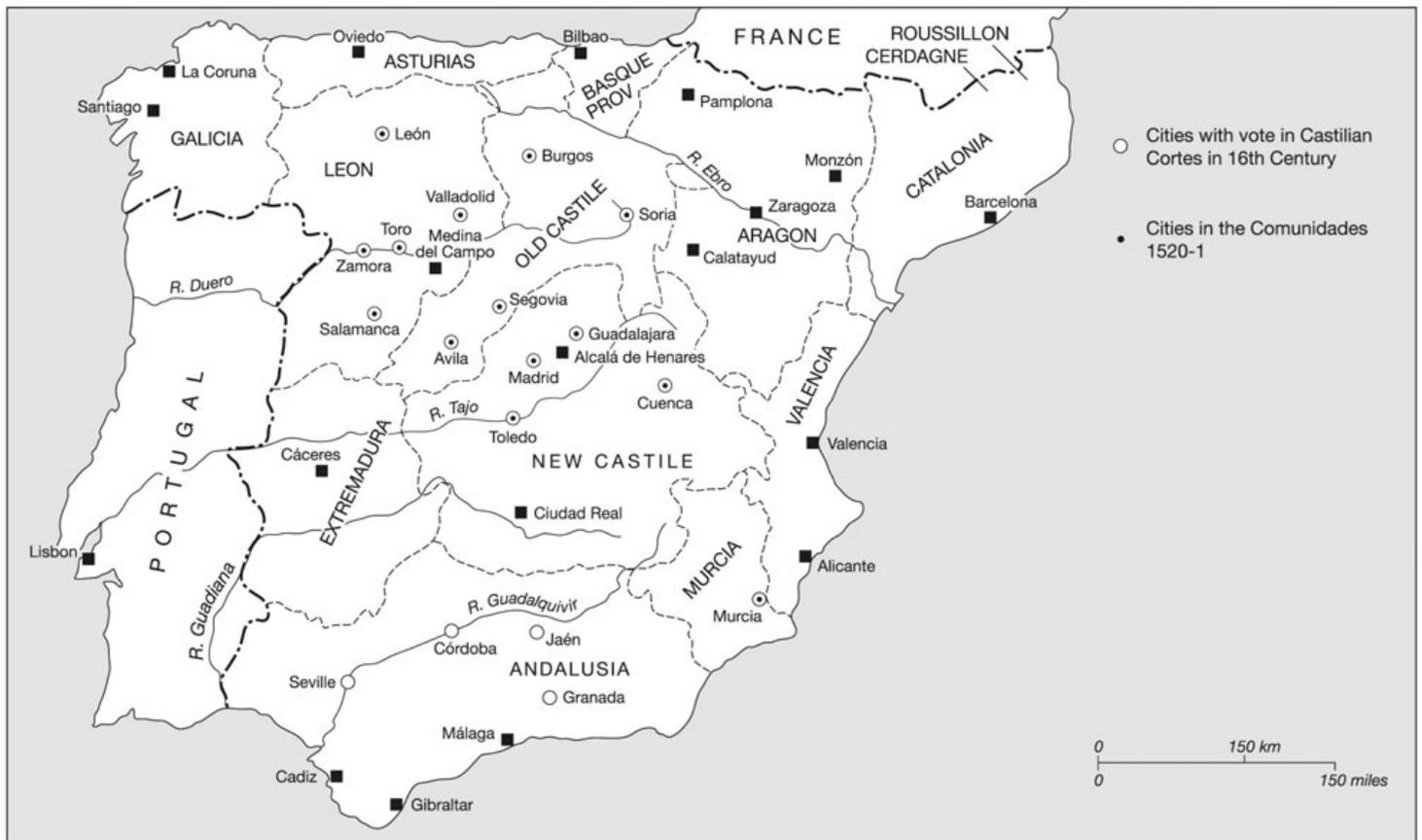


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OBJECT



Chapter 2 Absolute Monarchy

Was there an 'absolute' monarchy in Early Modern Spain? What were the 'crown', the 'monarchy' and the 'state'? How did the crown enforce its authority? Modifying state power: provincial and urban authority. How did the crown pay its way? Was there opposition to and popular protest against the government?

Between 1450 and 1714 Spain underwent a more extensive political evolution than probably any other west European state of its time. In the late fifteenth century the Spanish realms (one of them Muslim) were a confused collection of jurisdictions with wholly separate identities; by the early eighteenth century there remained only one authority, the crown of 'Spain'. Though the transformation appeared to be fundamental, it left untouched basic elements of society, culture and religion that continued to preserve their character without much change over subsequent centuries.

