

mora blanca latinada per nom Fatom'. Sanchis Guamer refutes the suggestion that the Peñiscola Muslims were speaking either Valencian or Aragonese in that episode, and argues that the Teruel Moor's Romance was Aragonese (*Historia linguística de Valencia*, pp. 142-143).

<sup>17</sup>*Llibre dels feyts*, ch. 367: 'cartes e missatges en arabich'. Arch. Crown, Peter III, Reg. Canc. 46, fol. 221v (July 9, 1284): 'fuit scriptum in arabico universis Sarracenis domini regis regni Valencie'. Muntaner, *Cronica*, ch. 85: 'sabia molt be sarrahinesch'; the Muslims 'hagren un moro qui sabia parlar pla' – a medieval idiom for Romance, as when documents were 'en lati o en pla'. The Orihuela accounts are in *Rentas de la antigua corona de Aragon*, ed. Manuel de Bofarull y de Sartorio, in the *Coleccion de documentos inéditos del archivo general de la corona de Aragon*, ed. Prospero de Bofarull y Mascaro et alii, 41 vols. (Barcelona, 1847-1910), XXXIX, 109ff.: 'reebre los comptes murischs et trasladar aquells en cristianesch'. For a 'litera sarracénica' of 1280 by Jativa Muslims paying taxes, see my *Medieval Colonialism*, p. 223n.

<sup>18</sup>*Llibre dels feyts*, chaps. 60, 85, 247. *Cronica latina de los reyes de Castilla, edicion critica* (ed. M.D. Cabanes Pecourt [Valencia: 1964]), p. 114: 'populum alterius religionis et lingue'.

<sup>19</sup>An account of the schools and their bibliography is in my 'Christian-Islamic Confrontation in the West: The Thirteenth-Century Dream of Conversion', *American Historical Review*, LXXXVI (1971), 1386-1434.

<sup>20</sup>*Collectio maxima conciliorum Hispaniae et novi orbis*, ed. José Saenz de Aguirre, 6 vols. (Rome, 1753-1755), V, 286: 'Audiui namque e bonae memoriae episcopo valentino hoc publice praedicante: quod tot vel plures sunt in sua diocesi mezquitarum Sarracenorum quot ecclesiae Christianorum, et tot vel plures ... scientes loqui algaraviam seu sarracénice quot e contra'. Reported to Benedict XII by the metropolitan Amold as an eyewitness. Though dated 1337, the report quotes 'the late' bishop of Valencia; this cannot be the reigning Raymond of Gaston (1312-1348) but only Raymond Despont (1289-1312), former governor of the Ancona march at Rome, chancellor and intimate of the kings of Aragon, protector of the poor, who brought the twenty-year war of the Sicilian Vespers against France to a close and helped resolve a number of lesser difficulties (see my *Crusader Kingdom of Valencia*, I, 27; E. Olmos y Canalda, *Los preladados valentinos* [Valencia, 1949], pp. 77-82).

<sup>21</sup>Quotations from Fuster (see above, note 11). See also Sanchis Guamer, *Els valencians i la llengua autoctona*, pp. 60-62.

<sup>22</sup>*Muqaddimah*, I, esp. ch. 2, sections 22-23, and ch. 3, section 5.

JFA. 6 (1977) 4 (137-143)

## CENTRALISM AND REGIONALISM IN EIGHTEENTH-CENTURY SPAIN

by W.N. HARGREAVES-MAWDSLEY

THE absolutism of the Habsburgs, who ceased to reign in Spain in 1700, was followed by the even more authoritarian and centralising policy of the Bourbons, which Philip V borrowed from his grandfather Louis XIV of France, his mentor. Of institutions existing at the time of Philip's accession the one which he made the most use of as an instrument of Bourbon autocracy was the Council of Castile, and this was strengthened throughout the eighteenth century as an antidote to regionalism. Practically all the notable statesmen of the period were associated with it, many becoming its President.<sup>1</sup>

Philip and his descendants were all centralists, although their statecraft was modified according to their varying characters. Thus Philip, a weak personality though outwardly a sabre-ratdler, was throughout his reign in the hands of women, first the Princesa de los Ursinos and afterwards of his second consort Isabel Farnese; Ferdinand VI, jealous of his power, used it carefully and intelligently; while Charles III made use of his uncontested personal popularity to transform himself from a despot of the old school, though broadly speaking a benevolent one, such as Frederick William I of Prussia, into an enlightened one, such as Emperor Joseph II and other contemporaries. During Charles's reign (1759-88) Spain came nearest during the eighteenth century to approaching the European thought of the day. The point is that supreme power was vested in the monarch, though as the century progressed he became increasingly sensitive to the doctrine of 'accountability' beloved of physiocrats and Encyclopedists alike.

