

# SEIGNEURIAL PRESSURE: EXTERNAL CONSTRICTIONS AND STIMULI IN THE CONSTRUCTION OF URBAN COLLECTIVE IDENTITIES IN 15<sup>TH</sup> CENTURY CASTILE

JOSÉ ANTONIO JARA  
UNIVERSIDAD DE CASTILLA-LA MANCHA  
SPAIN

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## ABSTRACT

Seigneurial pressure, exerted on cities and towns and their municipal jurisdictions by the nobility, constituted one of the dominant traits of Castilian politics in the 15<sup>th</sup> century. Notwithstanding the extent and intensity that this pressure might reach in general, few cities and towns were subjected to the (individual or coordinated) actions of important numbers of noblemen. This was the case of the city of Cuenca. This was one of the reasons explaining the relative success achieved by the city in fighting these agresions. The presence of a significant number of noblemen, each of them seeking their own interest, lessened (relatively) their ability to depradate Cuenca's hinterland. This constriction (over the city and its jurisdiction) also influenced both elites and commoners to adopt a cooperative line of action. This way, Cuenca body politic laid out the key political traits of its communal political identity. These policies and marks of identity were observed throughout the years of civil war and, at least, until the beginning of the reign of Elizabeth I, when the pressure exerted by the nobility was reduced to a reasonable dimension.<sup>1</sup>

## KEYWORDS

Fifteenth century, Crown of Castile, Towns, Cuenca, Noble depredations, Political Identity.

## CAPITALIA VERBA

XV saeculum, Castellae Corona, Civitates, Concha, Cobilium Cepraedationes, Identitas Politica.

## 1. Introduction: a century of cities 'striving for life'

Political life on the stage of 15<sup>th</sup> century Castile was extraordinarily convulsive. This is perfectly illustrated by the long minority of John II (1406-1454, his minority lasting from 1406 to 1419) and the conflicts between his regents, which disrupted life in the kingdom for decades; the civil wars which set sectors of the nobility against the monarchy during the reigns of John II and his son, Henry IV (1454-1474); the dynastic problems regarding the succession of Henry IV and its aftermath, the war between the partisans of Joan 'the Beltraneja', daughter of Henry IV, and the would-be queen Elizabeth I (1474-1504), half sister of Henry IV.<sup>2</sup>

Within this political frame, the presence, projection and intensity with which the nobility traditionally participated in the political construction of the respective kingdoms and principalities, acquired a new dimension, accentuated by the simplicity with which partisan debate (and conflict) entered the political life of the Crown of Castile during the 15<sup>th</sup> century. Throughout this period, the monarchs—especially Henry IV—made continuous calls to the cities and towns of the kingdom, ordering them to call up their militias to put down rebellions by the nobles, of which there were many, for example: July 1420, January 1432, November 1433, April 1436, November 1437, July 1440, March 1441, April 1460, September 1464, and August 1467.<sup>3</sup>

The difficulties faced by the Castilian kings during this thorny period, which ended with the advent of the Elizabethan monarchy, explain the extremely important political role adopted by the nobility (especially the high and middle nobility). In this context, pressure was put on the royal domain by high and middle-

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2. Regarding these matters see: Valdeón, Julio. *Los conflictos sociales en el reino de Castilla en los siglos XIV y XV*. Madrid: Siglo XXI, 1975; Valdeón, Julio. "Las Cortes de Castilla y las luchas políticas del siglo XV (1419-1430)". *Anuario de Estudios Medievales*, 3 (1966): 293-326; Valdeón, Julio. "Las oligarquías urbanas", *Concejos y ciudades en la Edad Media hispánica. II Congreso de Estudios Medievales*. Madrid: Fundación Sánchez Albornoz, 1990: 509-521. Also: Quintanilla, María Concepción. "El protagonismo nobiliario en la Castilla bajomedieval. Una revisión historiográfica (1984-1997)". *Medievalismo. Boletín de la Asociación Española de Estudios Medievales*, 7 (1997): 187-233. On King Henry IV's reign, see: Esteban, Asunción. *Las ciudades castellanas en tiempos de Enrique IV: Estructura social y conflictos*. Valladolid: Universidad de Valladolid, 1985. And, with respect to the nobility and the constitution of parties in the kingdom and in the urban areas, see: Franco, Alfonso. "El proceso de señorialización de las tierras palentinas en la Baja Edad Media. El caso del condado de Saldaña", *Fuentes documentales y Edad Media. Actas del II Congreso de Historia de Palencia (27-29 de abril de 1989)*, María Valentina Calleja, coord. Palencia: Diputación Provincial de Palencia, 1990: II, 511-528; Ladero, Miguel Ángel. "Linajes, bandos y parcialidades en la vida política de las ciudades castellanas (siglos XIV y XV)", *Bandos y querellas dinásticas en España al final de la Edad Media. Actas del Coloquio celebrado en la Biblioteca Española de París (15 y 16 de mayo de 1987)*. Champigny-sur-Marne: Cuadernos de la Biblioteca Española, 1991: 105-134.

3. AMC. LLA. leg. 81, exp. 1, ff. 1v-2r; leg. 188, exp. 3, ff. 2r-3r; leg. 188, exp. 5, ff. 5r-v; leg. 189, exp. 2, f. 58r; leg. 189, exp. 6, ff. 25v-26r; leg. 190, exp. 2, ff. 22v-23v; leg. 190, exp. 3, f. 29r; leg. 195, exp. 1, ff. 26r-v; leg. 196, exp. 2, ff. 114r-115v; leg. 198, exp. 1, ff. 28v-29v.



ranking noblemen whose aim was to deprive it of important power areas (offices, rents and taxes, lands and men). Evidently, this pressure was not only or mainly exercised at court but directed generally towards the places where the objects of their interest lay, directly affecting relations between noblemen and royal towns. However, in cases where towns showed they were able to defend themselves from these voracious attacks, the rapaciousness of the noblemen was redirected against the towns' municipal jurisdictions, that is, the surrounding countryside over which territory towns exercised seigneurial rights. Nonetheless, the pressure of the nobles varied according to the capacity of each nobleman to act in this environment, as reflected in a document dated 21<sup>st</sup> September 1433, in which the city of Cuenca complained to King John II about [...] *çiertas cabsas, debates e questiones de algunas tomas e ocupaciones e inversiones de çiertos terminos, lugares, jurisdicciones e exydos* [...] perpetrated by the neighbouring nobility on the city's municipal jurisdiction.<sup>4</sup> This document lists all the predatory actions resorted to by the noblemen: 'seizures' (the illegal imposition of economic sanctions and the appropriation of goods by individuals, committed within the city's municipal jurisdiction), 'invasions' (the use of land—usually virgin land—without a license from the town), and 'occupations' (the effective segregation from the town's jurisdiction of some of its rural districts); together with the areas usually affected by their actions: 'rural districts' (non-populated areas in the municipal jurisdiction), 'villages' (populated areas subjected to the lordship of the city), 'jurisdictions' (referring to the usurpation of the city's jurisdictional rights), and 'common lands' (land destined for pasture and opened for use by both the villagers and citizens of Cuenca). For most cities and towns, opposing these aggressions was a difficult task as they faced a [...] *senyor poderoso en esta tierra*.<sup>5</sup>

Indeed, cities and towns attracted the bulk of the nobility's predatory aspirations as they not only constituted the primary administrative centre for the management and collection of royal rents and taxes but, in the area south of the river Duero, they controlled large municipal jurisdictions and exercised power over large numbers of peasants. Thus, cities and towns were one of the nobility's obvious targets. High, middle and, in some places, even low-ranking noblemen did their best to seize them from the royal domain, or at least deprive them of some of their territories and men, in order to control their political system. Although this was most often carried out through their clients, it was sometimes done with the direct and immediate participation of the nobles.

4. "some seizures and occupations and invasions of certain rural districts, villages, jurisdictions and common lands". AMC. LLAA. leg. 188, exp. 5, ff. 4r-v.

5. "powerful lord in this region". AMC. LLAA. leg. 187, exp. 3, ff. 58r-v. This is a specific reference to one of Cuenca's most dreaded nightmares during the first half of the 15<sup>th</sup> century, *don* Diego Hurtado Mendoza, Lord of Cañete and High Warden of the city and its municipal jurisdiction (this was a royal, not an urban, office).