Was there an 'absolute' monarchy in Early Modern Spain? Traditionally, historians pointed to the growth of royal authority as the most notable political fact, but later studies have looked more closely at what this really involved [9]. After the anarchy of the civil wars in Castile and Catalonia in the late fifteenth century, the reign of Ferdinand and Isabella (1474–1516) seemed to initiate the birth of a modern state. The rulers presided over the union of their crowns, the defeat of the Muslims of Granada, the expulsion of the Jews, the discovery of the New World, and the beginnings of Spanish power in southern Italy, the North African coast and the Atlantic (the Canary Islands). The successes invited admiration and subsequent mythification. 'Our Spain never achieved such perfection as in those times', wrote González de Cellorigo in 1600. Ferdinand 'began the greatness of this immense monarchy', Fernández de Navarrete wrote at the same period. Over three centuries later, a conservative tradition, at its most influential under the Franco regime, went so far as to adopt as its emblem the royal device of Isabella, the 'yoke and arrows'. Anglo- Saxon historians praised the Spanish rulers as 'new monarchs', drawing parallels between them and the dynasties of other emergent nation states such as England and France.

More recently, historians [10] have managed to distance themselves from the old myths, which continue to survive because nationalist and religious ideologies in Spain still nurture them. In perspective, the reigns of the 'Catholic Monarchs' (a title granted to Ferdinand and Isabella by the pope in 1496) coincided with important innovations that justify the admiration of later generations, but not the belief that they created a new state. They certainly did not

unite Spain (see later), nor did they add substantially to royal power, nor did they reform the Church (on this, see Chapter 5). Isabella, moreover, played little part in the formation of the Spanish Empire. She helped to finance Columbus, but when she died in 1504 Hernan Cortés had only just landed in America. The queen's testament did not even mention the existence of the New World and claimed no sovereignty over Naples [11].

Between the fifteenth and eighteenth centuries the monarchy changed its character substantially. Under Ferdinand and Isabella it was an exclusively Mediterranean entity. Under the Habsburg dynasty (1516–1700) it accepted an extensive European and world perspective. Under the first Bourbon (1700–46) it reverted again to a largely Mediterranean role, with a secondary function in the New World. Through all these vicissitudes the crown managed to augment its authority, though this did not necessarily imply an increase in power. The different aspects of power under the Catholic Monarchs and their successors can be approached through the three realities of 'crown', 'monarchy' and 'state'.

What were the 'crown', the 'monarchy' and the 'state'? The power of the 'crown' was personal and also symbolic, but if there were any pretensions to absolute power they could be found only in Castile. As early as the fourteenth century, the king of Castile had claimed 'absolute power', and in 1439 Juan II stated that 'so great is the king's right to power, that all laws and all rights are subject to him, and his authority is not from men but from God, whose place he occupies in temporal matters'. The claims to 'absolute power' were repeated under the Catholic Monarchs, and Isabella used the phrase seven times in her testament. As a result, some historians used to claim that the regime of Ferdinand and Isabella was 'absolutist', and even extended the description to later reigns (especially that of Philip II). The view is now seen to be completely untenable. The kings of Castile were in reality an exception among the monarchies of Western Europe. They consciously rejected many of the symbols of power used by monarchies outside the peninsula [12]. They did not consider their office sacred, did not claim (like the rulers of France and England) any power to heal the sick, and enjoyed no special rituals at the time of their birth or crowning or death [13]. The imagery of magical royal power,

common in other monarchies, was notably absent in Spain. The rulers of Castile from Isabella to Philip II and beyond evolved no coronation ceremony and no cult of personality. Most even fought shy of the title 'Majesty': Isabella was simply 'Highness' and Philip II from 1586 ordered that his ministers and officials address him only as 'Sir'.

In practice, the reality or otherwise of absolutism can probably be best measured by the position of the crown relative to the law of the realm. Was the crown in a position to make law without the need to obtain consent? Was it able to by-pass the law? The evidence shows that law-making was at best a part-time activity of kings (Philip II made an average of eighteen laws a year, Philip IV about eight); and when we consider the ordinary and daily restrictions on royal authority the concept of absolutism seems to be little more than hot air. Neither Isabella nor Philip II nor any other Spanish ruler expressed an aspiration to be 'absolute'. In addition, few if any of the laws passed by the government were ever observed. All Spanish legists accepted certain practical limits to crown power, for instance that the king was still subject to divine law, or that only the king in person could act extra-legally but that he could not oblige the state, itself created by law, to break the law [14]. It is remarkable above all that political philosophy in Spain was notably anti-absolutist, especially when directed against foreign rulers and their theorists. Particularly around the year 1600, Jesuit thinkers such as Juan de Mariana and Francisco Suárez backed (with the crown's approval) ideas in favour of limiting kingly power. Tyrants, they wrote, can be deposed and even assassinated. Their works were bitterly denounced, and even burnt publicly, outside Spain; inside the country, there was no objection.

