

INTRODUCTION.

SECTION I,

VIEW OF THE CASTILIAN MONARCHY BEFORE THE FIFTEENTH CENTURY.

Early History and Constitution of Castile. — Invasion of the Arabs. — Slow Reconquest of the Country. — Religious Enthusiasm of the Spaniards. — Influence of their Minstrelsy. — Their Chivalry. — Castilian Towns. — Cortes. — Its Powers. — Its Boldness. — Wealth of the Cities. — The Nobility. — Their Privileges and Wealth. — Knights. — Clergy. — Poverty of the Crown. — Limited extent of the Prerogative.

For several hundred years after the great Saracen invasion in the beginning of the eighth century, Spain was broken up into a number of small, but independent states, divided in their interests, and often in deadly hostility with one another. It was inhabited by races, the most dissimilar in their origin, religion, and government, the least important of which has exerted a sensible influence on the character and institutions of its present inhabitants. At the close of the fifteenth century, these various races were blended into one great nation, under one common rule. Its territorial limits were widely extended by discovery and conquest. Its domestic institutions, and even its literature, were moulded into the form, which, to a considerable ex-

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tent, they have maintained to the present day. It is the object of the present narrative to exhibit the period, in which these momentous results were effected; — the reign of Ferdinand and Isabella.

State of
Spain at the
middle of the
fifteenth
century.

By the middle of the fifteenth century, the number of states, into which the country had been divided, was reduced to four; Castile, Aragon, Navarre, and the Moorish kingdom of Granada. The last, comprised within nearly the same limits as the modern province of that name, was all that remained to the Moslems of their once vast possessions in the Peninsula. Its concentrated population gave it a degree of strength altogether disproportioned to the extent of its territory; and the profuse magnificence of its court, which rivalled that of the ancient caliphs, was supported by the labors of a sober, industrious people, under whom agriculture and several of the mechanic arts had reached a degree of excellence, probably unequalled in any other part of Europe during the Middle Ages.

The little kingdom of Navarre, embosomed within the Pyrenees, had often attracted the avarice of neighbouring and more powerful states. But, since their selfish schemes operated as a mutual check upon each other, Navarre still continued to maintain her independence, when all the smaller states, in the Peninsula had been absorbed in the gradually increasing dominion of Castile and Aragon.

This latter kingdom comprehended the province of that name, together with Catalonia and Valencia. Under its auspicious climate and free political

institutions, its inhabitants displayed an uncommon share of intellectual and moral energy. Its long line of coast opened the way to an extensive and flourishing commerce; and its enterprising navy indemnified the nation for the scantiness of its territory at home, by the important foreign conquests of Sardinia, Sicily, Naples, and the Balearic Isles.

The remaining provinces of Leon, Biscay, the Asturias, Galicia, Old and New Castile, Estramadura, Murcia, and Andalusia, fell to the crown of Castile, which, thus extending its sway over an unbroken line of country from the Bay of Biscay to the Mediterranean, seemed by the magnitude of its territory, as well as by its antiquity, (for it was there that the old Gothic monarchy may be said to have first revived after the great Saracen invasion,) to be entitled to a preëminence over the other states of the Peninsula. This claim, indeed, appears to have been recognised at an early period of her history. Aragon did homage to Castile for her territory on the western bank of the Ebro, until the twelfth century, as did Navarre, Portugal, and, at a later period, the Moorish kingdom of Granada.¹ And, when at length the various states of Spain were consolidated into one monarchy, the capital of Castile became the capital of the new empire, and

¹ Aragon was formally released from this homage in 1177, and Portugal in 1264. (Mariana, *Historia General de España*, (Madrid, 1780,) lib. 11, cap. 14; lib. 13, cap. 20.) The king of Granada, Aben Alahmar, swore fealty to St. Ferdinand, in 1245, binding himself to the payment of an annual rent, to serve

under him with a stipulated number of his knights in war, and personally *attend cortes when summoned*;—a whimsical stipulation this for a Mahometan prince. Conde, *Historia de la Dominacion de los Arabes en España*, (Madrid, 1820, 1821,) tom. iii. cap. 30.

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Early history and constitution of Castile.

The Visigoths.

her language the language of the court and of literature.

