at nightfall under the walls of Peñicola.

He made practical demonstration of sympathy for Islamic religious susceptibilities on occasion, preparing food for the diplomats "according to their Law." Twice he offered this service at Murcia, taking care to prescribe "new pots" for cooking; he ordered "live chickens and sheep and kids prepared," ready to be killed fresh for the negotiators. After conversations with the Almenara envoys "in front of the castle," James set his falcon upon a passing heron and presented the captured bird alive to the envoys, telling them that "I knew their custom, and that they would not take it dead"—a politic deed which "delighted" them. At his overnight stay before Peñicola castle, he did not allow his men to build even a brush shelter for him, lest destructive cutting of branches offend the Muslims. King James preferred not to proceed with bargaining until he had rendered the Muslims benevolent—"merry with food and with the wine they drank." For the Uxó envoys he cooked "two sheep and five hens," freshly killed. At Nules "I did not want to treat them until they were warmed with food and wine."

His familiarity with their susceptibilities was not merely theoretical but practical, allowing him to exploit the Valencian Moors' tolerance of wine. More was implied in this feasting than fellowship or gestures of kindly hospitality, though these and pragmatic actions were obviously present. The

Medieval Muslim, probably because of distant nomadic antecedents, possessed a mystique of dining. To offer food to an enemy, or to accept it, implied a relationship. The contemporary historian, Abu l-Mahāsin (d. 1234), praised "the admirable and generous custom of the Arabs, who grant life to the captive who has eaten or drunk of their viands"; he cited the example given by Saladin after the battle of Hattin (1187).<sup>5</sup> King James emphasized these pre-parley dinners, aware of their special impact upon the community preparing to surrender.

### IV

#### Healing Rhetoric; The Liturgy of Surrender

At all times King James paid attention to the Arabic love of rhetoric. For men formed in the tradition of Islam's sacred language, mere words can take on a reality strange to Westerners. James's negotiations became a kind of celebration consequently, an almost liturgical ritual of pronounced formality. The structure was ceremonial, arranged in crescendo: polite overtures, protracted practical negotiations, formalities of submission and seizure, presentation of homage, ultimate festivities, and gifts. At each step rhetoric played its role, joined to solemn courtesies. At Minorca the king's party dressed in their best finery, furbished and decorated their dwelling, and despatched a train of horses and baggage-mules to bring in the delegates. These dignitaries upon arrival "saluted me with great reverence, bent their knees before me, and announced that they saluted me for the *qā'id* a hundred thousand times." King James responded with his own rhetoric of mannered happiness, invoking on them God's benevolence. The Muslims returned thanks to Allah and to the king for these sentiments. Preliminaries over, both parties proceeded to the bargaining phase.

Similarly when James arranged a private interview with the defeated Zayyān in 1243 he did so in style, with mutual professions of respect and "love": Zayyān proffered his arguments, returning at Vespers time to receive James's leisurely answering address. At another such interview the secretary to the ruler of Játiva "saluted" James in the name of his principal, "commending him to your favor as to the very man he has most at heart to serve, and love, and honor." For the talks on Valencia city's capitulation, the Muslim dignitary made a fine entrance, then in an access of courtesy "refused to kiss my

hand but rather prostrated himself, and proceeded to embrace [my knees]." Sitting down, he "saluted" James, professing himself "most honored" to visit him. The king rejoined that he was equally pleased, wished God's blessings, and promised him "honor and good." After further complicated interchange of compliments and pleasantries, James offered to empty his tent for greater privacy, and the talks began in earnest.

The use of rhetorical flourish and structured formal address, conveyed in brief snatches in the king's memoirs, can be examined more clearly in his encounter with the envoy al-Mufawwaz b. Ma'āfir, (Almofois) "the most learned man of Játiva and one of the highest." James describes the scene—the Muslim and his aide sitting in the presence of the monarch's court, then rising in response to an invitation to speak. He began with direct address: "My Lord, my Lord!" went on to convey "many greetings" from his *qā'id* and the notables, and presented their response to complaints. The body of his argument was sober, clear, and descriptive, in contrast to exordium and peroration. In the second half of his discourse he declaimed on the glories of Játiva: "You know well what the castle of Játiva is, that there is no other better in the whole of Spanish Islam [*Endeluzia*]." To surrender it to James would occasion scorn from Christian and Moor alike. Al-Mufawwaz played on this clever appeal to knightly honor. "And although the *qā'id* is not of your religion, nor his Moors, they would make you ashamed of them if they did what dishonored them." Dropping from emotion to concluding statement, he petitioned the king not to wish his enemy to be base. "And on that note he sat down."