In this respect, not many cities and towns in Castile enjoyed the dubious privilege of cities like Cuenca (the central object of this study).<sup>6</sup> Between 1410 and 1480, Cuenca suffered intense and prolonged harassment, largely at the hands of a whole set of noble lineages (comprising members of the high, middle and even low-ranking nobility), which pressed and fought to gain total control of the city, or at the very least broad areas of power within the town and in its municipal jurisdiction. Some of the most prominent of these lineages were: the Acuñaes (Lords and later Counts of Buendía and Dukes of Huete), the Mendozas (Lords and, in due time, Marquises of Cañete), the Pachecos (Marquises of Villena), the de la Cerdas (Dukes of Medinaceli), the Carrillo de Mendozas (Counts of Priego), the Manriques (Counts of Paredes), the Carrillo de Albornoz (Lords of Torralba and other places), and those of members of the peripheral royal family, such as *don* Enrique de Villena, a bastard grandson of Henry II. Even ambitious members of the low nobility tried to profit from the protection granted by their noble lords,<sup>7</sup> a path also taken by

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6. Regarding the city of Cuenca and its evolution in the 15<sup>th</sup> century, see: Guerrero, Yolanda; Sánchez, José María. *Cuenca en la Baja Edad Media: Un sistema de poder*. Cuenca: Diputación de Cuenca, 1994. See also the works by: Quintanilla, María Concepción. "Marcos y formas de proyección de la nobleza conqense en su entorno urbano y territorial", *El Tratado de Tordesillas y su época, Congreso Internacional de Historia*. Madrid: Junta de Castilla y León, 1995: I, 131-154 (3 vols.); Quintanilla, María Concepción. "La implantación de la nobleza y relaciones de poder en la tierra de Cuenca en la Baja Edad Media", *Relaciones de poder en Castilla: el ejemplo de Cuenca*, Joaquín Saúl García, Ángel Luis López, coords. Cuenca: Universidad de Castilla-La Mancha, 1997: 103-132; Quintanilla, María Concepción. "Política ciudadana y jerarquización del poder. Bandos y parcialidades en Cuenca". *En la España Medieval*, 20 (1997): 219-250; Quintanilla, María Concepción. "Estructuras y relaciones de poder en la tierra de Cuenca a fines de la Edad Media", *La Península Ibérica en la Era de los Descubrimientos (1391-1492). Actas de las III Jornadas Hispano-Portuguesas de Historia Medieval (Sevilla, 25-30 de noviembre de 1991)*. Seville: Consejería de Cultura, 1997: I, 707-736 (2 vols.); Sánchez, José María. "Territorio y conflicto en el ámbito jurisdiccional de Cuenca (época de los Reyes Católicos)". *Espacio, Tiempo y Forma. Historia Medieval*, 9 (1996): 89-118; Jara, José Antonio. *Concejo, poder y élites. La clase dominante de Cuenca en el siglo XV*. Madrid: Consejo Superior de Investigaciones Científicas, 2000; Jara, José Antonio. "The Importance of Being Earnest: Urban Elites and the Distribution of Power in Castilian Towns in the Late Middle Ages", *Building Legitimacy. Political Discourses and Forms of Legitimation in Medieval Societies*, Isabel Alfonso, Hugh Kennedy, Julio Escalona, eds. Leiden-Boston: Brill, 2004: 139-175.

7. Among others, this was the case of *mosén* Diego de Varela who, during the second half of the 15<sup>th</sup> century, illegally tried to convert some of his rural possessions inside Cuenca's jurisdiction into closed meadows; this was the shortest (and least conflictual) route towards the segregation of these lands from the jurisdiction of the city (given they were previously transformed into *redondas* that is after their new legal status was recognized). Diego de Varela, like other members of the town's elites, formed in the ranks of noblemen rebelled against the king. It is not surprising that the city opposed him with extraordinary energy. AMC. LLA. leg. 196, exp. 2, ff. 107v-108r. On this type of segregation, see: Monsalvo, José María. "Paisaje agrario, régimen de aprovechamientos y cambio de propiedad en una aldea de la tierra de Ávila durante el siglo XV. La creación del término redondo de Zapardiel de Serrezuela". *Cuadernos abulenses*, 17 (1992): 11-110; Monsalvo, José María. "Usurpaciones de comunales. Conflicto social y disputa legal en Ávila y su tierra durante la Baja Edad Media". *Historia Agraria*, 24 (2001): 89-121; Clemente, Julián. "Valdetorres, de dehesa a aldea (1409-1510). Poblamiento, conflicto y poder en la tierra de Medellín". *Studia Historica. Historia Medieval*, 20-21 (2002-2003): 47-72; Jara, José Antonio. "'Que memoria de onbre non es en contrario'. Usurpación de tierras y manipulación del pasado en la Castilla urbana del siglo XV". *Studia Historica. Historia Medieval*, 20-21 (2002-2003): 73-104; Jara, José Antonio. "Facing the depredations and fighting the predators. Urban Castile and the defence of municipal jurisdiction in the Late Middle Ages". *Imago Temporis. Medium Aevum*, 1 (2007): 143-170.



these lords' vassals, who often succeeded in making their lords put pressure on the city on their behalf, as in the case of Rodrigo Manrique, Marshall of Castile, who, on 20<sup>th</sup> May 1467, complained that Cuenca city council had forbidden his vassals to collect firewood within its jurisdiction. He alleged that this went against common use and threatened the city with appropriate reprisals: *Creed que avnque esto lexos, que para tomar [¿enmienda?] destas cosas e non las consentyr, sy mucho me aquexays, me fallaredes çerca, pero sy vosotros quisiéredes, non será nada menester sinon que biuamos en pas, e yo asy lo quiero.*<sup>8</sup>

During practically the whole century, this sword of Damocles hung constantly over the city and its municipal jurisdiction. From time to time its thread would be broken, resulting in the logical consequences:

*E sy otra cosa vos plasera faser, yo me descargo por la presente, quel danno que yo en esto podre resçibir, sera bien poco y [...] el de vosotros y de vuestras comarcas sera general, que vos çertifico que cosa en la tierra y en sus comarcas non quede que se non ponga a fuego. Ya sabes que de pequenna çentella se leuanta grand fuego, y de esto non deveys vosotros ser el comienço.*<sup>9</sup>

If, in other cities and towns, this strenuous pressure led to the definitive loss of land and men, their conversion into lordships or settlement within them of potent noble lineages endowed with great political power, this was not exactly how the process was concluded in the case of Cuenca. My argument is that it is precisely in this almost endemic pressure exerted on Cuenca by the nobility that the strength, fortitude, and the character displayed by the city in its defence lies. In fact, the presence of diverse and conflictual noble interests implied relief from some of the harshest effects of the pressure exerted on the city. All these constrictions led the citizens of Cuenca —particularly its elites— to adopt a communal/collective line of action to face a conflict in which they had to fight for all that they cherished, especially their freedom. It was therefore, in the context of this agonistic fight that Cuenca devised the main lines of its communal political identity. This was generally fully respected (the few fissures inside the elites being minor ones), at least until the 1480s when, once the kingdom had been pacified by Elizabeth I and pressure exerted by the nobility reduced to a reasonable dimension, this great political identity pact began to crack, thus making evident the important role played in the process by the presence of a plurality of enemies.

8. "Although I am a long way from you, if I must [emend?] these things and oppose them, if you force me, you will find me near you, but if you wish, we will live in peace". AMC. LLAA. leg. 198, exp. 1, f. 46v.

9. "And if any other thing pleases you, I hereby declare myself not responsible for it, and the damage that I could receive from you will be negligible and [...] yours and that of your jurisdiction will be general for I assure you that there will be nothing in those lands that won't be put to fire. You know that small sparks ignite big fires, and of this you must not be the initiators". AMC. LLAA. leg. 201, exp. 1, ff. 53r-54r. This was how *don* Juan López Pacheco, Marquis of Villena, addressed the city of Cuenca on 21<sup>st</sup> May 1479. At the height of the Civil War, the Marquis demanded that the city renounce making war on his estates under the penalty of devastation of its jurisdiction.



## 2. The construction of an urban referent of political identity

*[...] bien sabedes como yo sienpre fui justificado en mi bevir bien, e todos los míos, e agora non entiendo mudar otra costunbre sinon seguir el servicio del Rey, mi sennor, e el pro común de esta Çibdat, aunque pese a esos buenos de profetas.<sup>10</sup>*

In the first third of the 15<sup>th</sup> century, the two most important lineages of the regional nobility, the Acuñaes and the Mendozas, were fighting for the conquest of the city.<sup>11</sup> It was in this context that, on 8<sup>th</sup> December 1417, Diego Hurtado de Mendoza, in response to measures adopted by the town council, addressed the city to complain about the said measures and justify himself before the city. He asserted the irreproachability of his conduct on the basis of the justification of his ‘living properly’. On a social plane, this implied scrupulous observation of the duties imposed on him by his state and condition and, on a political plane, it was identified with the service to king and city that he affirmed he had observed all his life. In just a few lines, the Lord of Cañete was able to synthesize the constituent elements of his political identity. Nevertheless, he had done something more. On the one hand, he had established his own political identity in positive terms; and on the other he had referred in negative terms to the city’s political identity, firstly, by tacitly comparing ‘those good prophets’ to lunatics, considering the (political) madness with which the Mendoza reproached Cuenca’s rulers, and secondly by denouncing their objection to his conduct, “even if those good prophets strongly resent it”. This way, Diego Hurtado was able to reproach them for not living properly or serving king and city (the opposite of what he declared himself to observe).

