

# The National Cost of Territorial Defense and Treason in Late Medieval Catalonia

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Long before the international wars of the late Renaissance had wrought a true fault line in military affairs (which Geoffrey Parker and a burgeoning array of followers and opponents all refer to as the *Military Revolution*), the Hundred Years' War constituted a stage on which many a tactical, logistical, and institutional change in the way of European war got its start.<sup>1</sup> Though especially associated by later historians with England and France, the contenders in the set-piece battles of Crecy, Poitiers, and Agincourt, the conflict also had an immense effect on Italy and the Iberian Peninsula. It is on one of the latter states, Catalonia, and its unique fiscal road to the battlefield during the fourteenth century and thence to nationhood that this paper will focus.

## I.

Medieval sovereigns, like their early modern counterparts, fully understood the old political maxim that “money constitutes the sinews of war.”<sup>2</sup> They would also have agree with Tom Paine (no mean feat in itself) that “war has but one thing certain and that is to

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<sup>1</sup>For the parameters of the debate, see Geoffrey Parker, *The Military Revolution: Military Innovation and the Rise of the West, 1500-1800* (Cambridge, 1988); *The Military Revolution Debate: Readings on the Military Transformation of Early Modern Europe*, ed. Clifford J. Rogers (Boulder, Colorado, 1995). For general treatment of 100 Years War, see Edouard Perroy, *The Hundred Years War* (New York, 1965); Jonathan Sumption, *The Hundred Years War: Trial by Battle* (Philadelphia, 1990).

<sup>2</sup>J.R. Hale, *War and Society in Renaissance Europe, 1450-1620* (Baltimore, Maryland, 1985), 232.

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increase

taxes.”<sup>3</sup> In none of Europe’s sorely-vexed states of the fourteenth- and fifteenth- century arena of war were these lessons more bitterly learned than in “the Republic of the Principate of Catalonia.”

Emerging from the shadow of Muslim subservience in the twelfth century, Catalonia began to consume huge swaths of Spanish Islam’s heartlands shortly after the thirteenth century had dawned.<sup>4</sup> The fiscal mechanism and adaptations utilized by the great warrior-king, Jaume I (1213-76), left a record for long-range war planning and rapid logistical as well as tactical response in the field that few of his successors could match. In addition to a valiant determination which often motivated his armies, Jaume showed himself to be an adept military administrator who raised money for his campaigns from general and individual sources. Since the service parameters of his feudal host seldom extended for more than a few months, Jaume was in constant need of soldiers and of the money to pay them.<sup>5</sup> He fought the constant threat of military shortfall by calling out his parliaments (*Cortes*, *Corts*) where he extorted free service and such extraordinary imposts as the *monedaje* in Aragon and

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<sup>3</sup> Bruce D. Porter, *War and the Rise of the State: The Military Foundations of Modern Politics* (New York, 1994), 14.

<sup>4</sup> Charles Julian Bishko, “The Spanish and Portuguese Reconquest,” in *History of the Crusades*, ed. Kenneth Setton *et al.*, 6 vols. (Madison, Wisconsin, 1962-69), 3:409-11; Derek Lomax, *The Reconquest of Spain* (London, 1978), 93.

<sup>5</sup> Donald J. Kagay, “Structures of Baronial Dissent and Revolt Under James I (1213-76),” *Mediävistik* 1(1988): 64; *idem*, “Army Mobilization, Royal Administration, and the Realm in the Thirteenth-Century Crown of Aragon,” in *Iberia & the Mediterranean World of the Middle Ages*, ed. P. Chevedden, D. Kagay, and P. Padilla, 2 vols. (Leiden, 1996), 2:98.