The eloquence of al-Mufawwaz moved James to spontaneous reply. He makes it clear that he spoke without retiring to consult or prepare an answer. First he applauded the Muslim's learning, holding it to be demonstrated not only "by the fame you derive from it" but also because "you expose your reasoning so well." James steered clear of the points at issue; taking care not to tangle with a formidable debater, he contented himself with the observation that if both sides of every controversy were debated nothing would ever get settled. He proposed an arbitrator in place of further argument. Al-Mufawwaz returned a noncommittal answer, then talks for the day were broken off. The process had been stately, the address obviously impressive and well received. Rhetoric had clothed the bru-

tal nakedness of the Muslim-Christian confrontation with a touching dignity.

## V

### Drafting and Filing

Procedures for actually drafting a treaty were time-consuming. Even at Elche, where the Christian barons "marveled greatly that I had dispatched the affair so quickly," it had been complicated. James had come to the town, where the sheiks presented him with a copy of the preliminary agreement between him and the envoys. This he signed, receiving their oath of fealty. After a night spent outside the walls, "the capitulation was drawn up, and by the hour of Terce all the agreements and the rest of the deeds had been signed." There still remained mysterious copyings to be done. James had to hurry away to another surrender, leaving that final paperwork in the hands of his secretary, the Jew, Astruc of Bosenyor.

Similar stages in drafting, preparing final copies, and attending to signatures and seals are discernible in the earlier Minorca crusade. "In this treaty—that is, in drawing up the documents and having an oath sworn on the Koran by all the principal and leading men of the island, three days had to pass before all could be accomplished." The king had absented himself here as part of a ruse; putting in his appearance now, "I caused charters to be drawn with my seal, which I gave them," accepting them as subjects so long as they obeyed the conditions of the treaty. The several steps involved in a treaty-drawing process were often synecopated by the king's narrative into a single action. "I had my charters drawn" for Nules, again at Uxó, and at Biar. At Bairén, "when the charters had been drawn up, I caused them to be handed over to them," arranging to receive the castle formally next morning. At Murcia the aljama sent written instructions telling the king "in what manner I should draw up the charter." At Peñíscola the king could not sign the treaty until after he had entered into possession of the castle, the notaries from his itinerant secretariat not yet having caught up with him, "because I had come so hastily." Later, when "the notaries arrived, I had the papers drawn up."

The colonial community preserved its own record, their new obligations and rights soon passing into the oral custom-law of the region concerned. The community could present its charter to new sovereigns for confirmation or for replacement in

case of accident or disrepair. The Uxó people came to the drafting of their post-rebellion charter in 1250 bearing the original surrender treaty "in their hands." To repel landgrabbers at Alcirá four years after its surrender, the aljama presented its guarantees in "the treaty document [*instrumentum*] of the Saracens." Such versions, kept by aljama and by crown, were probably from the same a-b-c sheet; the medieval scribe prepared duplicate texts upon a single parchment, in bilingual interlinear form, separating these twin exemplars by letters of the alphabet across the page, so that either party could later prove the authenticity of his version by fitting it to that of the other signatory. When King James rebuked the *qā'id* of Játiva for breaking his treaty, he reminded him "that the treaties were divided by a-b-c [and] that I held one of them and you the other." The charters were done on parchment, despite the vicinity of paper mills in Catalonia and at Játiva. Paper was misprized as fragile, an attitude reflected for example in Emperor Frederick II's prohibition in 1231 of its use for public acts; in the realms of Aragon too, though the collection of notarial notes known as the Valencia *Repartiniento* was written on paper, parchment was preferred. Consequently the original of the 1234 Chivert charter was described, by the notary who copied the surviving 1325 transcript, as a "carta pergamenea."<sup>6</sup> Originals of later agreements might be on parchment or paper; a 1279 confirmation of Mudejar privileges for Guadalest was done on "parchment," while a similar Arabic constitution for Carbonera's aljama was "redacted on paper."<sup>7</sup>