It was evident that Diego Hurtado had instrumentalised his discourse (such is the fate of discourses) in order to present a more favourable self-image in the context of a serious conflict. Years later, on 20<sup>th</sup> July 1423, facing the charge that his vassals of Poyatos and Uña had invaded the city’s hill district, he reproduced a similar discursive scheme:

*[...] bien tengo que ha grandes dias que sodes enformados e çertificados de my buena voluntad [...] E sus ofiçiales e algunos con no buena entençion nin guardando la preeminençia desa dicha çibdat e su tierra, desuiauan los negoçios por su mesmo interese e dexauan los negoçios dilatar [...] et gastan el dinero dela dicha çitudat.<sup>12</sup>*

10. “[...] you know that I have always been justified in my living properly, as have all my relatives and followers, and I do not now intend to change my habits but to continue in the service of the King my Lord and of the common good of this city, even if those good prophets strongly resent it”. AMC. LLAA. leg. 185, exp. 1, ff. 3r-v.

11. I have treated this conflict in: Jara, José Antonio. “Vecindad y parentesco. El lenguaje de las relaciones políticas en la Castilla urbana del siglo XV”, *El contrato político en la Corona de Castilla. Cultura y sociedad políticas entre los siglos X al XVI*, François Foronda, Ana Isabel Carrasco, dirs. Madrid: Dykinson, 2008: 211-239.

12. “[...] you undoubtedly know my goodwill [...] And its officers [Cuenca’s] and others not of good intention nor observing the pre-eminence of that aforesaid city and its municipal jurisdiction, have manipulated its affairs to their own benefit and delayed its businesses in order to profit from them [...] and squander the city’s money”. AMC. LLAA. leg. 187, exp. 2, ff. 22r-v.



This time, the identity referents were complemented, elaborated and explained. The 'goodwill' of the Mendoza was compared to the urban officers' absence of goodwill (bad will), and his unexpressed service to the city related to the fully described disservice of Cuenca's public officers.<sup>13</sup>

All political identity constructions are the product of a specific discourse, of the way that a whole set of identity referents are linked ('living properly', 'goodwill', 'service to the king' and 'service to the city').<sup>14</sup> For the same reason, these constructions serve as a two-way street insofar as the political identity definition of 'self' demands a dialogue with the political identity construction of the 'other'.<sup>15</sup> In this way, the elements enabling the definition of marks of identity with respect to inclusion (both individual and collective, since social actors tend to gather in groups) and exclusion reside in these self-categorizations. Diego Hurtado proved he had perfectly understood the norms ruling the specular game of identity; the city also learnt this lesson.

On 26<sup>th</sup> July 1420, as a result of the refusal of some of Diego Hurtado's vassals to pay the taxes charged on their lands (which they legally owned within the jurisdiction of the city), Cuenca complained to the Mendoza [...] *porque la Çibdat e su tierra non sean defraudados en su derecho, e con la vuestra merçed nin con vuestros vasallos non recresca contienda [...]*.<sup>16</sup> On the one hand, the city was legitimising and giving warning of the means it could resort to in order to solve the dispute. On the other, it was holding the Lord of Cañete responsible for the faults of his vassals and their consequences. In this game of positive/negative political planes, the city was now assuming a ruling role. This role was expressed more

13. On 15<sup>th</sup> September 1464, Lope Vázquez de Acuña used a similar discursive argument to demand that Cuenca return goods seized by the city to mosén Diego de Valera and the *regidor* Alonso del Castillo (both citizens of Cuenca had been fined for being in the king's disservice). AMC. LLAA. leg. 196, exp. 2, ff. 107v-108r.

14. As Turgeon affirms, identity is a permanent work of construction and reconstruction of a community that is not only cultural but communicational (discursive). See: Turgeon, Laurier; Létourneau, Jocelyn; Fall, Khadiyatoula, dirs. *Les espaces de l'identité*. Sainte-Foy-Québec: Presses de l'Université Laval, 1997: IX.

15. Regarding the weight of individual-group and selfness-otherness relations to the process of definition of identity, see: Garman, Sebastian Philip. *Foundation myths and political identity: Ancient Rome and Anglo-Saxon England compared*. London: London School of Economics (PhD Dissertation), 1992 (especially 64-65); Turgeon, Laurier. "Le chaudron de cuivre. Parcours historique d'un objet interculturel", *Les espaces de l'identité*, Laurier Turgeon, Jocelyn Létourneau, Khadiyatoula Fall, dirs. Sainte-Foy-Québec: Presses de l'Université Laval, 1997: 239-259. See also: Tap, Pierre. "Introduction", *Identités collectives et changements sociaux. Production et affirmation de l'identité Colloque International*, Pierre Tap, dir. Toulouse: Privat, 1980: 11-15; Groshens, Marie-Claude. "Production d'identité et mémoire collective", *Identités collectives et changements sociaux. Production et affirmation de l'identité Colloque International*, Pierre Tap, dir. Toulouse: Privat, 1980: 149-151; Soulet, Marc-Henry. "Identité collective, résistance au changement et rapports de sociabilité dans les sociétés rurales", *Identités collectives et changements sociaux. Production et affirmation de l'identité Colloque International*, Pierre Tap, dir. Toulouse: Privat, 1980: 157-159; On the role played by groups located in ambiguous positions between self and others, see: Neumann, Iver B. "Collective Identity Formation: Self and Other in International Relations". *European Journal of International Relations*, 2 (1996): 139-174.

16. "[...] in order that the city and its municipal jurisdiction's rights be observed, and contest does not emerge with your honour nor with your vassals [...]". AMC. LLAA. leg. 109, exp. 1, ff. 1r-v.



confidently in March or April 1465 (the date of the document is incomplete) when Cuenca reproached Pedro de Peralta, Lord of La Puebla de Almenara, for giving shelter in his village to Juan de la Panda after he had assaulted the village of Valdeganga (in Cuenca's *sexmo* of Arcas) and had stolen, amongst many other things, forty cows. The city asked the Peralta for compensation in such a way that

*[...] conpliréys lo que la justia e rason vos obligan [...] en otra manera, con rason podremos seer de vos quexosos e desir que non queréys tener el debdo e amor que tener devéys e a cargo vuestro nos será forçado de proueer a nuestros vesinos con justia [...].*<sup>17</sup>

In this Bourdieuvian game of *refus refusant d'autres refus, des dépassements dépassant d'autres dépassements*,<sup>18</sup> Cuenca transformed the complaints made by the nobility into complaints made against the nobility, using the very same identity referents used by noblemen in their process of self-categorization. Thus, the city's conduct (the possible reprisals it could exercise) was justified or legitimised by means of a game of coordinated categories of political identity. In the first place, Cuenca had to provide justice for its citizens (this obligation constituted one of the key elements upon which the process of construction of its identity was based); implementation of this obligation, in this case, derived from the conduct of the Lord of La Puebla, which was unjustified because praxis denied his stated referential identity (that of debt and love, or the moral obligation and deep fondness he felt towards the city). In the second place, the city found its justification in the parallel lack of justification of Pedro de Peralta, since the reproach brought about by his conduct over key elements in his identity simultaneously implied self-denunciation of the justice and reason (not) covering his actions. It is worth mentioning that the city, immersed in this game of qualification and disqualification of 'self' and 'other', did not deny the Peralta the identity referents of 'debt' and 'love' because this would have prevented Cuenca from elaborating its discursive argument. On the contrary, Cuenca recognized these referents in him, and used this recognition (positive plane) to denounce the Lord's conduct (negative plane) and, in this manner, it was able to establish the legitimacy of its own conduct (positive plane).

Rather than being a game of or for 'singles', identity was played by 'doubles'. Both city and noblemen needed each 'other' in order to build their own respective identities not only because all categorizations (self-categorizations) contained the defining elements of a 'self' and an 'other' but because the identity referents

17. "[...] you will observe what justice and reason demand from you, [...] otherwise, we could declare that we are dissatisfied with you, that you do not want to have the debt and love you should have, and we will be obliged to provide our citizens with justice [...]". AMC. LLAA. leg. 197, exp. 3, ff. 29v-30r.

18. "refusals refusing further refusals, overtakings overtaking further overtakings". Bourdieu, Pierre. *La distinction. Critique sociale du jugement*. Paris: Minuit, 1979: 61; see also: Bourdieu, Pierre. "Condition de classe et position de classe". *Archives Européennes de Sociologie/European Journal of Sociology*, 7/2 (1966): 201-223.



of 'self' and 'other' were forged and moulded in discourse and in everyday interactions between the diverse social actors.

### 3. The city: from the object of political relations to social actor

On 1<sup>st</sup> November 1417, in this context of conflict between the noble lineages of the Acuñaas and Mendozas, the city wrote to Diego Hurtado (as it had also done to Lope Vázquez) offering its services as mediator between the two parties: *Que esto lo faremos egual e justificadamente, syn vandería alguna, commo cunple al seruiçio de nuestro sennor el rey e prouecho común desta çibdat, e guardaremos loas honrras de cada vno de uosotros [...]*.<sup>19</sup>

Mediation implies a positive act of interposition or intermediation founded on the (moral or physical, in the broad sense) superiority held by the mediator over the parties. It is this superiority that enables the mediator to introduce himself between the parties, separate them and judge their conduct. Moreover, it is this superiority that enables him to force the contending parties to accept his arbitral findings.