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*bovatge* in Catalonia.<sup>6</sup> The promise of great rewards, eventually formalized in the lists of plunder shares or *repartimientos*, often pryed loose such parliamentary seed money, especially when the king promised to forego such funding sources for some period in the future.<sup>7</sup> In between these large grants, Jaume often made due by stringing together smaller subsidies from Christian, Muslim, and Jewish individuals and communities.<sup>8</sup> When all else failed, the Conqueror borrowed heavily from Christian and Jewish moneylenders, as well as from his own officials to finance the most critical elements of his war making.<sup>9</sup>

Despite his great logistical and military successes, Jaume encountered increasing difficulties in finding the money he needed. Even in the midst of his great conquests, the Conqueror was forced to deal with nay sayers who chided that he had begun “a great and

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<sup>6</sup> Esteban Sarasa Sánchez, *Las Cortes de Aragón en la edad media* (Zaragoza, 1979), 98-102; Luis González Anton, *Las Cortes de Aragón* (Zaragoza, 1978); Luis García de Valdeavellano y Arcimus, *Curso de historia de las instituciones españolas de los orígenes al final de edad media* (Madrid, 1968), 609; Ferran Soldevila, “A propòsit del servei del bovatge,” *Anuario de Estudios Medievales* 1(1954): 753-787; Carmen Orcástegui Gros, “La reglamentación del impuesto de monedaje en Aragón,” *Aragón en la Edad Media* 5(1983): 17-21.

<sup>7</sup> Mikel de Epalza, “Islamic Social Structures in Muslim and Christian Valencia,” in *Iberia & Mediterranean World*, 184; Carmen Batlle, “The Growth of the Cities of the Crown of Aragon; in the Later Middle Ages,” in *Iberia & Mediterranean World*, 336; *Repartimiento de Mallorca* in *Colección de documentos inéditos del archivo general de la corona de Aragón [CDACA]*, ed. Próspero de Bofarull y Moscaró *et al.*, 41 vols. (Barcelona, 1847-1910), 13:1-141; *Repartimiento de Valencia* in *CDACA*, 11:143-656.

<sup>8</sup> Francisco Bofarull y Sans, “Los judios en el territorio de Barcelona (siglos X a XIII): Reinado de Jaime I (1213-78),” in *Congrés d’història de la corona d’Aragó, dedicat al rey En Jaume I y a la seva època [I CHCA]*, 2 vols. (Barcelona, 1909, 1913), 2:924-5, 934-5 (docs. 131, 150); Kagay, “Army Mobilization,” 102-3.

<sup>9</sup> Thomas N. Bisson, “Las finanzas del joven Jaime I (1213-1228),” in *Congrés d’història de la corona d’Aragó. Jaume I y su època [X CHCA]*, 3 vols. (Zaragoza, 1980), *Comunicaciones* 1-2:151-208; idem, *Fiscal Accounts of Catalonia under the Early Count-Kings (1151-121 Llibre de ls fets del rei en Jaume*, ed. Jordi Bruguera, 2 vols. (Barcelona, 1991) 3), 2 vols. (Berkeley, 1984), 1:86-150); Kagay, “Army Mobilization,” 98, 101-2.

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costly undertaking” which he could possibly afford to complete.<sup>10</sup> With the conquests of the Balearics and Valencia, the prospect of easy plunder faded as did the most ready sources of military funding. To make military ends meet, Jaume increasingly turned to exactions (*questias*) from individuals or groups, since his fiscal requests to parliaments were often rejected as their members “could never be made to agree.”<sup>11</sup>

With the successful baronial movements in Aragon and Valencia which eventually gave rise to great organization of resistance, the *Unión*, Jaume’s successors found military funds even more problematical.<sup>12</sup> The mercurial reigns of Pere II (1276-85) and Jaume II (1291-1327), marked by the increase of costly international war both on the Peninsula and around the Mediterranean, increased exponentially royal fiscal demands as well as the opposition of eastern Spanish nobilities.<sup>13</sup> Even when granted, war funds were not free but loaded down with conditions. One of the most persistent of these demands was that inhabitants of one realm of the Crown of Aragon would not be called on to serve in another.<sup>14</sup> With the “great and immense flood of expenses” which the increasing complexity of military ventures imposed on the Crown, demands for war funds and loans from the

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<sup>10</sup>LF, 154-55, 164-65 (chaps. 165, 180).