In the long run the rise of the middle classes, following the pattern in the rest of Europe, greatly benefitted the Bourbons. It was a new strong arm for the crown, and in return new privileges, even

amounting to titles of nobility, were granted to the professional class, which is seen increasingly to occupy positions of importance at the expense of the old nobility.

A noteworthy feature of government under the Bourbons was the rise of professional statesmen opposed to feudalism and without feudal, and so regional interests, unknown under the Habsburgs. In the seventeenth century there had been *cancilleres*, or advisers to the sovereign, but now appear ministers, who are auxiliaries of an absolute monarch, and who have wide functions and far more influence than the *cancilleres* ever had. Under the Habsburgs there had been favourites who had exercised a personal power over the king, usually disastrously since they were untrained in governing. Now there were sober statesmen, who after faithfully working for years as civil servants, came to the front and enjoyed great prestige in the eyes of the nation; such were Patiño, Campillo, Ensenada, Carvajal, Campomanes and Floridablanca.

As early as 1705 a start was made in building up ministerial and civil service power, when by royal decree the *Despacho universal* was split into two secretariats, one for War and Finance and the other for Public Administration. In 1714 this system became more intricate, and by 1787 the number of secretariats had been increased to four with a completely separate one for the Indies.

Of the organs of government the Councils had always been very important, in fact vital to the administration. Under the later Habsburgs they had been increasing in power to such an extent as to damage efficiency and become detrimental to royal authority. Under the Bourbons, as one would expect with a caesaristic and centralising crown, all were brought under the King's private Council, generally known as the Council of Castile, before the death of Philip V in 1764. The Council of Castile thus became the pivot of Bourbon centralism, absorbing as it did all regional councils.

It had legislative powers, and was responsible for preparing ordinances, decrees and rulings on matters carried out in the name of the crown. The results of its deliberations had the force of law. As a high administrative tribunal the Council had a very wide area of jurisdiction extending from its being a High Court of Justice to judge cases of high treason and *lèse-majesté* to being the supreme authority on ecclesiastical affairs, while in the educational field it held wide powers. It issued licences for all published work, and even kept a watch on commerce and agriculture, mines, forests, roads and bridges, and municipal finances.

Philip V's tutor in affairs of state was Louis XIV the keynote of whose policy, inculcated upon him in his formative years by Maza-

rin, had been the idea of power intensely concentrated on the Crown. Philip was a willing pupil, and his French advisers Orry and Amelot, trained in the service of the French king before they came to Spain, carried the theory into effect.

If Philip had had any doubts about the dangers of regionalism they became certainties during the years of the Spanish Succession War, when he seemed to be in danger of losing his throne to the Archduke Charles of Austria and to the Allies, who were backed at home by Aragon, Valencia, Cataluña, Navarra and the Baleares, not always for the Austrian's sake, but as an opportunity to gain freedom from hated Castile.

Philip's success at the Battle of Almansa (1707) gave him his first opportunity for revenge and to carry out a policy which should settle the dominance of Madrid. Thus on 29th June of that year<sup>2</sup> the political privileges of Aragon and Valencia were abolished by decree, and Castilian law was forced on those recalcitrant regions. Although a calendar month later, on representations being made that, whatever attitude their governments had taken this did not mirror the views of the Aragonese and Valencians at large, who were loyal Felipists, the king softened the decree and restored local privileges, he did not relax his hold on the form of government under which these areas should live. It was Amelot who impressed on Philip that, while he might indulge Aragon and Valencia with vague prerogatives, he must never let them off the reins of Madrid. When in 1713 the war of the Spanish Succession ended, and, except in Cataluña and the Baleares Philip was victorious, the Spanish minister Macanaz, a disciple of Amelot, in drawing up a revised constitution for all the component parts of Spain, followed this policy.

In 1707 High Courts (*audiencias*) were set up, one for Aragon in Zaragoza and one in Valencia for Valencia, their character and organization being copied from the chanceries (*cancillerias*) of Valladolid and Granada. How much regional autonomy was to be allowed could be seen in the following years, as when, for example in 1711 it was decided that, although criminal cases in Aragon could be judged by the High Court of Zaragoza, they were to be 'regulated in order to accord with the customs and laws of Castile'. Civil cases, on the other hand, could be judged according to municipal laws (that is, the laws of the City of Zaragoza) unless the crown intervened, in which case they were to be judged by Castilian law. Thus the real rule stemmed from Madrid; but as a gesture of appeasement privileges were extended where they could do no harm to centralism. The powers of the High Court of Valen-

cia were similarly curtailed in 1716.