It will facilitate our inquiry into the circumstances which immediately led to these results, if we briefly glance at the prominent features in the early history and constitution of the two principal Christian states, Castile and Aragon, previous to the fifteenth century.²

The Visigoths who overran the Peninsula, in the fifth century, brought with them the same liberal principles of government which distinguished their Teutonic brethren. Their crown was declared elective by a formal legislative act.³ Laws were enacted in the great national councils, composed of prelates and nobility, and not unfrequently ratified in an assembly of the people. Their code of jurisprudence, although abounding in frivolous detail, contained many admirable provisions for the security of justice; and, in the degree of civil liberty which it accorded to the Roman inhabitants of the country, far transcended those of most of the other barbarians of the north.⁴ In short, their simple

² Navarre was too inconsiderable, and bore too near a resemblance in its government to the other Peninsular kingdoms, to require a separate notice; for which, indeed, the national writers afford but very scanty materials. The Moorish empire of Granada, so interesting in itself, and so dissimilar, in all respects, to Christian Spain, merits particular attention. I have deferred the consideration of it, however, to that period of the history, which is occupied with its subversion. See Part I., Chapter 8.

³ See the Canons of the fifth Council of Toledo. Florez, *España Sagrada*, (Madrid, 1747 - 1776,) tom. vi. p. 168.

⁴ Recesvinto, in order more effectually to bring about the consolidation of his Gothic and Roman subjects into one nation, abrogated the law prohibiting their intermarriage. The terms in which his enactment is conceived, disclose a far more enlightened policy than that pursued, either by the Franks or Lombards. (See the *Fuero Juzgo*, (ed. de la Acad., Madrid,

polity exhibited the germ of some of those institutions, which, with other nations, and under happier auspices, have formed the basis of a well-regulated constitutional liberty.⁵

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the Arabs.

But, while in other countries the principles of a free government were slowly and gradually unfolded, their developement was much accelerated in Spain by an event, which, at the time, seemed to threaten their total extinction, — the great Saracen invasion at the beginning of the eighth century. The religious, as well as the political institutions of the Arabs, were too dissimilar to those of the conquered nation, to allow the former to exercise any very sensible influence over the latter in these particulars. In the spirit of toleration, which distinguished the early followers of Mahomet, they conceded to such of the Goths, as were willing to continue among them after the conquest, the free enjoyment of their religious, as well as of many of the civil privileges which they possessed under the

1815,) lib. 3, tit. 1, ley 1.) — The Visigothic code, *Fuero Juzgo*, (*Forum Judicum*), originally compiled in Latin, was translated into Spanish under St. Ferdinand; a copy of which version was first printed in 1600, at Madrid. (Los Doctores Asso y Manuel, *Instituciones del Derecho Civil de Castilla*, (Madrid, 1792,) pp. 6, 7.) A second edition, under the supervision of the Royal Spanish Academy, was published in 1815. This compilation, notwithstanding the apparent rudeness and even ferocity of some of its features, may be said to have formed the basis of all the subsequent legislation of Castile. It was, doubtless, the exclusive contem-

plation of these features, which brought upon these laws the sweeping condemnation of Montesquieu, as “*puériles, gauches, idiots, — frivoles dans le fond et gigantesques dans le style.*” *Esprit des Loix*, liv. 28, chap. 1.

⁵ Some of the local usages, afterwards incorporated in the *fueros*, or charters, of the Castilian communities, may probably be derived from the time of the Visigoths. The English reader may form a good idea of the tenor of the legal institutions of this people and their immediate descendants, from an article in the sixty-first Number of the *Edinburgh Review*, written with equal learning and vivacity.