<sup>11</sup> Ibid., 289 (chap. 382).

<sup>12</sup> Luis González Anton, *Las uniones aragonesas y las cortes del reino (1283-1301)*, 2 vols. (Zaragoza, 1975); Esteban Sarasa Sanchez, *El privilegio general de Aragón: La defensa de las libertades aragonesas en la Edad Media* (Zaragoza, 1983), 17-38.

<sup>13</sup> David Abulafia, *The Western Mediterranean Kingdoms 1200-1500: The Struggle for Dominion* (London, 1997), 82-88, 107-32.

<sup>14</sup> Real Academia de la Historia, Colección Salazar y Castro, *Anales de Aragón*, Ms. M-139, ff. 5v-6v; Gonzalez Anton, 2:10-11 (doc. 1, arts. 4, 1).

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clergy, townsmen, and infidel communities became more strident. Though parliaments were still summoned to vote war money, sovereigns often found them counterproductive, especially when occupied in the field as a military commander.<sup>15</sup> When such official fonts of money either failed or its collection proved much more difficult than anticipated, the sovereign fell back on his position as “super magnate” by demanding feudal service from the church and the towns.<sup>16</sup> Though these groups often provided well-equipped contingents which served even beyond their customary term of duty on a voluntary basis, the burgeoning royal need for soldiers in the first decades of the fourteenth century led more than one than one member of the clerical, noble, or urban estate who was summoned for army service to cast about for a substitute to whom he would supply all the necessities down to a suitable horse and armor.<sup>17</sup>

## II.

The evolving methods of war funding in the Crown of Aragon altered during the reign of Pere III (1336-87), not in substance, but in scope. A man of “absolute lack of scruples” who projected “a tragic atmosphere over his entire court,” Pere found himself

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<sup>15</sup> Arxiu de la corona d’Aragó [ACA], Cancillería real, R. 83, ff. 27-28v; R. 306, f. 1; R. 331, f. 46; Gonzalez Anton, *Uniones*, 2:398 (doc. 273); *Documenta Selecta Mutuas Civitatis Arago-Cathalaunice et Ecclesiae Relationes Illustrantia* [DS], ed. Johannes Vincke, 30-31 (docs. 57-58).

<sup>16</sup> ACA, Cancillería real, R. 248, pt. 2, f. 131v; R. 264, f. 104; R. 236, f. 190v; 274, f. 37; R. 329, f. 177; DS, 43-44, 70, 118-9, 288-89, 291 (docs.80, 122, 181, 400, 403); J. Lee Shneidman, *The Rise of the Aragonese-Catalan Empire, 1200-1350*, 2 vols. (New York, 1970), 2:467-68.

<sup>17</sup> ACA, Cancillería real, R. 83, ff. 8-10v; R. 308, f. 164; R. 332, f. 76v; R. 1378, f. 101; Cartas reales, Jaime II, no. 915; DS, 241-42, 381-82 (docs. 340, 516); Gonzalez Anton, *Uniones*, 2:394, 510. 527 (docs. 265, 381, 418).