Cataluña<sup>4</sup> and Mallorca did not feel the rigour of Bourbon centralism until 1714 and 1715 respectively. They had been hardened opponents of Philip V and were made to smart for it. When on 16th September, 1714 Barcelona capitulated to the Felipists its three proud institutions, the Council of One Hundred, the *Diputacion* and the *Brazo militar* or *Brazo noble* (Officer Corps) were dissolved. In their place a Royal Council of Justice and of Government were created, composed of six councillors and a secretary, all of them Catalans, with Patiño, representing Madrid, as President. Vengeance, however, lurked behind the apparent smiles, for when this Council was joined by another new institution, the Council of Administrators of the City of Barcelona, it was soon realised that both were tools of the central government. Their very first acts showed this, for how could Catalans prohibit their own people from carrying arms, exact savage stamp duties, force citizens to make over part of their property to billet the occupying forces of Castile, order those who had gained titles and other privileges from the Archduke Charles to hand over their documentary evidence for these to be burnt, and perhaps most humiliating of all to insist that Catalans who wished to journey outside Cataluña should obtain a passport or else suffer execution? All these laws were passed by mid-November, 1714.

The following year the University of Barcelona was disbanded, its members being banished to brand new buildings, on which acroteria in the shape of crowns were abundant, in the country town of Cervera. Professors and students could do little harm in that remoteness. Only the Grammar School, a minor part of the University which prepared students for matriculation, remained in the capital. At the same time the Cortes of Cataluña was suppressed, its members being absorbed into the Cortes of Castile at Madrid, which now became the only one in Spain.

This curtailment of Catalan liberties was not enough for the triumphant Bourbons, and in 1716 the so-called and euphemistically termed New Plan was introduced. By it all ancient Catalan usages and forms, both political and economic, procedural and legal were abolished in favour of Castilian ones. The Catalan language was forbidden in administration and in the law courts. The criminal law of Cataluña was to be Castilian. The success of the New Plan was, however, never complete, and until the early nineteenth century Cataluña continued to preserve a great deal of its own criminal law, while the office of Notary Public of Barcelona survived. Civil and mercantile law remained exclusively Catalan,

and in fact the New Plan expressly stated that the central government in Madrid wished to respect Catalan law which dealt with the family, property and the right of the individual. The Catalan language, though banned from all public institutions of learning, continued to be taught privately.

As to the government of Cataluña, the supreme body was the *Audiencia* of Barcelona with the Captain-General of Cataluña presiding; but its decisions had no power in the face of the opposition of the central administration of Madrid. In 1740,<sup>5</sup> however, it was enacted that if Madrid overruled Cataluña an appeal could be lodged in the Council of Castile. Until 1768, when it was abolished as being contrary to the spirit of the Enlightenment, there existed in Cataluña a feudal Tribunal of Peers, to which appeals concerning appropriation of land could be made.

Philip V failed to honour his declarations made at the time of the capitulation of Barcelona, and many high civil servants and officers were imprisoned. General Moragos was the most prominent of four Catalans who between March and April, 1715 were shot for attempting to escape. So prominent a Catalan Felipist as Bishop Taverner of Gerona drew attention to this failure of the victorious régime to keep its promises in a speech delivered to the Provincial Council in 1717. Some citizens of Barcelona decided to emigrate to Sardinia rather than see the new fort (*ciudadela*) arise to overawe the city.

Mallorca was similarly dealt with in 1715<sup>6</sup> when by royal decree the *Audiencia* of Palma was set up, presided over by a Felipist general. Mallorquin civil law, as practised by the *Consulat del Mar* and the *Gran i General Consell*, however, survived until 1718. The city council of Palma and the councils of the provincial towns were nominated by the crown.

In the Basque provinces the settlement was somewhat different, for here there was more readiness on the part of the central government not to upset local susceptibilities since its control of this area was never too secure. Even so, in spite of much window-dressing, representatives of Bourbon authority were intruded into local government throughout the eighteenth century. The sovereign was directly represented by the crown-nominated chief magistrate (*corregidor*), the captain-general and lord mayors (*alcaldes mayores*). The *corregidor* resided in Bilbao with the title of Lord of Vizcaya.

The good-will of the Basques was vital, the strategic importance of their territory and their sympathies for their fellow Basques on the French side of the frontier being no light considerations; and

hence it is not surprising that no attempt was made to place them under a military governor.<sup>7</sup> Furthermore, the Felipists in 1717 made a placatory gesture towards the Basques by moving their customs posts from the boundary with Castile to the French frontier and the coast; but owing to the resultant outbreak of fraud and contraband which this gave rise to, Madrid was forced to return the posts to their former position.