Having been transformed into a battlefield by the Acuñaas and Mendozas, and reified through its conversion by both parties into an object of desire and a reward for victory, Cuenca had reacted firmly by stating its own identity, as I have already shown. Its mediation constituted a further step in the process of political (and political identity) construction. By means of this instrument, the city was able to transform its original position as an object of the conflict into that of an active participant in the political relations woven into the region.<sup>20</sup> Although mediation constituted the central and most brilliant aspect of this process of de-reification, other instruments were also used: firstly, negotiation with other noble lords to win their support (and simultaneously separate them from a possible alliance with any of the other parties); secondly, the implementation of mechanisms of pressure over the parties (including military ones), similar to those exercised by the Acuñaas, the Mendozas and any other noble lineage.

With respect to the first question, Cuenca showed an extraordinary ability to attract to its side *don* Enrique de Aragón, who contributed a set of relatively fluid relationships, firstly, with one of the most important lineages in the region (despite its main branch being in decline), that of the Albornoz (the Lord of Torralba through marriage to María de Albornoz) and secondly, with the monarchy, since his condition as bastard grandson of Henry II made him a peripheral member of the

19. "We will do this justly and with justification, without partialities, as befits the service of our Lord the King and this city's public good, ever respecting your state and condition [...]". AMC. LLAA. leg. 185, exp. 2, ff. 8r-v, 10r.

20. On this particular point see: Jara, José Antonio. "Consciencia, alteridad, percepción y marcación: la construcción de la identidad de los sujetos en la Castilla urbana del siglo XV", *Construir la identidad en la Edad Media. Poder y memoria en la Castilla de los siglos VII a XV*, José Antonio Jara, Isabel Alfonso, Georges Martin, coords. Cuenca: Universidad de Castilla-La Mancha, 2010.



royal household. Moreover, the city also showed a great political waist formulating this alliance (which was never expressly formalised) by entrusting *don Enrique* with an inquiry into the causes and consequences of the conflict.<sup>21</sup>

This expedient afforded significant advantages to both parties. On the one hand, it placed *don Enrique* at the heart of the conflict (and problem), transforming him from spectator (quite possibly a worried one) into principal actor as the appointed judge of both noblemen (a similar process to the mediation by Cuenca). On the other hand, it represented the reaffirmation of Cuenca's political role. This way, the city showed it had the ability not only to win over a sector of the nobility but also to manipulate instruments of political intervention, such as the inquiry. Although the latter was not reserved to the monarch, it was fundamentally ordered by the king; and in this way the city assumed (even if ideally) some of the faculties reserved for the king, which led to it occupying a superior position in the frame of its relations with the nobility and specifically with the noblemen in conflict.

In fact, Cuenca had shown great skill in commissioning the inquiry to *don Enrique*... and *don García Álvarez de Albornoz*, High Warden of the city and its municipal jurisdiction, as well as to the four mayors (judges) of the town. The presence of the High Warden (although a relative of *don Enrique*'s) and, above all, of the four mayors, anticipated the possibility of *don Enrique* (who was, after all, a nobleman) being tempted to transform the city into the object of the inquiry (once more reifying it together with the two noble parties), and accentuated the superior position the city claimed within the frame of the conflict by setting itself up as judge in this inquisitorial process.

In this manner, the city proceeded to occupy an important space in political (identity) representation, participation and construction: as judge of the inquiry, it had not been recognised by the parties, but the fact that it had achieved recognition from a sector of the nobility (albeit not directly involved in the dispute) is of some significance. This recognition by the de Aragón and his participation in the inquiry constituted mechanisms of levelling that, if not social, were at least political (affecting both Cuenca and *don Enrique*). Nevertheless, through a process of representation transfer, this levelling also extended to the city-Acuña-Mendoza relation, since the participation of *don Enrique* in the inquiry affected not only the 'non contextualized' condition of his 'self' but the many 'other' political spaces configuring that 'self', namely those found in the spheres of monarchy and nobility. As a nobleman who was able to fully represent his 'class colleagues', his political levelling with Cuenca involved 'city-nobility' political levelleving.<sup>22</sup>

21. This was entrusted on 19<sup>th</sup> October 1417, practically at the beginning of the conflict, and was concluded two days later. AMC. LLA. leg. 185, exp. 1, ff. 28r-29r. The report and the decisions adopted as a consequence (such as prohibition from entering the city enacted against both noblemen and their men) were sent to the contenders for their knowledge, generating a written chain of recriminations over the following months. AMC. LLA. leg. 185, exp. 2, ff. 5r-7r, 8r-9v, 10v-11r, 25r-27r.

22. Regarding the ideological meaning of the notion of 'justice' and its use for identity purposes see: Bartram, Claire M. *The reading and writing practices of the Kentish gentry: the emergence of a Protestant identity in Elizabethan Kent*. Canterbury: University of Kent (PhD Dissertation), 2005: 84-115.



In all likelihood, it was this situation that drove the city to make a further move in this process of political identity construction. The inquiry decreed by the town, which was endowed with ample political recognition, thanks to the participation of *don* Enrique, was an important instrument of pressure on the contending parties. Diego Hurtado and Lope Vázquez could not permit its enforcement as they had no way of intervening in it, because, as parties to the inquiry, they had been reified in the same way they had reified Cuenca at the beginning of the conflict. For this reason, mediation (arbitration) offered the most elegant, if only temporary, solution to the conflict: Cuenca, which would have had difficulty imposing strict observation of the inquiry, gained the recognition of its political role and its condition as actor of political relations on the same plane as the noblemen. The latter, who were unable to continue their plans for domination, avoided the (relatively) harmful consequences of the inquiry (while this may have been on a theoretical plane at that moment, it could be activated at any time by circumstances, such as support from the king and/or other noblemen).<sup>23</sup>

The intervention of the king and other noblemen,<sup>24</sup> the inquiry and the eventual ‘imposition’ of arbitration constituted levels of action that, once reached, opened the way to the next level. Nevertheless, consecution of these stages should not be understood as a linear progression but as a cumulative process of political decision/construction. Both city and noblemen tended to make simultaneous use of all the instruments of political action they had available at any given moment; the consolidation of each of these levels simply facilitated the transfer of more pressure to the next level of political action. Thus, on October 1417 the city announced (timidly) its intention of resorting to any measure it had at its disposal to pacify the contenders (a vague way of announcing its intention to resort to violent means). On 1<sup>st</sup> November, once the inquiry had finished, Cuenca, counting on the tacit assent of Lope Vázquez, which made it more confident of its political weight, threatened Diego Hurtado with the imposition of economic sanctions if the conflict was not solved by Epiphany. Only five days later, it ordered guards to be placed at the city gates to prohibit the noblemen and their followers from entering the town (thus enforcing the royal prohibition). These measures were strictly enforced and not a single esquire serving the Mendozas or the Acuña was allowed to enter the city, not even to visit their wives.<sup>25</sup>

23. On the combination of judicial and arbitral strategies, see: Hudson, John. “La interpretación de disputas y resoluciones: el caso inglés, c. 1066-1135”. *Hispania*, 197 (1997): 885-916.

24. At the beginning of September 1417, John II (already in his minority) had ordered both noblemen to leave the city and imposed a truce between them for two months; on 5<sup>th</sup> November he extended the truce until the 31<sup>st</sup> of January of 1418 and on 8<sup>th</sup> July 1418 he confirmed both the exile and the truce, extending it for another four months. AMC. LLAA. leg. 185, exp. 1, ff. 7v-8v, 16r-v; leg. 185, exp. 2, ff. 21r-v; leg. 185, exp. 3, ff. 17r-18r.

25. AMC. LLAA. leg. 185, exp. 1, ff. 2r; leg. 185, exp. 2, ff. 8r-v, 10r, 15v-16r, 23v-24r, 25r-26v. On August 1418 Lope Vázquez and his followers were admitted to the city (by that time the Lord of Buendía had apparently renounced his aspirations for domination); Cuenca then acted as a protective wall for them by preventing their confrontation with the militia raised by Diego Hurtado, who were camped on



The solution of the conflict benefited both Cuenca and Diego Hurtado. The city remained inside the royal domain and the Lord of Cañete was able to make his influence felt within it by procuring for himself the royal office of High Warden of Cuenca.