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surrounded by foreign and domestic enemies which were clearly as devoid of honor as he.<sup>18</sup> Though Pere continually affirmed that it was his duty to “defend the lands, property, honor, and profit” of his people, he soon found himself in a bitter civil war with his Aragonese and Valencian barons which ended only with the royal destruction of the *Unión* at the battle of Epila (June 21, 1348).<sup>19</sup> Beyond his own lands, Pere was the architect of a number of ill-fated alliances along his peninsular borders and across the western Mediterranean into the North African littoral which involved him in a number of unsuccessful wars with France, Navarre, and Genoa.<sup>20</sup> The Crown of Aragon’s “principal enemy,” however, was Pedro I “the Cruel” of Castile whose long-simmering disputes with his eastern neighbor eventually erupted into the disastrous War of the Two Pedros (1356-65), a conflict which was itself a byproduct of the Hundred Years’ War and a launching pad for the internecine struggle between the Castilian king and his half-brother Enrique de Trastámara.<sup>21</sup> The fiscal strain of so much war

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<sup>18</sup> Rafael Tasis i Marca, *Pere el Cerimoniós i els seus fills* (Barcelona, 1980), 9-10; Ferran Soldevila, *Història de Catalunya*, 3 vols. (Barcelona, 1934), 1:342-43; J.N. Hillgarth, *The Spanish Kingdoms 1250-1516*, 2 vols. (Oxford, 1976), 1:347-48.

<sup>19</sup> Pere III of Catalonia (Pedro IV of Aragon), *Chronicle*, trans Mary Hillgarth, ed. J.N. Hillgarth, 2 vols. (Toronto, 1980), IV:48-50, vol. 2, pp. 436-38; Manuel Dualde Serrando, “Tres episodios de la lucha entre ‘Pere el del Punyalet’ y la Unión aragonesa, relatods por el monarca a su tío Pedro, conde de Ribagorza,” *Estudios de la edad media de Aragón [EEMCA]* 2(1946): 351-52; Pere III, “Tractat de cavalleria,” in *Tractats de cavalleria*, ed. Pere Bohigas, (Barcelona, 1947), 99; José Angel Sesma Muñoz, “La fijación de fronteras enonómicas entre los estados de la Corona de Aragón,” *Aragón en la Edad Media* 5(1983): 148-49.

<sup>20</sup> Abulafia, 174-80; William D. Phillips, Jr., “The Spanish Kingdoms and the Wider World in the Later Middle Ages,” in *Iberian and the Mediterranean World*, 414-5; Jesús Lalinde Abadía, *La Corona de Aragon en el Mediterráneo medieval* (Zaragoza, 1979); Charles E. DuFourcq, *L’Espagne catalane et le Maghrib aux XIII<sup>e</sup> et XIV<sup>e</sup> siècles* (Paris, 1966).

<sup>21</sup> For the War of the Two Pedros, see Antonio Gutiérrez de Velasco, “La conquista de Tarazona en la guerra de los Dos Pedros (Año 1357),” *Cuadernos de Historia “Jerónimo Zurita” [CHJZ]* 10-11(1960): 69-97; idem, “Las fortalezas aragonesas ante la gran ofensiva castellan en la guerra de los Dos Pedros,” *CHJZ* 12-13(1961): 7-39; idem, “La contraofensiva aragonesa en la guerra de los Dos Pedros: Actitud militar y diplomática de Pedro IV

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in such a short time led Pere to perfect old and new means of raising extraordinary funding, but also forced his people to develop different methods to either avoid or control the deepening royal tax bite.

The greatest difficulties Pere would encounter in meeting his military needs were the societal and regnal fissures clearly apparent in the lands he ruled. Manipulated by a coterie of powerful uncles and cousins, including Pere I and Ramon Berenguer, successive counts of Empúries, and Ferran, marquis of Tortosa, the royal court often became a hotbed of domestic and international conspiracy.<sup>22</sup> At the center of this maelstrom of intrigue stood the “Great Favorite”, Bernat de Cabrera, who, with a small party of courtiers, known as the Roussillonians from their Pyrenean homeland, dominated the king from 1347 to 1364 when Cabrera was executed.<sup>23</sup> “Greatly hated” by the members of the royal family, Cabrera also proved a touchstone of rebellion for many of Catalonia’s lesser nobles, including Jaume I, count of Urgel, Hug Folç, viscount of Cardona, and Roger Bernat II, count of Foix.<sup>24</sup> The Pyrenean nobles, who possessed vast lands and great status on both sides of the mountains,