Did the crown preserve its copy? It seems to have done so only for its current files. After signing the surrender agreements at Elche, King James left behind notaries "who would bring me the charters drawn between me and the Saracens." Such current, immediate documentation traveled with the king; a great deal of it was lost in a celebrated conflagration shortly after the fall of Valencia city when some knights, angry over the substitution of Catalan legal forms for Aragonese, burned down an inn housing both records and secretarial personnel. The secretaries deposited very important agreements sometimes at some local religious establishment, or better at Barcelona or Sigena. Thus the treaties with Abu Sa'id were kept by the prior of the Hospitallers at Sigena, in a locked box serving as a quasi-archives for James; the bulk of the royal documents was already es-

tablished in a general archives at the palace of the counts in Barcelona. The crown apparently cached sealed boxes of important documentation in other odd corners of the realm for safekeeping.<sup>8</sup> Its originals of the many surrender treaties, except that for Valencia city, seem not to have been registered by the crown or permanently preserved. That community charters of like nature often went unregistered appears from an episode of 1285, when the Jewish communities of Valencia submitted their charters for confirmation; since the crown possessed no copies of its own, King Peter ordered transcripts made for the record.<sup>9</sup> Baronial and religious Order surrender-charters have largely disappeared with the years; Mudejar copies would have lost their practical use as circumstances changed and the Morisco era began.

## VI Constitutional Charter

Whether or not there was a separate statement of surrender, the multiple papers prepared by the notaries always included an allied feudal contract specifying the obligations and exemptions of the holders, perhaps in shortened form to stress the privileges while leaving the details to local custom. The distinction may help solve a difficulty of terminology involved in calling surviving charters *cartas pueblas* or settlement charters. The Chivert charter for example, which Sa Vall insists is not a surrender treaty but a *carta puebla*, may have been the one as much as the other; the surviving text may be either the elaborate charter or a brief treaty comprising a summary of the charter.<sup>10</sup> Whether one charter or two, an instrument like the surrender treaty was legal recognition of corporate existence, assigning a set of laws, regulating community life, and defining the community's place in the feudal state. In general shape these charters survive as feudal collective agrarian contracts and settlement charters; perhaps they assumed that familiar aspect, above others, in the eyes of Christian contemporaries.

By the contemporary *carta puebla*, one entered both an agrarian situation and a community of public law. Though the charter was collective, the settler held individual right to his share, usually as an hereditary tenancy but alienable and paying rent. Agricultural stipulations were as important as commercial, legal, political, or other aspects of the charter, in an economy where shopkeepers and townsmen

commonly owned external farms. Owing to the ubiquitous, progressive tribe of Catalan lawyers, the trends represented by the *carta puebla* here differed from those in contemporary Castile. On the other hand, comparison of Christian with Mudejar charters reveals a basic similarity, the divergences being such as one might expect: in the case of Muslims however, James or his barons were not merely settling local law, upon condition of residence with homage, but also admitting an alien body into the Christian scene as a semi-independent enclave. Both Christian and Islamic communities over the years could accumulate further privileges or legal decisions, slowly building up a corpus of local liberties.<sup>11</sup> A century later, for example, the crown processed a routine request from "delegates of the *aljama*" of Fraga in Aragon, granting confirmation of their "privileges, good usages and customs, freedoms, liberties, and exemptions of the said *aljama* and of its individuals"—in short, a local constitution.<sup>12</sup>

## VII Locale, Loyalty Oath, Gifts

James had arranged the treaties in any convenient spot: on the wet strand before Peñíscola, on empty roads or open hillsides, in a fig garden, within a walled pleasure park, or in his capacious field tent. This tent was an elaborate affair capable of holding a full war council as at Silla, and furnished with "good couches" and luxurious hangings. The king preferred tents, as at the siege of Valencia where he set up his tent hard by "some houses," though certain knights there did take up quarters in houses. He was in a tent before Cullera and before Murcia. His memoirs put him in a house once, but this seems a slip of the pen. He conducted high-level diplomatic talks on the Bairén shore in a tent set up for the purpose. The surrender ceremony outside Castellón de Játiva took place in a prized tent James later presented to the bishop of Valencia. On such occasions, mats and cushions for the visitors were supplied in a twinkling.