One of the discursive arguments used in the inquiry and in the arbitral mediation was that resolution of the conflict and the pacification of the contenders (and of the city that suffered their aggressions) were in the service of the king [...] *e pro de la dicha çibdat e de los que en ella biuen*.<sup>26</sup> This way, a distinction came into operation between the superior political abstraction 'city' and the social body of its inhabitants (citizens and residents). This distinction implied the construction of the city as a subject of law, independent of each of its constituents. The juridical abstraction 'Cuenca' emerged as something more than the sum of the individual subjects of law integrating its social body; it transcended individual and collective political identity constructions and their 'class barriers' allowing a project of political community to be built (this was much more idealistic than material, as it was subjected to instrumentalisation by the ruling elites, but it was by no means less real).<sup>27</sup> Although this was a generally shared feature by Castilian and European towns, it nevertheless constituted a permanent concern for the city throughout the century. The correct perception of urban reality, its recognition or rejection, implied, at least on an ideological level, an imbalance in the social and power position that the city occupied in the political frame (which was fundamentally regional) in which it normally acted; and although this recognition/rejection operated intellectually on an ideological plane, it also had consequences at a material level.

When the city of Cuenca addressed Lope de Alarcón, on 13<sup>th</sup> March 1436, to complain about the misdeeds committed by his vassals within its jurisdiction, it used the heading clause of the letter to (ideologically) create an imbalance in their respective positions of power: *Lope de Alarcón. El conçejo, caualleros, escuderos, regidores, alcaldes, alguasil, ofiçiales e omes buenos dela noble çibdat de Cuenca vos enbiamos mucho saludar*.<sup>28</sup> The city made use of its most complete title formula, firstly, by

the outskirts of the city, near the House of Saint James (the Lord of Cañete had assembled an important contingent of horsemen, lancers and bowmen). AMC. LLAA. leg. 185, exp. 3, ff. 13r-15r.

26. "[...] and to the common good of the aforesaid city and of its inhabitants". AMC. LLAA. leg. 185, exp. 2, ff. 10v-11r.

27. This distinction operates similar mechanisms, although naturally on a very different scale, to those that were masterfully analysed by Ernst Kantorowicz in his work devoted to *The King's Two Bodies* (Kantorowicz, Ernst. *The King's Two Bodies*. Princeton: Princeton University Press, 1997). On this point, with regard to the applicability of this model in the frame of the Crown of Castile (although circumscribed to the role played by 'Crown' and kings), see: Nieto, José Manuel. "Corona e identidad política en Castilla", *Construir la identidad en la Edad Media. Poder y memoria en la Castilla de los siglos VII a XV*, José Antonio Jara, Isabel Alfonso, Georges Martin, coords. Cuenca: Universidad de Castilla-La Mancha, 2010: 183-207; Jara, José Antonio. "Vecindad y parentesco...": 211-239; Jara, José Antonio. "Commo cunple a seruiçio de su rey e sennor natural e al procomún de la su tierra e de los sinos e moradores de ella. La noción de "servicio público" como seña de identidad política comunitaria en la Castilla urbana del siglo XV". December 2007, *e-Spania*, 4. 27 June 2014 <<http://e-spania.revues.org/document1223.html>>.

28. "Lope de Alarcón. The city council, knights, esquires, regidores, mayors, bailiff, officers and proud'hombres of the noble city of Cuenca greet you". AMC. LLAA. leg. 198, exp. 3, f. 62v. On the



enumerating its levels of political representation or participation: the social body (organized in its stamental groups: knights, esquires and proud'hommes) and the political body (composed of its public officers, from *regidores*, who were the highest officers in town, to the humblest representative of the commons of the city and its jurisdiction); and secondly, by reproducing its statutory condition (defined by the conditions of 'city' and 'noble'). Regarding Lope de Alarcón, the city denied him recognition of each and every one of the political identity categories that suited him: he was refused recognition of his titles of *don* and Lord and much less that of nobleman.<sup>29</sup>

In this manner, the city manipulated perception (its 'self-and-other-perception') in order to produce, on the one hand, an unbalanced frame of political relations (to its own benefit) and, on the other hand, a space of communal political construction.<sup>30</sup>

The leitmotiv of this process would focus on the notion of 'union', as expressed in an ordinance decreed by the city on 28<sup>th</sup> November 1468: *Consyderando que la vnión de muchos en amor e en caridad es madre de concordia, por la qual las cosas son alimentadas e creçen, e por la discordia son alejadas e amenguadas, e las çibdades destruydas [...]*.<sup>31</sup>

On 5<sup>th</sup> July 1468 prince Alphonse of Trastámara, half brother of Henry IV and pretender to the throne, died, which effectively put an end to the Civil War that had been devastating Castile since June 1465 (although there was a need for the king to negotiate the recovery of a certain *status quo* with the rebel nobles). The still recent experience of the Civil War (which had also affected the city, especially in 1465) and a future that looked far from promising made it advisable to take the path of union of action:

*[...] prometemos los oviar [los ruidos] nin faremos ayuntamiento de gentes en nuestras casas nin fuera dellas [...] e prometemos de trabajar con todas nuestras fuerças e de nuestros parientes e amigos e allegados para faser pas e meter sosiego en la dicha çibdad e entre los vesinos della [...] e prometemos de dar fauor e ayuda ala justiçia.*<sup>32</sup>

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manipulation of these institutions, see my work: Jara, José Antonio. "Vecindad y parentesco...": 211-239.

29. Unlike what had been observed in other circumstances, such as on 8<sup>th</sup> July 1465, when Cuenca addressed a letter to his *Espeçiales parientes e buenos amigos* ("Special relatives and good friends") of the city of Moya. AMC. LLA. leg. 197, exp. 4, f. 59v. Or on 20<sup>th</sup> March and 12<sup>th</sup> April 1469, when writing to Pero Carrillo de Albornoz (Lord of Torralba) and Lope Vázquez de Acuña (Lord of Buendía), it recognised the title *Noble sennor* ("Noble lord") for both of them. AMC. LLA. leg. 198, exp. 3, ff. 24v, 30v.

30. Regarding the mechanisms and operativity of political relations in a context of balanced/unbalanced power, see: Sheehan, Michael. *The Balance of Power. History and Theory*. London-New York: Routledge, 1996.

31. "Considering that the union of many people in love and charity is the mother of concord, from which things are nurtured and grow, and that from discord things are divided and reduced, and the cities are destroyed [...]". AMC. LLA. leg. 198, exp. 2, ff. 58v-60r.

32. "[...] we promise to obviate them [quarrels] and not call people in our houses or outside of them [...] [in our favour] and we promise to work with all our strength and that of our relatives and friends and followers in order to impose peace and peacefulness in the aforesaid city [...] and we promise to favour and help justice". AMC. LLA. leg. 198, exp. 2, ff. 58v-60r.



Violence, social unrest and disorder, and revolt —the hydra of destruction of the political body— were to be sought out (identified) and banished from the city. This document, composed of eight chapters and a foreword, exposed the grave questions affecting the natural development of the city, in synthesis: the division of the supreme political body, the kingdom (they declared themselves in favour of King Henry IV); the division of the urban political body (any interference with the decision-making process was banned, the process being open only to the officers entrusted with such obligations); and the division of the urban social body (any partiality or disorder was prohibited).

The most important feature of these chapters lies in the fact that they had been promoted by the whole socio-political body: citizens who were both privileged (*hidalgos*, knights and esquires) and non-privileged (commoners) joined together in a project aspiring to preserve the political identity construction of which they formed part and which gave them a strong sense of collectivity.<sup>33</sup> The supreme expression of the union they were trying to secure lay in the ceremony that followed the public reading of the ordinances. These were read in Cuenca's main square, the Plaza de la Picota, and then sworn in. This was done first by the Church (Pedro de Santacruz, secretary to the Bishop Lope de Barrientos, testified that they had previously been sworn in by a representation of members of the cathedral chapter); then the oath was taken by sixteen citizens representing the city.<sup>34</sup>

In fact, this kind of oath of service to the city (and the king) represented the most elaborate image of this project:

*[...] ellos, todos concordés e a vna voluntad, sin premia e sin indusimiento, sobre la sennal de la cruz con sus propias manos derechas dellos e de cada vno dellos tanida, e a las palabras delos santos euangelios [...] e luego todos o la mayor parte, a vna voz, dixeron que aprouaban, jurauan e juraron [...].*<sup>35</sup>

The solemnity of the ceremony (despite its simplicity), the physical presence of the citizens gathered in the same space, the public expression of the content of the oath, and the social, but above all religious, sanction of the oath itself, transformed this social aggregation into a vertebrate political entity, a community.

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33. While it is true that some citizens of Cuenca, among them some distinguished members of the ruling class, were serving their lords outside the city in the party rebelling against the king, the great majority of the social structure remained loyal to the city and the monarch.

34. On the influence of the mechanisms of leadership and, by extension, of representation in the conformation of collective identity models, see: Postmes, Tom; Baray, Gamze; Haslam, S. Alexander; Morton, Thomas A.; Swaab, Roderick I. "The dynamics of personal and social identity", *Individuality and the group: advances in social identity*, Tom Postmes, Jolanda Jetten, eds. London: SAGE, 2006: 215-236.