The word 'monarchy' meant of course the system of kingly rule, but for Spaniards it also meant the conglomerate of territories attached to the crown. The Spanish 'monarchy' was an association of multiple kingdoms like the original union of the Crown of Castile and the Crown of Aragon in the persons of Ferdinand and Isabella, in which each state functioned separately but under the aegis of a single crown. The dynastic principle was fundamental. 'All past monarchies began in violence and force of arms', wrote Gregorio López Madera in his *Excellences of the Monarchy of Spain* (1597), 'only that of Spain has had just beginnings, great

part of it coming together by succession'. When Ferdinand was recognised as king of Naples in 1504, so bringing to an end the wars in southern Italy, the crown was deemed to be his personally; and by no means was Naples subjected to Spain. In the same way, Ferdinand claimed to be king of Navarre in 1512 by dynastic right; the kingdom that he occupied remained independent of but associated with Spain. The most decisive contribution to the creation of the 'monarchy' occurred when Charles of Burgundy succeeded in 1516 to the thrones of Castile and Aragon, bringing with him as part of his inheritance the states of the old duchy of Burgundy. Dynastic right was also the fundamental issue that led to the occupation of Portugal much later in 1580 by Philip II. Portugal too remained independent of Spain. Over and beyond the associated and independent states of the 'monarchy', Spain during these years built up control of other territories that contemporaries came to look upon as an 'empire' (see Chapter 3).

The various realms associated with early modern Spain retained their complete independence in government, laws, coinage and armed forces (there were, for example, autonomous parliaments in the Netherlands, Naples and Sicily) and were joined together only by obedience to a common sovereign. The French historian Pierre Chaunu in 1970 referred to this as a multiple monarchy or 'dynastic Grand Alliance of the seventeen crowns', and was among the first to emphasise the complex nature of an empire bound together by dynastic right. British historians have recently recognised that this system of 'multiple kingdoms' could also be identified in other parts of Europe, such as the British Isles [15]. Under Charles V, therefore, Castile came to accept its part in a community of nations. Each state in the association subject to the crown had different principles of government. Some, like the Basque provinces in the peninsula, were fully independent republics which did not even recognise the crown of Spain but accepted its ruler as their 'lord'. In the Crown of Aragon, the kings had to rule through a system of agreements (or 'pacts') with their elites. Everywhere in the 'monarchy' – Navarre, Naples and the Netherlands – traditional institutions restricted royal claims, and even in Castile a mediaeval tradition of consultation with the Cortes was affirmed during the

Comunidades (1520) and in the 1620s during the opposition to Olivares' regime.

The 'state' meant administrative power. Since the development of royal authority in late fifteenth and early sixteenth century Spain took place primarily in Castile, and other realms of the peninsular monarchy remained immune to formal change, historians who discuss the 'state' have tended to concentrate on Castile. Ferdinand and Isabella did not, as we once believed, innovate significantly. Rather, they adapted traditional institutions and built up political alliances (above all with urban elites, nobles and the Church). As a result, while leaving the structure of power undisturbed they were astonishingly successful in getting various interests (in both Castile and Aragon) to respect their authority. Efficient government required that there be rules ('law') and finance ('taxes'). The decrees (*pragmáticas*) of the Catholic Monarchs and their successors were collected into 'codes' and became the basis of Castilian legislation. This meant, however, that the Castilian Cortes soon lost its function as a law-initiating body, despite repeated protests. In a strictly legal sense, the crown in Castile came to be seen as the source of law and therefore as 'sovereign'.

Nevertheless, there was little hope of augmenting royal power significantly in a land where there were serious day-to-day limits on crown authority. It is a vital aspect that is often ignored. Throughout the early modern period, in Castile the bulk of jurisdictions (i.e. rights of control over taxes and justice) was in the hands of the aristocracy and the Church. In Salamanca province, for example, two thirds of territory and population were not controlled by the king in matters of finance and law and order. The situation was similar in much of the peninsula. In the kingdom of Aragon the crown exercised jurisdiction over only 42 per cent of towns, in the realm of Valencia over only 25 per cent. Moreover, throughout Spain (including Castile) most cities and communities continued to enjoy traditional rights, known as '*fueros*', which protected them from outside authorities such as the king.