A final ritual remained. This provided a spirited scene, as the townsfolk poured out to view their conqueror, to offer and receive gifts, and to swear allegiance on the Koran. The central characters were "the *qā'id*, with the principal hundred men of the town," or "all the notables of the town and the rest of the people" assembled outside the town. For Villena James offers details: "all the peo-

ple in Villena, from twenty years and up, swore to me that they would observe what they had agreed in this treaty." At Peñíscola, "the Saracens when they saw me arrive all came out to meet me—men, women, and children in the castle; amounting to "a good two hundred." The community oath on the Koran was a standard fixture of these meetings. On Minorca "all the principal and best men in the island swore to it on the Koran"; at Alcira in Valencia "all the notables came out and swore on their Koran." At Elche, after "they had taken their oath of allegiance to me," James stayed overnight so that "all the Saracens of the town might then come to me" to receive conditions formally and to surrender the strongest tower of the wall.

This was a more solemn form of fealty than the standard ceremony for a new caliph in Spain where, after the notables swore directly, the people had pledged submission through agents, the hand of each person successively being placed on the agent's palm. The word used by King James, *sagrament*, had both a religio-mystical and a feudal usage, so that it conveys overtones of holiness; use of the Koran emphasized its religious nature. At Valencia the ceremony was staged outside, apparently on the esplanade just beyond the walls which served, in towns of Spanish Islam, for elaborate religious occasions; since this was religious ground, it is no surprise to find allegiance to later charters sworn in the local mosque.

On such a happy occasion gifts were distributed to the Muslims; if necessary the king's party organized a committee to fetch them. At Peñíscola James presented "clothing, stores, and cattle," at Castro "a quantity of sheep and goats, clothing for five of the notables besides two horses." As part of the agreed gift at Almenara James brought along "700 goats and 200 cows," meanwhile engaging several goods-merchants to prepare cloth in quantity. The king purchased a steed to put with the gifts for the Alcafa Muslims "when they surrendered the castle to us"; the bill went unpaid among his accounts for years afterward.

## VIII Transfer of Defenses, Entry

The transfer of defenses formed almost a ceremony apart. During negotiations the enemy tried to reserve some defenses, where circumstances gave them sufficient bargaining leverage, or to arrange for a compensatory

equivalent. At this stage of the crusade the king often contented himself with possession of the alcazar or of one strategic tower. For Buirén he designated the Albarrana, apparently a detached citadel-tower; at Eliche he took the Calahorra, judging it "the strongest"; at Alcira he preferred the double tower or gate complex looking toward Valencia city. The critical moment of transfer understandably raised apprehensions. The *qit'ul* of Buirén on the day of surrender was at the point of renewing hostilities. The capitulation of Almacera turned into an ambush. The glowing prospects painted by Biar's envoys dissolved, upon James's arriving into a townful of armed Muslims in ugly mood. At this critical moment in the peace transactions the king would warily sit his horse, waiting while an advance guard climbed to the parapets of the town. At Murcia he sent in "fifty knights with their usual squires, and . . . one hundred and twenty Tortosan crossbowmen." At Peñíscola he had only seven knights to send, due to his haste in accepting negotiation. At Valencia city, where the surrender program was progressive, the Muslims undertook to run up the king's banner themselves. The ceremony conveyed much more to contemporaries than meets the modern eye. In their surrender-treaty of 1231 the Minorcans gave James the alcazar, "in such wise that your ensign or standard be positioned by the hands of five of your agents [*personae*] on the castle summit, and that your name and sovereignty be proclaimed in a loud voice by these agents of yours." This solemn liturgy was to unfold every year, according to the treaty, the agents proceeding from proclamation to formal possession: the king could have this ceremony at any season but only once in the year, and each time he must "immediately repatriate" it all to his loyal Moors.