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el Ceremonioso (años 1358 a 1352),”*CHJZ* 14-15(1963): 7-30. For Hundred Years War in Spain, see Julio Valdeón Baruque, “La guerra de los Cien Años en la península ibérica,” in *Pere el Cerimoniós i la seva època*, ed. Maria Teresa Ferrer i Mallol (Barcelona, 1989), 47-57. For Castilian civil war, see Clara Estow, *Pedro the Cruel of Castile, 1350-1369* (Leiden, 1995), 232-59; L.J. Andrew Villalon, “Pedro the Cruel: Portrait of a Royal Failure,” in *Medieval Iberia: Essays on the History and Literature of Medieval Spain*, ed. Donald J. Kagay & Joseph T. Snow (New York, 1997), 208-11.

<sup>22</sup> Santiago Sobrequés i Vidal, *Els Barons de Catalunya* (Barcelona, 1980), 133-35; Shneidman, 1:55, 59.

<sup>23</sup> Sobrequés i Vidal, 158-59.

<sup>24</sup> *Ibid.*, 96-97, 170-71, 199-200; Pere III, IV:39, vol. 2, pp. 435-36; J.B. Sitges, *La muerte de D. Bernardo de Cabrera* (Madrid, 1911), 4-5.

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were political irritants for both French and Spanish monarchs whose local disputes eventually widened into the Hundred Years' War.<sup>25</sup> These great men, who ruled across customary national borders, symbolized a quandary in which many a medieval sovereign found himself enmeshed.<sup>26</sup> During most of his reign, then, Pere III found his affinity, even in the relatively peaceful land of Catalonia, more of a hindrance than a help to the ultimate victory against Castile.

Though holding a great number of realms, Pere could hardly rule them in a unified manner. The *corona de Aragon*, though solidified by its alliance to one sovereign, was in reality composed of different realms with distinct languages, laws, and economies.<sup>27</sup> This was nowhere more obvious than in the question of war funding. Though Pere was faced with international, sometimes two-front, wars, he could not count on a single military treasury, but had to raise money in each of his lands, promising each that these funds would be spent only “for the honor of your Crown and the good estate of your subjects.”<sup>28</sup> Great nobles, who served as absentee landlords in a number of Pere's lands, as well as the merchant classes of Catalonia and Valencia, who considered their own market share more important than intra-regnal solidarity, all served to compartmentalize Pere's war efforts when a unified

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<sup>25</sup> Malcolm Vale, *The Origins of the Hundred Years War: The Angevin Legacy 1250-1340* (Oxford, 1996), 82-84, 92-94.

<sup>26</sup> For medieval boundaries constituted by the Pyrenees, see Peter Sahlin, *Boundaries: The Making of France and Spain in the Pyrenees* (Berkeley, 1989), 7-20.

<sup>27</sup> Jesús Lalinde Abadía, *La gobernación general en la Corona de Aragón* (Madrid-Zaragoza, 1963), 75-97.

<sup>28</sup> *Colección de las cortes de los antiguos reinos de Aragón y Valencia y el principado de Cataluña [CAVC]*, ed. Fidel Fita and Bienvenido Oliver, 27 vols. (Madrid, 1896-1922), 1, pt. 2: 102-4; Sesma Muñoz, 151-52.