35. "[...] all agreeing and with one will, not being forced nor induced, over the sign of the Cross with their right hands over the words of the Holy Gospels [...] and afterwards they all or the majority of them, with one voice, said that they approved it, would swear it, and effectively swore it [...]" AMC. LLAA. leg. 191, exp. 5, ff. 22r-24r.



**Table I. Public oaths taken in Cuenca**

Date	Oath taken	People taking the oath
23 June 1436	On the king's instructions	55
11 February 1447	On the bishop's instructions	61
December 1447/January 1448*	On the city and its jurisdiction's initiative	13
19 January 1448	On the city's initiative	7
21 January 1448	On the bishop and city's initiative	186
18 & 28 December 1450	On the city's initiative	5
16 December 1453 & 4 January 1454	On the city's initiative	13
21 September 1464	On the king's instructions	473**
28 November 1468	On the bishop and the city's initiative	25
26 February 1469	On the city's initiative	9
[day unknown] May 1469	On royal officers' initiative	30***
21 June 1469	On the king's instructions	15

\* DURING THESE MONTHS, CITIZENS OF CUENCA'S VILLAGE OF VALERA DE SUSO CAME TO THE CITY COUNCIL TO GIVE THEIR OATH; IT IS PROBABLE THAT SIMILAR OATHS WERE TAKEN FROM THE OTHER VILLAGERS OF THE MUNICIPAL JURISDICTION BUT, IF THIS OCCURRED, THEIR OATHS HAVE DISAPPEARED FROM OUR SOURCES.

\*\* AMONG THEM, 17 ECCLESIASTICS, LAYMEN REPRESENTED 60.8% OF ALL URBAN HOUSEHOLDS.

\*\*\* THE SAME OATH WAS TAKEN IN EVERY *CUADRILLA* (WARD) OF THE CITY FROM ALL THE CITIZENS.

SOURCES: AMC, LLAA, LEG. 189, EXP. 1, FF. 11R, 21V-22V; LEG. 191, EXP. 1, F. 9V; LEG. 191, EXP. 5, FF. 14V-15R, 19R, 22R-24R; LEG. 191, EXP. 7, F. 1R; LEG. 192, EXP. 1, FF. 42V-43R; LEG. 192, EXP. 4, FF. 69R-V, 93R; LEG. 196, EXP. 2, FF. 109V-112V; LEG. 198, EXP. 3, FF. 13R, 48V-49R, 55R, 55V-56R.

It is not surprising that during the 15<sup>th</sup> century the city council frequently resorted to this liturgy of the political body, in which the social body celebrated its union of action and communitarian identity.<sup>36</sup> Although on most occasions these oaths adopted the nature of political representation (they were taken by representatives

36. On identitarian constructions based on these kinds of discursive artefacts see: Sapir, Edward. "L'influence des modèles inconscients sur le comportement social", *The Unconscious: A Symposium*, ed. Ethel S. Dummer. New York: Knopf, 1927: 35-48; Holland, Dorothy; Lachicotte Jr., William; Skinner, Debra; Cain, Carole. *Identity and Agency in Cultural Worlds*. Cambridge (Mass.): Harvard University Press, 1998: 26.



of the diverse layers of the socio-political pyramid of the city and its jurisdiction), it is also true that in particularly grave circumstances the participation of all citizens was demanded. In this way, the urban authorities emphasized the sense of union of the political community, as seen from the outside and particularly from within, because there was also a need for the community to believe in itself -and could a better expression of will be found than in the same cry coming from hundreds of mouths? This happened in 1448, when the city was facing the army of the *infantes* of Aragón (the sons of Ferdinand I of Aragón, who was uncle to John II of Castile) and certain local noblemen allied with them, such as Diego Hurtado de Mendoza (who took control of the city's castle); in 1464 and 1465, in the face of a new noble rebellion and the deposition-in-effigy of Henry IV; and in 1469, during a moment of respite between civil wars, when the next outbreak of hostilities was so vividly felt.

#### 4. Arguing and fighting for identity: the defence of the royal domain

What were the political-constitutional fundamentals of this call for union? On 20<sup>th</sup> March 1469 Pero Carrillo de Albornoz, Lord of Torralba, sent a letter to Cuenca complaining that the city treated his vassals as if they were constantly [...] *en deservyçio del rey nuestro sennor e en danno desa çibdad tocasse, non myrando la naturalesa mas antigua que de my e vesindad e amor e debdo que yo tengo e en my se ha fallado [...]*.<sup>37</sup> The Lord of Torralba legitimised his conduct by resorting to a chain of referents of political identity that had already been tested and consolidated in the city-nobility interaction since the beginning of the century: service/disservice to king and city, nature and vicinity, love and debt (moral debt).<sup>38</sup> The allegation made by Pero Carrillo came as a consequence of the defensive measures adopted by Cuenca against him and his vassals (Pero Carrillo took advantage of each episode of civil war in order to occupy districts in Cuenca's jurisdiction). On the same day that the Lord of Torralba justified his conduct, the city took another oath from its recently appointed Member of Parliament, Honorato de Mendoza, son of the High Warden Juan Hurtado de Mendoza. The first three chapters he had to swear illustrate the issues that were of great concern to the city: first, an oath to serve the king; second, an oath to serve and honour the bishop (the most committed royal, and ecclesiastical, protector of the city), the city, its jurisdiction and its *regidores*; and third, an oath to oppose any attempt to segregate Cuenca, its jurisdiction, its vassals and its fortresses from the royal domain.<sup>39</sup>

It was in the service to the king and the city where these political-constitutional fundamentals of the urban community were found. The distinctive mark of its

37. "[...] in disservice to the King our Lord, and detrimental to this city [...] disregarding my [Pero Carrillo's] nature and vicinity and the love and debt I feel for it [...]" . AMC. LLAA. leg. 198, exp. 3, f. 24r.

38. I have studied these questions in: Jara, José Antonio. "Vecindad y parentesco...": 211-239; Jara, José Antonio. "Commo cunple a seruyçio de su rey...".

39. AMC. LLAA. leg. 198, exp. 3, ff. 22r-v.



identity was the condition of the city pertaining to the royal domain, and it was the defence of this condition that called for union of action.<sup>40</sup>

#### 4.1 Arguing and dialoguing with the king

The gravest threat hanging over Castilian towns in the 15<sup>th</sup> century was the loss from municipal jurisdiction of places, districts and vassals. These were obliged to defend the integrity of their jurisdictions not only from the hunger of the neighbouring nobility but even from that of their own elites (who also tried to build their own jurisdictions at the city's expense) and from an ever weak monarchy eager to buy loyalties (which were unreliable when not openly treacherous) in exchange for urban rural districts segregated from the royal domain. In some cases whole cities and towns were handed over.<sup>41</sup>

In this manner, cities not only had to face pressure from the nobility but also from a monarchy that needed to be convinced of its strength (or deluded about its weakness) if it was to be regained as protector of the royal domain and defender of urban freedom. It was not until the reign of Elizabeth I that straightforward and effective backing from the monarchy could be relied on. Until then, cities like Cuenca were forced from time to time to remind the kings of their duties:

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40. This defence was constantly demanded by the city during the century, as proved by the numerous petitions submitted by Members of Parliament (MPs) to the Crown in parliamentary sessions: Parliaments held in Madrigal in 1419 (petition 17); Valladolid 1420 (petition 6), Palenzuela 1425 (petition 32), Zamora 1432 (petition 12 and 45), Madrid 1433 (petition 9), Madrid 1435 (petition 15 and 28), Toledo 1436 (petition 25), Madrigal 1438 (petition 22 and 54), Valladolid 1442 (petition 1), Valladolid 1451 (petition 25 and 28), Burgos 1453 (petition 26 and 28), Córdoba 1455 (petition 5), Salamanca 1465 (petition 15 and 18), Ocaña 1469 (petition 4), Madrigal 1476 (petition 8), and Toledo 1480 (most of the articles set out the procedures established by the Queen and King for reintegrating to the cities and towns the lands, men and villages seized illegally by the nobility). See: *Cortes de los antiguos reinos de León y de Castilla*. Madrid: Real Academia de la Historia, 1882: III-IV.