The '*fueros*' were particularly important in non-Castilian realms such as the Crown of Aragon, where constitutional bodies guarded them zealously and every unacceptable action or decree

of the king was immediately judged to be an 'anti-fuero' and therefore illegal. A further defence, available in Castile but also used in America, was the idea that laws be 'obeyed but not put into effect'. For example, in 1527 a *'fuero'* of Vizcaya stated that any royal command 'that is or may be against the laws or fueros, be obeyed but not put into effect'. This usage (the *'pase foral'*) was common in the Basque countries, illustrating the preference for compromise over conflict. The consequence was that the seemingly great power of the king was cushioned in practice, and it is difficult to identify any wholly 'absolute' actions by the crown in early modern Spain. In any case, every sensible monarch liked to be seen to be consulting rather than browbeating. Isabella never ceased to maintain that she was absolute, yet took care to pass all her laws inside the Castilian Cortes rather than out of it. Charles V granted to the Cortes of Castile in 1525 the right to have a permanent standing committee (*Diputación*) along the lines of those existing in the Crown of Aragon. Even Philip II, at a period when he was racked by severe illness, opted in 1592 to make the long journey to attend the Cortes that pacified Aragon after the troubles provoked by Antonio Pérez, and did not touch the Aragonese 'fueros'.

How did the crown enforce its authority? Royal power would have been quite hollow had no administrative infrastructure (the 'state') evolved to support it. Forty years ago [16] Vicens Vives outlined some problems of the emergent state bureaucracy, and Maravall in subsequent studies [17] showed how the evolution of state theory and administration in Spain was closely connected to developments in Europe. Bureaucracy was very slow to develop, and down to the early Habsburg period the 'state', as in mediaeval times, consisted of the crown and its immediate officials. Isabella administered her realm in a mediaeval and astonishingly popular fashion simply by travelling around and taking her officials with her.

Practical requirements soon demanded that more officials be created and that they become sedentary. Institutions and personnel began to develop: law courts (*chancillerías*), councils, secretaries of state [18]. By the reign of Philip II secretaries played a key role in coordinating government, and under Philip V they developed into ministerial heads of department. Of the

councils that derived from late mediaeval models the most important was the Council of Castile, not only because it oversaw government of the largest of the Spanish realms but also because it was the highest legal body in the monarchy. From 1480 the Catholic Monarchs enforced existing rules about the legal qualifications and training required by its members. The bureaucratic demands of the state stimulated the study of law at university. At Salamanca and Alcalá canon and civil law were the preferred subjects, matriculations in law at the former during the seventeenth century outnumbering those in theology by twenty to one [19]. The contemporary Diego Hurtado de Mendoza observed that 'the Catholic Monarchs placed the administration of justice and public affairs into the hands of *letrados*' (law graduates).

No innovation in itself, the practice of appointing *letrados* as administrators became generalised: not only the courts and councils were staffed by them, but as many as half the *corregidores* of the sixteenth century were also *letrados*. The lawyers became in effect the new administrative class [20], and since they were almost without exception already of noble (*hidalgo*) rank their rise brought about few status conflicts with the established nobility (unlike France, where prolonged clashes of status took place). Moreover, from the mid-sixteenth century those with doctoral degrees from the principal Castilian and Aragonese universities were granted automatic noble status. It is worth noting that the lawyers were trained either in canon or in civil law or in both, making them eligible for office in both Church and state. Spain was in the probably unique position of having a unitary civil service, with clergy eligible for senior offices of state (many served as viceroys) and laymen eligible for Church posts (some early inquisitors were laymen). Unlike the bureaucracy of the French crown, the *letrado* hierarchy was not venal, that is, their posts were not as a rule bought or sold; this tended to make for greater efficiency and – even more important from the crown's point of view – helped to keep the posts under royal control. Entrenched in the administration, many *letrados* of fairly humble origin went on to found great dynasties of servants of the crown [21]. This by no means meant that the traditional nobility were deprived of their role in government; they still dominated some councils, notably the Council of State, and enjoyed a near monopoly of

the major offices of state (viceroys, ambassadors).

The ordering of government and the growth of bureaucracy soon made it desirable to have an administrative centre. Until the mid-sixteenth century, the crown conducted most of its business from Valladolid, where the first two Habsburg rulers were proclaimed king and where an archive for state papers was established. Eventually in 1561 Philip II chose to fix his government at Madrid, since the town was in easy reach of his chain of residences. This (despite a common misapprehension) did not make Madrid into the capital of Spain, for the country was not yet a centralised state; but it confirmed the town as the seat of government and of the royal court. Madrid did not become capital of a united Spain until the Bourbon era. Though bureaucracy began to develop from the end of the fifteenth century, state power in Castile did not perceptibly increase. This was because the crown, when building up a body of reliable servants, used them generally not to interfere with or change institutions but to collaborate with them. We can see this in action both in the centre, with ministers of state, and in the provinces, with the key post of *corregidor* (or city governor). Corregidores were local officials of late-mediaeval origin, who kept the crown in touch with the great cities. They existed only in some parts of Castile, numbered no more than sixty by the end of the sixteenth century, and received their salaries from the city they served [22]. They cannot therefore be regarded as agents of royal power. Though there was a brief reaction against them during the Comunidades (1520–21), they continued to function satisfactorily throughout the Habsburg period. The new post of provincial intendant, introduced in 1711 [23], was based explicitly on them but with the major difference that the intendant had more extensive powers, and was an agent of centralised state government.