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strategic and logistical approach was essential.<sup>29</sup>

### III.

The frightening speed with which the Castilian war broke on the Crown of Aragon in the last months of 1356, though surprising to Pere III, did not leave him without options. Instead, he fell back on timeworn military and fiscal responses worked out by his predecessors. To slow the unwarranted Castilian attack and “beat back their pride,” Pere ordered his uncles and other Catalan nobles to garrison the largely undefended frontier posts on the Aragonese and Valencian frontiers.<sup>30</sup> Though he did not have the money at the time, Pere assured his often-recalcitrant warriors that it would shortly be in their hands. In the meantime, they were to foot the bill for the companies of horse they had to lead so far from their Pyrenean homelands.<sup>31</sup> To finally pay off these impressed baronial paymasters, Pere turned to his clergy and townsmen for an immediate outlay of cash, swearing to them that Castile’s undeclared war had left him in “intolerable need of funds” for which his “patrimony and revenues were not sufficient [to meet].”<sup>32</sup> Pere’s immediate reaction was not novel; his predecessors back to Jaume I had all responded to Castilian invasion by rushing baronial troops to the threatened frontier and paying them with funds raised from the other

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<sup>29</sup> ACA, Cancillería real, R. 1138, f. 102; *Epistolari de Pere III*, ed. Ramon Gubern, 2 vols. (Barcelona, 1955), 1:106-8 (doc. 13); Sesma Muñoz, 150-51.

<sup>30</sup> ACA, Cancillería real, R. 1148, ff. 104v, 124v; *Epistolari*, 1:123-27, 132 (docs. 17-18).

<sup>31</sup> ACA, Cancillería real, R. 1136, f. 120v; *DS*, 424 (doc. 559); Pere III, VI:6, vol. 2, p. 505.

<sup>32</sup> ACA, Cancillería real, R. 1148, f. 131v; R. 1327, f. 201; R. 1150, f. 143v; *DS*, 420, 424-25, 434 (docs. 557, 560, 571); Sesma Muñoz, 149-50.

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estates. As the crisis deepened, however, Pere had to frantically turn to any means at hand, even those barely used before.

The first of these largely untested procedures was the utilization of the national defense clause as a regular tool for the mustering of troops. In August, 1356, Pere declared that “every man must be prepared for the defense of the land or the realm where he lives.”<sup>33</sup> This directive was drawn from the *Princeps namque*, one of the most important articles of Catalonia’s traditional laws, the *Usatges of Barcelona*. The measure commanded all Catalans, “knights and infantry...old and young” to help their sovereign when “besieged” by a foreign invader.<sup>34</sup> Though already invoked under such true emergency conditions as the French invasion of Catalonia in 1285, Pere III used *Princeps namque* to supplement his general war effort by demanding that Catalans rush to serve wherever their monarch said they were needed and to do so without pay, since it was their duty to the Barcelona sovereign.<sup>35</sup> Pere was also more than willing to bend the letter of the law as in 1344 when he required Catalan service under *Princeps namque* to capture the Balearics from his rebellious cousin, Jaume III of Majorca.<sup>36</sup>

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<sup>33</sup> ACA, Cancillería real, R. 1148, f. 104v; *Epistolari*, 124 (doc. 17).

<sup>34</sup> *Usatges*, trans. Kagay, art. 64, p. 80; Donald J. Kagay, “*Princeps namque*: Defense of the Crown and the Birth of the Catalan State,” *Mediterranean Studies* 8(1999): 7-8.

<sup>35</sup> For French invasion of Catalonia, see Joseph Strayer, “The Crusade against Aragon,” *Speculum* 28(1953): 102-3; Abulafia, 67-79. For early fourteenth-century of clause in Catalonia and France, see Kagay, “*Princeps namque*,” 13-14; Joseph R. Strayer, “Defense of the Realm and Royal Power in France,” *Medieval Statecraft and the Perspectives of History* (Princeton, 1971), 791-99.

<sup>36</sup> Pere III, III:21-24, vol 1, pp. 253-78; J.E. Martinez Ferrando, *La tràgica, història dels reis de Mallorca* (Barcelona, 1979), 218.