The two notable characteristics of the Bourbon administration were centralism and uniformity, with the Crown under Philip V more crudely and realistically absolutist than under the Habsburgs. The purpose of both was to bring about efficiency by the attempted destruction of regionalism and so of feudalism, and by the concentration of wealth and power in the Crown 'for the good of the people'. In spite of this policy, throughout the eighteenth century the provincial administration of Spain remained regionally inspired and so out of harmony with the central one.

Why did this insensitive centralising policy not bring its expected success? This seems the more extraordinary when one considers that hosts of provincial assemblies and councils were powerless before a handful of government officials backed by law.<sup>8</sup> Apart from the obvious cause, that of difficulty of communication in this particularly mountainous country, there was another matter which militated against a tidy uniformity. In the eighteenth century Spain's territorial divisions still kept their mediaeval feudal limits, something so bound up with the jealousy guarded traditions of Spanish culture as not to be lightly swept away. Confused and disorderly they may have been,<sup>9</sup> but they were Spain. Thus a senior civil servant of enlightened ideas would find it exasperating<sup>10</sup> that the divisions between the provinces were so irregular, that the very provinces varied so much in size, and that in many cases portions of the territory of one became entangled in the territory of another. Just as various as were the shape and size of the territories were the constitutions of the local governments, so that some towns might be under the kings' authority, others under the lord of a manor, others under an abbacy, and others under one of the Military Orders. Navarra had the distinction of being the only part of Spain to have a viceroy, an office of great dignity and filled always by outstanding figures on the nomination of the crown.<sup>11</sup>

It is always difficult for a new dynasty to graft itself on to a nation foreign to it, and particularly in a country as exclusivist, proud and traditionalist as Spain, as the Habsburgs had originally found.<sup>12</sup> The War of the Spanish Succession was for the Bourbons a blessing in disguise, since from it grew both a pride and resent-

ment on the part of Spain, pride in a new régime which had won in the face of great odds and which had identified itself with Spanish nationalism, and resentment against the Allies who had dared to take up arms against their country and presume on its integrity.

Regionalism has always been, and is today, a prime problem of Spain. The Bourbons were faced with it from the start, but by the end of the eighteenth century at the national level they had to a large extent succeeded in gaining popular loyalty and in making Madrid the hub of their personal power and the centre and pattern of government. Although at the provincial and local levels successful centralisation was by no means complete, many inroads had been made into feudal autonomy, which could not have happened had devotion to the Crown among the nascent middle class, which had profited from it, and the peasantry, for whom it was the pinnacle of nationalistic emotions and even religious faith, not become a reality.

#### NOTES:

<sup>1</sup> The two great classical works on the *Consejo de Castilla* are: A Martinez Salazar, *Coleccion de memorias y noticias del gobierno y politico del Consejo* (Madrid, 1764) & E. Escolano de Arrieta, *Practica de Consejo Real en el despacho del los negocios consultivos, instructivos y contentiosos ...* (Madrid, 1796). They are essential for the subject of Bourbon statecraft.

<sup>2</sup> Fray Nicolas de Jesus Belando, *Historia civil de España* (Madrid, 1740), pt. I, pp. 316ff, see W.N. Hargreaves-Mawdsley, *Spain under the Bourbons* (London, 1973), pp. 35-6.

<sup>3</sup> Many examples mentioned here are to be found in Santo Sanchez, *Extracto puntual de todas las pragmáticas, cédulas provisiones, circulares publicadas en el reinado del señor Don Carlos III* (Madrid, 1792-93).

<sup>4</sup> On the treatment of Cataluña by Philip V see J. Mercader Riba, art. 'La ordenación de Cataluña por Felipe V: La Nueva Planta', *Hispania*, num. XLIII, pp. 257-366. Some of this should be read with caution.

<sup>5</sup> Santo Sanchez, *op. cit.*, real cédula, 12 enero, 1740.

<sup>6</sup> Santo Sanchez, *op. cit.*, 28 noviembre, 1715.

<sup>7</sup> Godoy later in the century tried to overawe the Basques by placing them under a military governor, but the attempt failed.

<sup>8</sup> Desdévise du Dezert, art. 'Les Institutions de l'Espagne au XVIII<sup>e</sup> siècle', *Revue Hispanique* (June 1927), p. 149.

<sup>9</sup> *op. cit.*, p. 150.

<sup>10</sup> As did Campomanes; see his *Cartas politico-economicas*, carta IV.

<sup>11</sup> José Yanguas y Miranda, *Diccionario de Antigüedades del reino de Navarra* (Madrid, 1840), vol. III, p. 527.

<sup>12</sup> For example Charles I (V) in his early years had to face the *Comuneros* and other rebellions, although he was to become the favourite King of Spain.