INTROD. ancient monarchy.⁶ Under this liberal dispensation it cannot be doubted, that many preferred remaining in the pleasant regions of their ancestors, to quitting them for a life of poverty and toil. These, however, appear to have been chiefly of the lower order;⁷ and the men of higher rank, or of more generous sentiments, who refused to accept a nominal and precarious independence at the hands of their oppressors, escaped from the overwhelming inundation into the neighbouring countries of France, Italy, and Britain, or retreated behind those natural fortresses of the north, the Asturian hills and the Pyrenees, whither the victorious Saracen disdained to pursue them.⁸

⁶ The Christians, in all matters exclusively relating to themselves, were governed by their own laws, (See the *Fuero Juzgo*, *Introd.* p. 40,) administered by their own judges, subject only in capital cases to an appeal to the Moorish tribunals. Their churches and monasteries (*rosæ inter spinas*, says the historian) were scattered over the principal towns, Cordova retaining seven, Toledo six, &c.; and their clergy were allowed to display the costume, and celebrate the pompous ceremonial, of the Romish communion. Florez, *España Sagrada*, tom. x. trat. 33, cap. 7. — Morales, *Corónica General de España*, (Obras, Madrid, 1791–1793,) lib. 12, cap. 78. — Conde, *Dominacion de los Arabes*, part. 1, cap. 15, 22.

⁷ Morales, *Corónica*, lib. 12, cap. 77. — Yet the names of several nobles resident among the Moors appear in the record of those times. (See Salazar de Mendoza, *Monarquía de España*, (Madrid, 1770,) tom. i. p. 34, note.) If we

could rely on a singular fact, quoted by Zurita, we might infer that a large proportion of the Goths were content to reside among their Saracen conquerors. The intermarriages among the two nations had been so frequent, that, in 1311, the ambassador of James II., of Aragon, stated to his Holiness, Pope Clement V., that of 200,000 persons composing the population of Granada, not more than 500 were of pure Moorish descent! (*Anales de la Corona de Aragon*, (Zaragoza, 1610,) lib. 5, cap. 93.) As the object of the statement was to obtain certain ecclesiastical aids from the pontiff, in the prosecution of the Moorish war, it appears very suspicious, notwithstanding the emphasis laid on it by the historian.

⁸ Bleda, *Corónica de los Moros de España*, (Valencia, 1618,) p. 171. — This author states, that in his time there were several families in Ireland, whose patronymics bore testimony to their descent from these Spanish exiles. That care-

Here the broken remnant of the nation endeavoured to revive the forms, at least, of the ancient government. But it may well be conceived, how imperfect these must have been under a calamity, which, breaking up all the artificial distinctions of society, seemed to resolve it at once into its primitive equality. The monarch, once master of the whole Peninsula, now beheld his empire contracted to a few barren, inhospitable rocks. The noble, instead of the broad lands and thronged halls of his ancestors, saw himself at best but the chief of some wandering horde, seeking a doubtful subsistence, like himself, by rapine. The peasantry, indeed, may be said to have gained by the exchange; and, in a situation, in which all factitious distinctions were of less worth than individual prowess and efficiency, they rose in political consequence. Even slavery, a sore evil among the Visigoths, as indeed among all the barbarians of German origin, though not effaced, lost many of its most revolting features, under the more generous legislation of later times.⁹

ful antiquarian, Morales, considers the regions of the Pyrenees lying betwixt Aragon and Navarre, together with the Asturias, Biscay, Guipuscoa, the northern portion of Galicia and the Alpuxarras, (the last retreat, too, of the Moors, under the Christian domination,) to have been untouched by the Saracen invaders. See lib. 12, cap. 76.

⁹ The lot of the Visigothic slave was sufficiently hard. The oppressions, which this unhappy race endured, were such as to lead Mr. Southey, in his excellent Introduc-

tion to the "Chronicle of the Cid," to impute to their coöperation, in part, the easy conquest of the country by the Arabs. But, although the laws, in relation to them, seem to be taken up with determining their incapacities rather than their privileges, it is probable that they secured to them, on the whole, quite as great a degree of civil consequence, as was enjoyed by similar classes in the rest of Europe. By the Fuero Juzgo, the slave was allowed to acquire property for himself, and with it to

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Its influence
on the con-
dition of the
Spaniards.