Seeing his crimson and gold standard unfurled, and hearing his men call "Aragon! Aragon!" James sometimes dismounted to kiss the ground, in public gratitude to God. At Peñíscola as he waited tensely, surrounded by Muslims, "I took care that none of them could grasp the reins of my

horse." At Murcia he uneasily gave himself to prayer, because "my people were so long about it"; but after being "a good piece there, I at last saw my banner fluttering in the wind on top of the Alcazar and I saw the towers well manned with footmen and crossbowmen."<sup>13</sup> Now followed the division of the town, where called for by treaty, the assignment of military police or a garrison contingent, consultations on implementing or interpreting the treaty—a wall or road to build, a mosque taken, occasionally some non-conforming hands to pacify—then back at base finally "great and brilliant rejoicings." Of the hundred knights in his entourage at Paterna, James left behind ten plus his queen. What of the grand entry into the city to the chant of the *Te Deum*, the consecration of mosques designated to serve as churches, the distribution of promised properties, and the preparation of statutes or privileges incident to the forming of a parallel Christian commune? These scenes do not really belong to the essential surrender; in any case they probably occurred only at more important towns.<sup>14</sup> One such major city, Murcia, required at least thirteen days for the process of negotiation, surrender, transfer of defenses, and solemn entry. On 2 January, 1266 King James left Orihuela to siege Murcia, whose defenders by that time knew themselves to be in an untenable military position. On 20 January he held the first formal interview looking toward surrender, and on 23 January the second, concluding with an agreement on the 26th. He allowed three days—to the 29th—for arranging evacuation of the inner alcazar, held by a third force of Granadan allies or masters. James sent his troops in to garrison the defenses on the 30th, appeared at the alcazar on the 31st to divide and organize the city, and made his ceremonial entry as conqueror only on 2 February.<sup>15</sup>

Where a castle fell to a lord other than the king, as at Chivert, no details of the process survive; the similarity of the treaties themselves however suggests that it was much the same. By far the largest number of important places surrendered to the king, though he might leave arrangement of

charter details for lesser castles to the lords who secured them by arms or grant; thus, Tales went to the baron Peter of Castellnou, who then drew up a seignorial charter. The capitulation to the crown at Valencia city provided for rental arrangements to be worked out between the Muslims of the countryside and the Christian landowners.<sup>16</sup> Peripheral aspects of the peacemaking process are equally well-documented: convoys for those choosing or submitting to exile, crown chartering of ships to carry them abroad, safe conducts and broadcast letters to protect the new subjects, and the despatching of trophies to prelates and princes. During the Valencian Muslim revolt at the end of King James's life, his son and successor Peter demonstrated the peace processes in new detail. His archives show him challenging a castle by Arabic document ("per litteras sarracenicis"), sending a Knight Templar "to negotiate and make treaties in our place and name with castellans and sheiks of Saracen communities," setting post-treaty dates for garrison surrender (5 days; two and a half months), taking ten hostages ("x raenes") from aristocratic families until actual surrender, and giving celebration-gifts—in one case a horse, a mule, 6,000 solidi, and special clothing for 80 of the castle's Muslims.

To watch King James at his negotiations is to comprehend better a contemporary attitude toward crusade and Muslims. What charters, laws, and privileges reveal in an abstract way, these very human scenes illustrate graphically. In his autobiography the king is at pains to proclaim himself an enemy of Islam, a bloody expeller of pagans, a Christian champion repelled by the vileness of Islam's encumbrance on his realms. Unwittingly however, just in telling where he went and what he did, he betrays his real self as possessing a shrewder humanity and a deeper Christianity. He has also left a valuable record of the sophisticated processes by which peace was made to emerge from war—cautiously, effectively, decisively, with fullest advantages to both sides, and especially with face-saving courtesy.