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Even with Pere's willingness to pervert the clause for national defense, the depth of the king's fiscal and military unpreparedness soon became apparent from the cautious nature of his strategy. Resisting the urging of his uncles to mount an immediate attack on Pedro I, Pere chose the measured response of "defense and not attack" since an attack on Castile would require "great expense which would be wasted because of the winter."<sup>37</sup> Since he was not a king with "great treasure and revenue," Pere counseled defensive operations which he claimed was worthy of his valiant ancestors including Jaume I. "Not only is he who goes to battle said to be a warrior," the king reminded his disaffected troops, "but so is he who remains behind to guard and protect the army." If they failed in this duty, Pere warned, all of Catalonia "will be sent to perdition." The salaries of the frontier troops would be paid, but they had to keep the faith until the money appeared. Even Christian forces serving under a Muslim king would do this. Why could he not expect the same from his own relatives and vassals?<sup>38</sup>

Pere's modulated – some would say timid – response to blatant Castilian aggression had as much to do with his careful character as with his financial embarrassment. Though he promised vengeance on Pedro I, Pere had no intention of taking unnecessary chances to realize it. He insisted that his Catalan barony stand as a final line of defense for their Aragonese and Valencian brethren who would soon bear the brunt of the fighting. To prevent waste and the diversion of manpower from the project of garrisoning the affected

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<sup>37</sup> ACA, Cancillería real, R. 1148, ff. 104v, 124v; *Epistolari*, 1:125, 132 (docs. 17-18).

<sup>38</sup> ACA, Cancillería real, R. 1149, f. 77; *Epistolari*, 139-51 (doc. 20).

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frontiers, he insisted that the Catalan baronial leaders impose “unity, love, and charity” on their own vassals inconsiderate enough to neglect the general war effort for the pleasures of their own private feuds.<sup>39</sup> Even with the domestic peace established within his own lands, however, Pere must have sensed that a long and ruinous war loomed. To bring it to a suitable and speedy end, he eventually offered his “principal enemy” a fair chance at victory. Pere would put a hundred men into the field; Pedro would do the same. God would then decide the issue.<sup>40</sup>

The call for divine intervention, though not answered by Pedro I, showed Pere in firm occupation of the moral high ground. Despite all his defeats and the penury which seemed to magnify them, he was certain that the destruction of his realms “was something that God does not wish.”<sup>41</sup> Pere’s certainty was based on the fact that Pedro was a “young fellow” whose “character was much more in doubt” than his was. This was undoubtedly so since the Castilian king had broken all the conventions of war, even using Muslims and Christian clerics to wreck terror across the Crown of Aragon.<sup>42</sup> By November, 1356, Pere extended his moral war on Pedro to a fitting culmination by having masses said across his lands in which the faithful were to entreat God to give their king victory as he had bestowed

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<sup>39</sup> ACA, Cancilleria real, R. 1184, f. 1; *Documents historichs catalans del sigle XIV: Colecció de cartas familiars corresponents als regnats de Pere del Punyalet y Johan 1*, ed. Josep Coroleu i Juglada (Barcelona, 1889), 19-20.

<sup>40</sup> ACA, Cancilleria real, R. 1158, f. 6v; *Epistolari*, 1:159-60 (doc. 22). For Pere II’s attempt to force such a duel on the French sovereign, Philippe III, see Donald J. Kagay, “The Iberian *Diffidamentum*: From Vassalic Defiance to the *Code Duello*,” in *The Final Argument: The Imprint of Violence on Society in Medieval and Early Modern Europe*, ed. Donald J. Kagay and L.J. Andrew Villalon (Woodbridge, Suffolk, 1998), 77-78.

<sup>41</sup> ACA, Cancilleria real, R. 1379, f. 124v; *DS*, 430 (doc. 565).

<sup>42</sup> ACA, Cancilleria real, R. 1149, f. 52 v; R. 1335, f. 34; *Epistolari*, 143, 160, n. 5 (doc. 20).