A sensible and salutary influence, at the same time, was exerted on the moral energies of the nation, which had been corrupted in the long enjoyment of uninterrupted prosperity. Indeed, so relaxed were the morals of the court, as well as of the clergy, and so enervated had all classes become, in the general diffusion of luxury, that some authors have not scrupled to refer to these causes principally the perdition of the Gothic monarchy. An entire reformation in these habits was necessarily effected in a situation, where a scanty subsistence could only be earned by a life of extreme temperance and toil, and where it was often to be sought, sword in hand, from an enemy far superior in numbers. Whatever may have been the vices of the Spaniards, they cannot have been those of effeminate sloth. Thus a sober, hardy, and independent race was gradually formed, prepared to assert their ancient inheritance, and to lay the foundations of far

purchase his own redemption. (Lib. 5, tit. 4, ley 16.) A certain proportion of every man's slaves were also required to bear arms, and to accompany their master to the field. (Lib. 9, tit 2, ley 8.) But their relative rank is better ascertained by the amount of composition (that accurate measurement of civil rights with all the barbarians of the north) prescribed for any personal violence inflicted on them. Thus, by the Salic law, the life of a free Roman was estimated at only one fifth of that of a Frank, (Lex Salica, tit. 43, sec. 1, 8;) while, by the law of the Visigoths, the life of a slave was valued at half of that of a freeman, (lib. 6, tit. 4, ley 1.) In the latter code,

moreover, the master was prohibited, under the severe penalties of banishment and sequestration of property, from either maiming or murdering his own slave, (lib. 6, tit. 5, leyes 12, 13;) while, in other codes of the barbarians, the penalty was confined to similar trespasses on the slaves of another; and, by the Salic law, no higher mulct was imposed for killing, than for kidnapping a slave. (Lex Salica, tit. 11, sec. 1, 3.) The legislation of the Visigoths, in those particulars, seems to have regarded this unhappy race as not merely a distinct species of property. It provided for their personal security, instead of limiting itself to the indemnification of their masters.

more liberal and equitable forms of government, than were known to their ancestors.

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At first, their progress was slow and almost imperceptible. The Saracens, indeed, reposing under the sunny skies of Andalusia, so congenial with their own, seemed willing to relinquish the sterile regions of the north, to an enemy whom they despised. But, when the Spaniards, quitting the shelter of their mountains, descended into the open plains of Leon and Castile, they found themselves exposed to the predatory incursions of the Arab cavalry, who, sweeping over the face of the country, carried off in a single foray the hard-earned produce of a summer's toil. It was not until they had reached some natural boundary, as the river Douro, or the chain of the Guadarrama, that they were enabled, by constructing a line of fortifications along these primitive bulwarks, to secure their conquests, and oppose an effectual resistance to the destructive inroads of their enemies.

Causes of
their slow
re-conquest
of the coun-
try.

Their own dissensions were another cause of their tardy progress. The numerous petty states, which rose from the ruins of the ancient monarchy, seemed to regard each other with even a fiercer hatred than that with which they viewed the enemies of their faith; a circumstance that more than once brought the nation to the verge of ruin. More Christian blood was wasted in these national feuds, than in all their encounters with the infidel. The soldiers of Fernan Gonçalez, a chieftain of the tenth century, complained, that their master made them lead the life of very devils, keeping

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Their ultimate success certain.

These circumstances so far palsied the arm of the Christians, that a century and a half elapsed after the invasion, before they had penetrated to the Douro,¹¹ and nearly thrice that period before they had advanced the line of conquest to the Tagus,¹² notwithstanding this portion of the country had been comparatively deserted by the Mahometans. But it was easy to foresee that a people, living, as they did, under circumstances so well adapted to the developement of both physical and moral energy, must ultimately prevail over a nation oppressed by despotism, and the effeminate indulgence, to which it was naturally disposed by a sensual religion and a voluptuous climate. In truth, the early Spaniard was urged by every motive, that can give efficacy to human purpose. Pent up in his barren mountains, he beheld the pleasant valleys and fruitful vineyards of his ancestors delivered over to the spoiler, the holy places polluted by his abominable rites, and the crescent glittering on the domes, which were once consecrated by the venerated symbol of his faith. His cause became the cause of Heaven. The church published her bulls of crusade, offering liberal indulgences to those who served, and Paradise to those who fell in battle, against the infidel. The ancient Castilian was

Their religious enthusiasm.

¹⁰ *Corónica General*, part. 3, fol. 54.

¹¹ According to Morales, (*Corónica*, lib. 13, cap. 57,) this took place about 850.

¹² Toledo was not reconquered until 1085; Lisbon, in 1147.