#### REFERENCES

\*Father Robert Ignatius Burns, S.J., holds doctorates in both medieval and modern history. The principal two of his four published books—*The Jesuits and the Indian Wars of the Northwest* (Yale University Press, 1966, 2nd printing 1967) and *The Crusader Kingdom of Valencia, Reconstruction on a 13th Century Frontier* (2 vols., Harvard Uni-

versity Press, 1967)—reflect his two coordinate specialties. He is Professor of History at the University of San Francisco and formerly was on the history faculty of the Gregorian University at Rome.

1. For the crusade, geography, personalities, and related matters, with full bibliography, see my *The Crusader King-*

*dom of Valencia, Reconstruction on a Thirteenth-Century Frontier* (2 vols.; Cambridge, Mass.: Harvard University Press, 1967), I, ch. I and II, 370-76 and date-chart on 307. The same press is publishing my sequel, *Islam Under the Crusaders, Colonial Survival in the Medieval Kingdom of Valencia*. The comparison is with Palestine on this side

of the Jordan, roughly from Tyre and Dan in the north to below Gaza and Beersheba, some 180 miles, its width varying from 28 to 55 miles (Gaza to the Dead Sea). From Valencia's northern border to Murcia city, conquered by James I, is 180 miles; typical width varies from 50 to 60 miles.

2. The major source for the quotes from James I and the factual information relating to the episodes in his reign discussed herein is James I, *Llibre dels feyts*, published as *Crónica*, ed. J. M. de Casacuberta (9 vols., in 2; Barcelona, 1926-1962). James' autobiography, despite outside assistance, was substantially the king's own work—part one apparently done at Játiva in 1244, part two at Barcelona in 1274. I have made my own translations from his Old Catalan where the standard English version does not do justice to the sense (trans. J. Forster, 2 vols. [London, 1883]). Space restrictions preclude citing the chapters and pages referred to, in most instances.

3. Arch. Crown (Archivo de la Corona de Aragón, Barcelona), James I, Reg. Canc. 37, fol. 57v (22 Dec. 1272). *Llibre dels feyts*, ch. 439 (Murcia). Chivert Charter, in Archivo Histórico Nacional, Ords. militares, codex 542. *Poblaciones . . . de Montesa*, fol. 26v (28 April 1234); M. Ferrandis Irlés, "Carta-puebla de Chivert," *Homenaje á D. Francisco Codera*, ed. E. Saavedra et alii (Saragoza, 1904), pp. 28-33; "Carta puebla de Xivert," *Boletín de la sociedad castellonense de cultura*, XXIV (1948), 226-30. Játiva Charter, in *Colección de documentos inéditos para la historia de España*, ed. M. Fernández Navarrete et alii (112 vols.; Madrid, 1842-1896), XVIII, 62, and reprinted in later collections. J. Miré y Sans interprets the manuscript date 1251 as 1252 (*Itinerari de Jaime I "el Conqueridor"* [Barcelona, 1918]), p. 219. On the corporate (*universitates*) movement, see Font y Rius, "Orígenes del régimen municipal de Cataluña" (Part II) *Anuario de historia del derecho español*, XVII (1946), 423 ff., 496-98.

4. Chivert Charter: "toti aliame Sarracenorum." Ibn al-Abbār "Un traité inédit d' Ibn al-Abbār à tendance chiite," ed. A. Ghedira, *Al-Andalus*, XXII (1947), p. 33, with *Llibre*, chs. 271-81, on Valencia city. Eslida Charter, in *Documentos inéditos de España*, XVIII,

55-58; "Carta puebla de Eslida, Senquier, Pelmes, Ayn, Veo Suela," *Boletín de la sociedad castellonense de cultura*, XVIII (1943), 159-60. Its May 1242 date indicates a later confirmation. Christians also used churches for extraordinary community business involving public assembly (Burns, *Crusader Valencia*, I, 19), but the connection of the mosque with Islamic public life was much closer. A fifteenth century loan involving the Uxó and Eslida districts consequently was drawn in the mosque of Adzaneta and ratified by assemblies in the mosques of other towns but sometimes in a plaza or a portico (P. Lloréns, "Los sarracenos de la Sierra de Eslida y Vall d'Uxó a fines del siglo xv," *Boletín de la Sociedad castellonense de cultura*, XLII (1967), 60.