At the centre of government the possibility that the office of chief minister, made important by the absence of Charles V and the consequent concentration of authority in the hands of administrators such as Los Cobos [24], might develop into a permanent feature, disappeared with the resolve of Philip II to be his own chief minister. Under this strong king there were several powerful men of state, such as Antonio Pérez [25] and Juan de Idiáquez, but no

significant increase in their functions. After Philip's death his weaker successors tended to put more authority in the hands of ministers who were known as *validos* [26], but these too did not implement any institutional change, and the only one with a coherent policy, Olivares [30], failed completely to achieve any of his declared aims. Under Olivares' successor the duke of Lerma [27], the *valido* made many important decisions but considerable initiative returned to the traditional system of councils [28], and the same process occurred under the *validos* of the time of Charles II. Not until the reign of Philip V did a profound revolution take place in the conduct of central government.

Historical biography offers a useful way of understanding how individuals shaped the course of events. Though it is invariably more interesting to approach the past through the actions of the people who were in charge, whether kings (and queens) or ministers, there is also a risk of exaggerating their roles. For some scholars, such as Fernand Braudel [2], the role and impact of the king or minister is much less than we might think, and it is the overall structure of power that usually dominates. Others, however, insist that the king as agent exercises decisive power and should be held responsible for all actions of his government [29]. The use of moral judgements in history has its attractions, since it gives us the satisfaction of identifying the person responsible for alleged crimes. Most historians, nevertheless, avoid acting as judge or jury. In early modern times, it can be argued, the power (and therefore responsibility) of both kings and ministers was always limited, and most political leaders (the outstanding case is Olivares) failed to achieve their objectives [30]. Some rulers, notably Isabella the Catholic and Philip II, worked hard at their job. Others, like Charles II and Philip V, had others do the work for them. The Habsburgs were by no means inept, and a fairly convincing attempt has been made to present Philip IV as a conscientious head of government [31]. However, ideological fashions tend to determine what textbooks say, and the rulers of Spain have always suffered fluctuating reputations within their own country.

Modifying state power: provincial and urban authority. What we have called the 'state' was still at an early stage of its growth. It is a fact that should warn us not to pay excessive

attention to the role of the crown, for royal control was by no means the most typical type of government. Pre-industrial Europe was largely self-governing, with highly localised structures, a simple fact which explains for example the ability of Spain to rule itself through the long years of Charles V's absences. What were these traditional structures? At the upper level, each realm of Spain had its own assembly, ranging from territories with traditional assemblies or Cortes (Castile, Crown of Aragon, Navarre)[32] to those with elective bodies (the Junta General of Vizcaya) [33]. The crown's representative had the right to be present at these meetings, as he was also entitled to be present at all formal assemblies of the Church; but it was rare for the crown to interfere in the process of decision-making. The elite was also left largely undisturbed in control of the government of the great cities, a control made even more secure by the crown's practice – at its most extensive under Philip II – of selling municipal office in order to raise cash, both in Spain and in America. It is consequently reasonable to take the view that government in Spain throughout the Habsburg period was typically regional and autonomous, rather than royal or national. Local elites were proud of their regions, and contributed towards a sense of identity for their people, whether in Castile or in Aragon or in Valencia [34]. This did not weaken the crown. On the contrary, it minimised the need for the crown to create a broad and expensive bureaucracy. It also helped to fragment local opposition whenever it arose (e.g. when Saragossa threatened to revolt against Philip II in 1591, not a single other city risked sending military help to the rebels). At one time historians tended to approach the political problems of the monarchy in terms of tension between Castile and other provinces inside or outside the peninsula. Studies of Catalonia, for example, used to present on one side a provincial community enjoying its historic privileges, and on the other, a central state bent on intervening (particularly in the time of Olivares) against those privileges [35]. After the fall of Olivares, it was argued, the non-Castilian realms enjoyed a 'neo-foral' period in which they reverted to virtual self-government. More recently, the greater attention to provincial history has encouraged researchers to study the way provinces ran themselves, rather than look at the provinces primarily through the eyes of Castile.