41. This occurred in 1465, with the bestowal of Astorga to Álvaro Pérez Osorio, Count of Trastámara, conferring on him the title of Marquis. Between 1374 and 1398 Benavente had been the object of a number of handovers, the last of these in favour of Juan Alfonso Pimentel. Something similar happened in Trujillo from 1430 to the final triumph of Elizabeth I and Ferdinand V of Castile (the 'Catholic Kings'), and in Cuéllar from its bestowal to *don* Fernando de Antequera, in 1390. Between the end of this century and the beginning of the 16<sup>th</sup> century, land extension in the jurisdiction of Cáceres was minimal as a result of occupations by the nobility; a similar situation was suffered earlier by the city of Valladolid, in the last quarter of the 14<sup>th</sup> century. See: Martín, José A. *El concejo de Astorga. Siglos XIII-XVI*. Leon: Diputación de León-Consejo Superior de Investigaciones Científicas, 1987: 229; Hernández, Severiano. *El concejo de Benavente en el siglo XV*. Zamora: Instituto de Estudios Zamoranos-Diputación de Zamora, 1986: 67; Fernández-Daza, Carmen. "Linajes trujillanos y cargos concejiles en el siglo XV". *En la España Medieval*, 6 (1985): 419-432; Fernández-Daza, Carmen. "Linajes trujillanos y cargos concejiles en el siglo XV". *La ciudad hispánica durante los siglos XIII al XVI. Actas del coloquio (Rábida/ Sevilla, 14-19 septiembre de 1981)*, Emilio Sáez, Cristina Segura, Margarita Cantera, eds. Madrid: Universidad Complutense de Madrid, 1985: I, 419-432; Velasco, Balbino. *Historia de Cuéllar*. Segovia: Diputación de Segovia, 1981: 111-126, 289-290; Santana, Fermina. *La villa de Cáceres en la Baja Edad Media*. Madrid: Universidad Complutense de Madrid (PhD Dissertation), 1985: 51; Rucquoi, Adeline. *Valladolid en la Edad Media, II. El mundo abreviado (1367-1474)*. Valladolid: Junta de Castilla y León, 1987: 119-129.



[...] sy ala dicha çibdat fuesen quitados e apartados dellas los lugares de su tierra e término e enajenados a otro sennorio, por lo qual sería causa de ser despoblar e destruyr la dicha çibdat, de que se seguiría a vuestra senoría muy grand deseruiçio [...] por manera que esto no pase, en lo qual faredes lo que cunple a vuestro seruïçio e acreçentamiento desa vuestra corona e a prouecho desta vuestra çibdat, e a los moradores della faredes mucho bien e mucha merçed [...].<sup>42</sup>

On 30<sup>th</sup> May 1440, while John II was considering bestowing 400 vassals from Cuenca to Pedro de Acuña, he was addressed by the city, which made known its opposition to their handover to the nobleman. To this end, it resorted to an argument centering on two elements that were fundamental for the Crown: firstly, the survival of the city, which was key to the survival of the royal domain; and secondly, the service to the king, which implied service to the royal (physical) person (John II) and at the same time to the juridical person (the Crown): disservice to these would entail the destruction of the city. In this case, Cuenca reproached the king for failing to fulfil his duties as a monarch, something that affected negatively his obligations towards the political body of the kingdom (and consequently towards Cuenca) and towards his incorporated abstraction (the Crown). On March 1465, confronted with a new —and more dangerous— bestowal of vassals from the city, the town council produced a similar discourse, reproducing the notions of service (loyalty of the city towards the king) and disservice (which the monarch would incur as soon as he failed to defend the royal domain).<sup>43</sup>

Their complaint did not guarantee the integrity of the jurisdiction (John II and Henry IV transferred several places in Cuenca's jurisdiction to the nobility) but enabled the city to elaborate a discourse around loyalty and disloyalty, using the notions of 'service' and 'disservice' as the pointer of these scales. Undoubtedly, legitimacy resided in the city, the real servant of king and Crown. In due course, the benefits from these services also went to the city. Henry IV granted the city the titles of 'noble' and 'loyal' (fundamental referents for the symbolic representation of the town and its position in the Castilian urban frame). Moreover, the king granted fiscal exemption from *pedido* and *monedas* to the citizens living inside the city's walls and to all those who could prove they had been at his service in past conflicts (some of them were even granted *maravedises de juro*); finally he granted Cuenca a tax-free market day every week.<sup>44</sup>

42. "[...] if the aforesaid city were deprived of the villages under its jurisdiction and sold to other lords, it would cause the city to become depopulated and destroyed, and it would incur in grave disservice to your Highness [...] in order that this cannot happen, and you will fulfil your service and benefit the Crown and will benefit this your city, and you will do much good to its inhabitants [...]". AMC. LLAA. leg. 190, exp. 2, ff. 9v-10r.

43. AMC. LLAA. leg. 197, exp. 1, ff. 15r-v.

44. Bonachía, Juan Antonio. "Mas honrada que ciudad de mis reinos...". La nobleza y el honor en el imaginario urbano (Burgos en la Baja Edad Media)", *La ciudad medieval. Aspectos de la vida urbana en la Castilla bajomedieval*, Juan Antonio Bonachía, coord. Valladolid: Universidad de Valladolid, 1996: 169-212. *Pedido* and *monedas*, together with the *alcabalas* constituted the bulk of royal taxes and finances. Whereas the latter was a charge on economic exchanges, the first were granted by Parliament at the



#### 4.2 *Negotiating identity, negotiating the jurisdiction: city, noblemen and the royal domain*

One of the key elements in the survival of Cuenca in the first third of the century was the division inside the nobility and its relatively intense ‘manipulation’ by the city. In the second half of the century, Cuenca again had recourse to its relations with the nobility with the aim of defending its jurisdiction. A prerequisite to this dialogue with the nobility was the construction of the guiding principles of ‘loyalty’ and ‘service’ (and their counterparts, ‘disloyalty’ and ‘disservice’) to rule, on the one hand, the relations with the nobility that were in the course of being established; and, on the other, to legitimise the establishment of those relations in a context of so much rebellion and treachery. As early as 1440, the city council had addressed some members of the court to seek their cooperation against the bestowal of the 400 vassals to Pedro de Acuña. However, it was in the 1460s when it intensified its search for help from members of the high nobility and other important members of the regional nobility: the Bishop of Cuenca, the Master of the Order of Santiago, the Marquis of Santillana, the Bishop of Sigüenza, the Archbishop of Seville, the Steward Andrés de Cabrera (subsequently Marquis of Moya), or Juan de Oviedo, Secretary to Enrique IV.<sup>45</sup>

As Pero Carrillo de Albornoz pointed out on 25<sup>th</sup> May 1467, in one of his periods of cooperation with the city, the discursive thread underlying these political relations lay in his disposition to serve:

*[...] asy estó yo muy presto para faser muy enteramente lo que querréis ordenar y mandar, asy por aver segido e seruido tan sennaladamente al rey nuestro sennor [...] Y todo lo que será justo, es muy grand rasón que yo faga con vosotros sennores [...].*<sup>46</sup>

Or, as synthetically proposed on January 1469 by the Duke of Medinaceli, *[...] porque mi deseo e voluntad siempre fue de mirar e guardar vuestras cosas no menos que las propias [...]*<sup>47</sup> (this did not, however, prevent him from occupying a good portion of Cuenca’s northern *sexmo* of the Sierra).

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king’s request (the total amount afterwards being distributed amongst cities and towns and paid by their citizens/residents usually on a tax share basis). *Maravedises de juro* were public debt obligations granted by the king to an individual and paid from a specific tax charging a specific place. Evidently, this does not mean that these privileges were always observed; for example, in 1476, in the middle of the War of Succession, the ‘Catholic Kings’ charged the city *pedido* [and] *monedas*, forcing the town to claim for observation of its tax exemption. See: AMC. LLAA. leg. 197, exp. 4, ff. 57v-58r, 59r; leg. 198, exp. 2, f. 60r-v; leg. 200, exp. 1, ff. 44v-45v.

45. AMC. LLAA. leg. 190, exp. 2, f. 12r; leg. 197, exp. 1, f. 16r; leg. 197, exp. 2, f. 40v; leg. 198, exp. 2, ff. 21v-22v; leg. 198, exp. 3, f. 156r.

46. “[...] I am quite ready to fulfil what you wish to order and command me, not only because I have followed and served the King our Lord with distinction [...]. And it is reasonable that I behave with you in a just manner [...]”. AMC. LLAA. leg. 198, exp. 1, sf.

47. “[...] because my wish and will has always been to seek out and protect your interests as if they were mine [...]”. AMC. LLAA. leg. 198, exp. 2, f. 74v.



This notion, 'service', implies the assumption, at least on an intellectual plane, of the (political identity) elements serving as its referents. Pero Carrillo referred to these when citing 'justice' and 'reason'. On 7<sup>th</sup> January 1442, Cuenca gave a more complete battery of referents (expressed both positively and negatively) when it demanded of Gómez Carrillo, Lord of Priego, the liberation of its Members of Parliament which he had imprisoned:

*[...] a vuestro poder por fuerça e contra su voluntad; de lo qual somos marauyllados en vos mandar cometer e faser lo suso dicho contra el seguro que el dicho sennor rrey tiene dado a los dichos procuradores e en deservigio suyo e en grant menos preçio e injuria desta dicha cibdat e de los que en ella viven [...] e si por causa e rason de los sobre dicho, algunos escandalos se recreçieren, e muertes e feridas, e robos e males e dannos se recreçieren, que vos, el dicho Gomes Carrillo, con vuestros bienes, seades a todo ello tenido e obligado [...].*<sup>48</sup>

These 'power' (in its negative context, excessive and unjust), 'force', 'will' (in negative sense, deprivation of this), 'disservice', 'disdain', or 'insult' could be used to categorize both this nobleman's conduct and the behaviour of any other noble 'seizer'. The gravity of disdain and disservice to king and city was the same in both cases. The force exercised over the city implied breaking the balance in the power relations that also formed the basis of the construction of the city's political identity.