5. In P. Hatti, *Islam and the West, an Historical Culture Survey* (Princeton, N.J., 1962), p. 183.

6. Uxó Charter: "en la carta antiga lo cual de present es en la lur ma"—more broadly, "in their possession"; in *Documentos inéditos de España*, XVII, 42-50, reprinted in later collections; see also H. García y García, *Notas para la historia de Vall de Uxó (Vall de Uxó, 1962)*. The Alcira episode is in *Documentos*, ed. R. Chabás, *El archivo*, II (1887-88), doc. 56, pp. 403-406 (18 July 1245); though actual possession is ambiguous, the context favors it and Chabás so interprets it.

7. Arch. Crown, Peter III, Reg. Canc. 41, fol. 97 (27 March 1279). Reg. Canc. 44, fol. 142v (22 June 1279). Though Romano rebukes Martínez-Ferrando for seeing the royal donor of these privileges as James, examination of the originals leaves the matter in doubt, with first and third persons apparently opposed ("tradidimus" the document "quam dominus rex conficiebat").

8. On the disposition of royal documents and the rudimentary archives, see E. González Hertzbeise, *Guía histórico-descriptiva del archivo de la corona de Aragón* (Madrid, 1920), p. 8 and *passim*. The treaties with abū Sa'Id for example went to Sjiena in 1260. The bailiff of Barcelona kept a box of crown correspondence with King Louis IX of France from Egypt, handing it over through his notary on demand in 1253 (*Itinerari*, p. 232). See also the examples gathered in my *Crusader Valencia*, I, 293-94, II, 311. An order of 1286 shows King Alfonso

turning over nine registers of James I and twenty-one of the recently deceased Peter III to a crown notary.

9. Arch. Crown, Peter III, Reg. Canc. 56, fol. 96 (8 May 1285).

10. G. de Sa Vall, "Rendición del castillo de Xivert," *Boletín de la sociedad castellonense de cultura*, XXIV (1948); 231-33; "faem los cartes," and "faem nostres cartes ab ells"; the Muslim commitment is in "the charters."

11. J. M. Font y Rius in his "Orígenes del régimen municipal de Cataluña," pp. 231-34, explains the kinds of cartas pueblas. Rafael Gibert and Sánchez de la Vega review the whole subject for medieval Spain in their "Los contratos agrarios en el derecho medieval," *Boletín de la universidad de Granada*, XXII (1950), 305-50. The *Documentos inéditos de España*, XVIII, 50-51, has a formula applicable to the Valencian scene by which such charters were usually given. A definitive collection of *cartas pueblas*, as yet unpublished, has been assembled for the kingdom of Valencia by M. Gual Camarena.

12. F. Macho Ortega, "Documentos relativos a la condición de los mudéjares aragoneses," *Revista de ciencias jurídicas y sociales*, V (1922), pp. 157-58 (16 Feb. 1413).

13. Louis (Comte) de Mas Latrie, *Traité de paix et de commerce et documents divers concernant les relations des chrétiens avec les arabes de l'Afrique septentrionale au moyen age* (2 vols.; New York, 1866, 1963), II, 182-85 (17 June 1231).

14. For the solemn entry and subsequent activities, see my *Crusader Valencia*, II, 370. Later historians invented a riotous smashing of Islamic carvings at Valencia's mosque.

15. J. Torres Fontes reconstructed this timetable for his *La Reconquista de Murcia en 1266 por Jaime I de Aragón* (Murcia, 1967), ch. 9, especially pp. 145-54. The Granadans were an extrinsic element, allies who had come to dominate, some 800 light horse and 2,000 foot, and who stayed aloof in the alcazar.

16. Valencia treaty, *Documentos inéditos de España*, XVIII, 84-86. Tales Charter, "Carta de población de Tales" (27 May 1260), *Boletín de la sociedad castellonense de cultura*, XXVIII (1952), 437-38.