Historians now question whether there was ever a sharp contrast between Castilian intervention and regional autonomy.

How, without any modern civil service, was the government able to impose its will when there were disputes? Little could be done except an attempt to maintain a good relationship between crown and regional autonomies, which explains the respect with which the crown treated both the local nobility and the municipal oligarchies. Thompson has described how the pressure of finance and war obliged Philip II to set up central bodies to take care of taxes, recruitment and supplies; but he also shows how in the later years of the reign the crown gave up on centralised control, contracted out for supplies and put more authority into the hands of its regional nobility, who alone could organise local defences [36]. In the great cities, in effect, government was almost wholly autonomous, with tenuous royal control being maintained through the *corregidor* and through the royal courts. Local administration and elites are beginning to receive the attention they deserved [37], and it is now possible to look at the structure of political power from the vantage point of the great cities rather than of the state [38]. This has corrected the traditional perspective that saw only the crown on one side and the people on the other. The urban elites lived in their own universe and made their own rules, so that the power of the crown intruded little into their lives.

In the regions, local elites [39] looked after their own interests without attempting to provoke the central government [40]. A convincing reappraisal of the close links between Castile's government and the regional elites of the monarchy in the later seventeenth century, has emphasised that the constant maintenance of a system of marriages, privileges, distribution of favours and construction of family alliances, had a far greater role in keeping the monarchy together than any government policy could have achieved [41]. It is significant, for example, that when the king of Spain in 1707 abolished definitively the privileges (*fueros*) of the Crown of Aragon, the strongest protests came from within Castile, from the group of nobles whose interests, family links and property holdings tied them closely to the provinces of Aragon.

At the lower level, traditional structures were based on community authority. Many villages and towns continued the medieval practice of self-government based on the *concejo abierto* (village council), but by the sixteenth century much of this was a memory and communal decision-making was more to be found in economic structures, mainly agriculture, than in political life. Community solidarity continued, however, to exist in very many regions that shared common customs, language and domestic economy. Much of the reality of political life in pre-industrial Spain was based at this local level, from which external authority (whether of king or lord or Church) was brusquely excluded, and within which both loyalties and conflicts, often kin-based, were frequently contained [42]. The writer Ortega y Gasset admitted in 1931 that 'the province is the only vital reality that exists in Spain'. In many major cities, authority from generation to generation was jealously divided between groups of families and any attempt to upset the equilibrium provoked violence [43]. A recent study by Helen Nader has put forward the interesting conclusion that the extent of 'liberty' (a medieval concept of self-government) in Castile in fact strengthened the crown by reducing conflict [44].

In conclusion, from the time of Ferdinand and Isabella to the reign of the last Habsburg there was no dramatic advance of state power in Castile or in Spain. This necessarily modifies our view of the extent and efficacy of royal authority. Foreign visitors with only a superficial knowledge of the country claimed to see tyranny and absolutism. Some went so far as to proclaim that Philip II was an 'absolute' ruler. The fact is that monarchy, though in principle 'absolute', remained firmly decentralised throughout the period, and in an association of multiple kingdoms such as peninsular Spain, local autonomy was not necessarily a weakness and could often be a strength.

How did the crown pay its way? The most fundamental cash resource of Spain was the gold and silver it began to receive from the New World in the reign of Charles V (see Chapter 3). The crown did not have sufficient authority to set up absolutism or a national bureaucracy, but in the area of internal finance it made a determined effort to impose its will. Ferdinand and Isabella began the policy of debt [45] and created both personnel and mechanisms (such as

juros) to deal with it. Under Charles V a more sophisticated system prepared Castile for its long career of imperial finance [46]. The Council of Finance, which evolved from 1523, was responsible for the financing not only of Castile but of all royal enterprises throughout the monarchy, making it unique among the administrative bodies. The alarming increase in government debt has been extensively studied and the impact of fiscality on Castile is well known [47]; taxes rose steadily throughout the sixteenth and early seventeenth centuries, and fell only in the later seventeenth. Though it may seem that by stepping up taxation the state was helping to increase its authority, precisely the reverse happened in Spain, where the crown was obliged to take the highly negative step of giving up areas of its jurisdiction. This occurred in two main ways: real tax income was assigned away to creditors in order to repay long-term debts (*juros*), and important areas of patronage were alienated in order to obtain ready cash. The granting of tax income as *juros* was so extensive that by the end of the sixteenth century the crown had mortgaged virtually all its regular income, and relied heavily on the special grants or *servicios* made by the Cortes. The sale of offices in Castile, known in the fifteenth century and attempted by Charles V in the 1520s, began on a large scale in the 1540s and involved the widespread alienation of municipal posts formerly in crown patronage: between 1543 and 1584 in Castile over 2928 posts of *regidor* (city councillor) were sold [48]. In the early seventeenth century the crown also sold townships (the so-called 'sale of vassals') [49]. It is difficult not to conclude (as Helen Nader does) [44] that the consequence of such alienations not so much a decrease in crown authority as an increase in the political and economic 'liberty' of local communities.