For this reason, the imbalance generated by the aggression of the nobility could and had to be resolved by means of cooperation with other noblemen (as happened in the 1410s with *don* Enrique de Aragón). In most cases, these noble lineages were either just looking out for their own political interests, or else they were aware that their political weight in the region was threatened by other more aggressive noble lineages, a circumstance calling for precautions, which they took by pacting with the city. This is what Cuenca and Pero Carrillo de Albornoz did on 3<sup>rd</sup> March 1470, when they signed a pact agreeing to help each other against the aggressions of the Duke of Medinaceli. Scarcely fifteen days before that, on 21<sup>st</sup> February, the city, the High Warden Juan Hurtado de Mendoza and Lope Vázquez de Acuña had signed a similar pact for the same reasons.<sup>49</sup>

In this manner, and for different reasons, the defence of Cuenca's jurisdiction became a fundamental part of the political and military efforts of noblemen and town, and a guiding principle of their political identities insofar as the justification of their conduct lay in service to king and city, of which one of the

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48. "[...] under your power, by force and against their will; we are quite astonished to know you ordered it done against the safe-conduct granted by the king to the aforesaid Members of Parliament, and in disservice to the king and in disdain and insult to this aforesaid city and its inhabitants [...] and if as a consequence of it, outrages arouse, and deaths and wounds, and plunders and evils and damages arouse, you, the aforesaid Gomes Carrillo, will be fully responsible [...]". AMC. LLAA. leg. 190, exp. 6, ff. 20v-21r.

49. AMC. LLAA. leg. 198, exp. 3, ff. 160v-161r, 159r-v.



constituent elements was the notion of ‘royal domain’ (albeit sometimes only in an ideal sense, it is true).

To this end, Cuenca developed an intense political-military activity aimed at defending, in the first place, the city itself, and in the second place, the jurisdiction. Thus, ordinances regulating the services of sentinels, night patrols and guards in the city were continuously decreed and enforced; fortresses and churches in the jurisdiction were repaired (the massive walls of some churches effectively transformed them into small strongholds); and the militia was frequently called up for duty.<sup>50</sup>

Whether it was being aided or betrayed by the nobility, in either case Cuenca showed an active commitment to the defence of its jurisdiction (there was a permanent wish to *resistyr çiertos males e robos e dannos que en la tierra de la dicha çibdad se fassen*),<sup>51</sup> even in the most adverse circumstances. An example occurred in July 1483, when, fearing that the Duke of Medinaceli’s vassals might occupy some of the city’s meadows, the town council expressed its die-hard resolve to defend the jurisdiction against the Marquis’ men: on 10<sup>th</sup> July the city asked Pero Carrillo de Albornoz for help, at the same time ordering its villages of Alcantud, Cañizares and Fuertescusa (in the vicinity of the Duchy of Medinaceli) to call their men to arms as soon as they were commanded by the city. On 14<sup>th</sup> July, it wrote to the Duke, complaining of the imminent invasion, and to the castellan of Beteta (a vassal of Pero Carrillo de Albornoz) asking him to keep his spies on the field. On 16<sup>th</sup> July, it asked Alonso de Castro, the judge of *mestas* [and] *cañadas* (his function was to judge disputes between individuals/towns and livestock farmers) to demand that the Duke cease his intention to invade the meadows because they were the subject of a pending dispute between the Council of the *Mesta* and the city of Cuenca before the court he presided over (any arguments, even the most preposterous, were welcome); nevertheless, conscious of the weakness of this latter argument, the city ordered its militia to prepare itself (under a penalty of 10.000 *maravedises* and banishment from the city and jurisdiction for a year), asking the castellan of Beteta to act accordingly, and informing him that they had the backing of Juan Hurtado de Mendoza who had also ordered his vassals at Poyatos to make preparations.<sup>52</sup> This time round, the city knew how to stop the blow, even before it was struck.

50. AMC. LLAA. leg. 191, exp. 6, ff. 80v, 92v-93r; leg. 197, exp. 1, ff. 13r-v, 19r, 32v, 33v; leg. 197, exp. 2, f. 39r; leg. 197, exp. 3, ff. 2v-r, 4r-5v, 13r; leg. 197, exp. 4, ff. 54r-v; leg. 198, exp. 3, f. 140r, 163v-164r. 51. “to resist certain evils and plunders and damages done in the jurisdiction of the city”. AMC. LLAA. leg. 198, exp. 3, f. 38r.

52. AMC. LLAA. leg. 200, exp. 3, ff. 58r-59v; leg. 201, exp. 2, f. 4r; AMC, LLAA, leg. 205, exp. 2, ff. 60v-61r, 66r, 66v-67r, 70r-72r.



## 5. Conclusions

*[...] fiso ala dicha çibdad e a toda su tierra, distrieto e jurisdidiçión della, ynalianable e imprescriptible, anexándola ala corona rreal de sus rreynos para siempre jamás, e prometió e juró por su fe rreal de non dar nin enajenar la dicha çibdad nin cosa alguna de su término e tierra e jurisdidiçión [...].<sup>53</sup>*

In the 15<sup>th</sup> century, the inalienability and imprescriptibility of the royal domain constituted one of the most important discursive elements of the relation monarchy-cities. The weakness shown by John II and Henry IV under pressure from an ample (and changing) group of noblemen, and the extraordinary and permanent aggressiveness of the latter, transformed the defence of the royal domain into a referent for the survival of many towns. In this context, the nature of the relation of royal cities and towns with their 'natural' lord, the king, was both solidary and contesting. This apparent contradiction comes from the monarchy's failure to fulfil its obligations to the kingdom and the Crown and from the superior loyalty the latter demanded from their 'naturals'. Thus in 1465, in one of the most critical moments of the Civil War, when the city feared being deprived of most of its jurisdiction, Cuenca felt (physically and ideologically) strong enough to challenge the king: either Henry IV fulfilled his duties towards Cuenca or the city would surrender to the prince *don* Alphonse, or to any other nobleman who could guarantee its jurisdictional integrity within the royal Crown.<sup>54</sup> Once more, legitimacy resided in the city.

While subjected to these aggressions from the nobility, during the period under consideration, Cuenca learnt how elaborate a 'discourse of the royal domain', transformed into a mark of identity of its political action. The emphasis put on the notion of 'service' (to king and city) and on the different identity referents examined in this study, outlined the political, ideological and discursive fundamentals 'identifying' the city and 'distinguishing' it from the other noble actors. Thanks to this, the city could join the frame of 'national' and regional political relations, assuming a political role similar to the one played by the nobility, emphasizing (at least on an ideal or symbolic plane) the power position thus occupied within the frame of these political relationships.

It is in this 'distinguishing process' that the fundamentals of the city's political identity can be found. This political distinction or significance was instrumentalised in order to produce a specific identity model, the aim being to ideologically separate/distinguish city and neighbouring (regional) noblemen. As a natural consequence of this process, the construction and implementation of this identity model worked towards unifying the socio-political body around a common objective and political action.

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53. "[John II] made the city and its entire municipal jurisdiction inalienable and imprescriptible, annexing it to the royal Crown forever, and he promised and swore by his royal word not to bestow nor grant the aforesaid city nor any single part of its jurisdiction [...]" . AMC. LLAA. leg. 197, exp. 1, f. 15r-v.

54. AMC. LLAA. leg. 197, exp. 3, ff. 24r-v.



Throughout most of the century, at least in Cuenca these *esforçar e vnirnos los pueblos a vn querer e voluntad*<sup>55</sup> were a real and daily practice, both in the city and its jurisdiction. During this period, in Cuenca (unlike in many other Castilian towns), the participation of its elites in these illegal practices acquired minimal significance. The strenuous pressure exerted by the nobility over the city and its jurisdiction operated what in other cities was only glimpsed: a real communion of interests between the different social groups. The defence of the jurisdiction also became their *raison d'être* and mark of identity because exploitation of the jurisdiction's resources formed the basis of their aspirations to social promotion.<sup>56</sup>

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55. "efforts and union of people around a same wish and will". AMC. LLAA. leg. 198, exp. 3, f. 52r.

56. After sending this paper to *Imago Temporis*, three books have appeared that would have merited the attention of this work. I just can devote this late footnote to quote them: Monsalvo, José María, ed. *Sociedades urbanas y culturas políticas en la Baja Edad Media*. Salamanca: Universidad de Salamanca; Jara, José Antonio, coord. *Ante su identidad. La ciudad hispánica en la Baja Edad Media*. Cuenca: Universidad de Castilla-La Mancha, 2013; Oliva, Hipólito Rafael; Challet, Vincent; Dumolyn, Jan; Carmona, María Antonia, coords. *La comunidad medieval como esfera pública*. Seville: Universidad de Sevilla, 2014.