In countries such as England the big obstacle to crown taxation was the claim of parliament to advise and control it. What happened in Spain? One traditional view of the Cortes of Castile during the Habsburg period is that it was 'little more than a rubber stamp', with royal authority supreme in the decadent seventeenth century. That view is no longer tenable. The considerable increase in the grants (*servicios*) voted by the Cortes, which made up about a quarter of royal income in the 1570s but rose to over half in the early seventeenth century,

meant that ironically the crown began to depend heavily on them. The Cortes took the opportunity to criticise the long, expensive war in the Netherlands, and to demand a voice in policy in return for granting the *servicios*. In the closing years of Philip II and during the reign of his son, there was an impressive outbreak of constitutionalism in Castile, with members of the Cortes openly proclaiming contractual and democratic principles. Cortes sessions also became more regular, rising to an average of eight months a year as compared to less than two months a year in the mid-sixteenth century [50]. Government ministers bullied and bribed, but from 1600 were forced to accept a contractual agreement that if taxes were voted grievances must be redressed. It is clear that in Castile, as elsewhere in western Europe, there were successful moves to put taxation on a constitutional basis. Though the Cortes of Castile were never summoned during the late seventeenth century (those in the Crown of Aragon were) the government continued to consult directly with the municipalities normally represented there [51]. The constitutional initiative of the Cortes should of course be set in context: it was a short-term achievement, the taxes themselves were usually granted, and no political advantages were gained. But the whole matter is clear testimony to an active political consciousness among the ruling elite of the cities of Castile.

Was there opposition to and popular protest against government? Non-Spanish historians have suggested that Spain of the Golden Age was a society that accepted the rule of 'law' and in which respect for law was shown by a passion for litigation [20]. The view from inside Spain is somewhat different, and it may be argued that the proliferation of lawsuits proves just the opposite, that Spaniards (then as now) [52] ignored the laws. Historians have had to base their conclusions on the somewhat limited evidence of royal courts, where the documentation is accessible but does not tell the whole story. The vital evidence of courts controlled by nobles and the Church has seldom been explored. Among other things, court papers shed light on the way that discontent and resistance might surface in society.

Early modern Spain was no more oppressed by those in power than any other state in Western Europe. The crown always took care to have mechanisms of consultation, even if Cortes were

not called, and the writings of the *arbitristas*, who were never slow to air grievances, are evidence of the considerable freedom of public discussion to be found in the country [53]. At the same time the extensive in-fighting among elite groups, both in the provinces and at the king's court, helped to make political alternatives available. There was, for example, considerable conflict between the factions of the duke of Alba and the prince of Eboli at the court of Philip II, and there were serious differences between a war party and a peace party at the court of Philip III. Political intrigue also bred little conspiracies, in which the prophecies of visionaries could play a part [54]. It has been too frequently assumed that in Spain there was no liberty to differ or to speak out, an assumption based no doubt on the existence of an Inquisition. However, no convincing evidence has ever been produced that thought-control existed or could have existed. By contrast there is ample evidence of the preference of Spaniards for freedom (expressed openly in writings which never hesitated to criticise injustice) and especially in a rich tradition of political thought, notably represented by the Jesuit thinkers of the late sixteenth century [55]. The absolutist theories of a writer like Juan Fernández Medrano, who claimed that 'subjects are obliged to obey princes even when these order something against the interests of the people and against civil justice' (1602), may be balanced by theories of more democratic writers. Among the latter one may cite the writings of the Jesuit Juan de Mariana, or the claim of a member of the Cortes in 1621 that 'the king has no absolute power', or the opinion of Diego Pérez de Mesa, who asserted in the same decade that 'all subjects are naturally free and fundamentally equal' [56]. Spanish thinkers were heavily influenced by foreign, especially Italian, theorists, and though some of their writings have an old-fashioned air there were also many who were not only aware of the main issues of their day but also made pioneering and positive contributions to political thinking. There is little reason to treat Spain as a case apart, as though it were a tyranny or an oriental despotism (significantly, the attacks of Mariana and Suárez against tyranny, written around 1600, were condemned in Paris and in London but never in Madrid). In its broad lines of evolution, as Maravall has convincingly shown [17], Spanish thought shared much with the

Western tradition. Political theory could be turned into action only with the support of elite groups, something that happened in the period of the Comuneros. In the same way, elite groups who controlled the great cities found their voice in the early 1600s, when the Cortes representative for Granada led the opposition to Olivares [57].

It is sometimes said that in contrast to the rest of Europe, Spain had no popular rebellions. The reverse is true. Spaniards were normal people, ready to rise against oppression, whether state, noble or ecclesiastical. In 1520, the great turmoil of the Comunidades [58] – which included substantial popular agitation [59] – initiated the large-scale movements of the early modern period. Thereafter we know of few major risings until the Granada revolts of the Moriscos in 1569, but in the meantime many dissatisfied Moriscos contributed hugely to public disorder by their participation in banditry in the eastern half of the peninsula [60]. After the Morisco expulsions of 1609–14, however, it was the turn of the Christian population, both in the south and in Valencia, to take on the role of the depressed and exploited; moreover, the crisis conditions of the early century provoked discontent. Among countryside revolts to have been studied are those of 1640 in Catalonia [35], 1648–52 in Andalusia [61], and 1688 and 1693 on the Mediterranean coast [62]. Since they covered an extensive area they usually provoked armed repression. By contrast, force was not normally the method chosen to pacify the many urban agitations that occurred regularly all over Spain, especially in Castile [63]. A great many small revolts were directed not against royal government but against local authorities and noble or Church jurisdictions (as in Valencia in 1693 and again during the War of Succession). They did not affect the state, and documentation on them frequently escapes the attention of the researcher. A form of social protest similar to revolt was banditry, very common during the seventeenth century in the Mediterranean provinces of Spain. The phenomenon has been best studied in Catalonia [64]. Another common type of protest, which took on serious dimensions in an age of constant war, was directed against recruitment for military service. Its impact in Castile has been brilliantly studied by Ruth Mackay [65].

Like other European nations in the mid-seventeenth century, Spain faced a crisis of

government that called for higher taxation and logically provoked discontent. The problem of taxation affected not only issues of regional autonomy and central authority within the peninsula, but also provoked tension between Spain and other states of the monarchy. Italians, for example, felt that they were being exploited by Spaniards. Interpretations of the period of crisis, stretching from the events in Aragon in 1591 to the Portuguese and Catalan revolts of 1640, the Naples revolt of 1647–48 and the Palermo rebellion of 1674, are useful yet still require further analysis. Within the peninsula, for example, use of the word ‘revolt’ can be highly misleading. It is impossible to talk of ‘the revolt of Aragon’ in 1591 (there was no such revolt, troubles being restricted to Saragossa). The so-called ‘revolt of the Catalans’ was far more complex than either the notion of ‘revolt’ or the old image of ‘Catalonia vs Castile’ might imply. Elliott shows clearly that in 1640 much of the wrath in the principality was in fact directed by ordinary Catalans against their own ruling classes, and few favoured the alliance with France. Sanabre’s classic study [66] documents convincingly the opposition of the population to the French. In the post-1653 period, after the recovery of Barcelona, the elites inevitably played down their part in events, but there is growing evidence that the rebels were never more than a small faction. Recently Vidal Pla has looked at the evolution of the royalist party in the province and shows how, while ‘the higher nobility abandoned at once the political programme of Pau Claris’ and the duchess of Cardona organised pro-royalist resistance from her estates, after 1643 there was widespread defection to the cause of Philip IV. ‘The Generalitat, representing the political revolution, and the peasant farmers, representing the popular revolution, had a coincidence of interests in July 1640; but the unity did not last and contradictions between nobles and peasant farmers opened up, leading to popular uprisings throughout the war years’ [67].

This picture helps to shift the focus from the old image of a deep-rooted and permanent conflict between Castile on one hand and Catalonia on the other. The reconciliation of the two in the late seventeenth century has been firmly demonstrated [68], making it difficult to accept the simplistic view that Catalonia once again ‘revolted’ during the War of Succession.

Apart from clear evidence that the commercial elite of the two chief ports (Barcelona and Mataró) supported the archduke between 1705 and 1714 with the intention of gaining trade advantages [69], there is little evidence of any widespread rebellion in Catalonia, current research tending to show that most Catalans were neutral and merely supported whichever side happened to be dominant at the time [70]. This brings the picture into line with what we know of the other realms of the Crown of Aragon, where one finds a similar lack of evidence for rebellion. There were notable defections to the Allied cause, but the overwhelming bulk of the elite and of the towns remained solidly faithful to Philip V, declaring for the pretender only when military occupation gave them no other alternative [93].

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