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on St George, martyr.<sup>43</sup>

#### IV.

As 1356 faded into 1357, it became clear to Pere that no force, even that originating from the Godhead, seemed unwilling to extricate him from a Castilian war which soon engulfed much of the southern, Aragonese frontier.<sup>44</sup> His piecemeal strategy of temporary border garrisons paid for by subsidies extorted from clerical and secular groups soon proved unworkable when these groups tried to ameliorate their increasing financial pain by substituting their own frontier troops – some of them quite inexperienced – instead of providing money to maintain baronial contingents at battle readiness.<sup>45</sup>

Despite all of his frenzied activity of 1356, Pere, in early 1357, was forced to report to the Catalans that “the King of Castile has done great damage in...Aragon with the capture of castles and of other fortresses.”<sup>46</sup> The depth of the military crisis throughout the Crown of Aragon forced Pere to turn to a relationship with the Catalan *Corts*, a fiscal agency he had purposely avoided to this point because of its propensity for slow and unsteady actions. Calling the Catalans to an assembly at Lérida in February, 1357, he sought their advice and aid concerning the Castilian war. Though he gained the promise of yet another war subsidy

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<sup>43</sup> ACA, *Cancillería real*, R. 1380, f. 70v; DS, 425-26 (doc. 561); For St. George, see Donald Attwater, *A Dictionary of Saints* (New York, 1965), 148.

<sup>44</sup> Gutiérrez de Velasco, “Conquista,” 79-82.

<sup>45</sup> Antonio Gutiérrez de Velasco, “La financiación aragonesa de la ‘Guerra de los Dos Pedros,’” *Hispania* 19(1959): 7-9.

<sup>46</sup> *CAVC*, 1, pt. 2: 679-81.

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from the Catalans, the sovereign was disappointed when little of the pledged money materialized. Only able to collect the subsidy from the major Catalan towns and quickly back in desperate fiscal need, Pere once more borrowed large sums from Barcelona bankers, using the urban subsidies to service the interest on these loans. Buffeted by the complaints of his townsmen that they were bearing an inordinate tax burden as well as a grass-roots campaign of tax resistance mounted by his uncle Ramon Berenguer, count of Empúries and most of the Catalan barony, Pere could scarcely avoid the unpleasant political arena of the *Corts*.<sup>47</sup>

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<sup>47</sup> José-Luis Martín Rodríguez, “Las cortes de Pedro el Ceremonioso,” in *Pere el Cerimoniós*, 102-4; idem, “Las cortes catalanas en la guerra castellano-aragonesa (1356-1365),” in *VIII Congrés d’història de la corona d’Aragó*, 2 vols. (València, 1970), 79-80.

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Losing one of his major frontier posts, Tarazona, shortly after Lérida parliament, Pere was forced to put an army into the field with little money to pay for it.<sup>48</sup> To satisfy his creditors with at least a hint of repayment, the king turned to his wealthiest land, Catalonia, the only realm not scarred by Castilian attack. Calling the Catalans to a *Corts* which was to begin at Barcelona on August 25, 1358, Pere planned to make yet another appeal for an “aid and subsidy” to drive off Pedro I, who was even then trying to conquer Aragon. Though the Catalans had a feudal and patriotic duty to supply these operating funds, the king promised them that their contributions would not constitute a precedent for future taxation.<sup>49</sup>

Even though the assembly was postponed until August 27 because the king was suffering from “murrain fever,” the short delay did not change the alarming fact that a good portion of the Catalan barony had decided to stay away from the *Corts* in hopes of evading the inevitable tax burden.<sup>50</sup> Though some of the great nobles, such as the *infante* Ferran and Bernat de Cabrera were away for “the defense of the Republic” and another was prevented from coming “by a serious infirmity” to his tibia, the majority of the absent barons followed the example of the count of Empúries who claimed that he was “legitimately prevented” from direct participation and would thus send a properly-constituted procurator. Ramon Berenguer and his colleagues claimed that their absence was due to the realization that they would confront at the assembly Bernat de Cabrera and other “adversaries and chief enemies...

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<sup>48</sup> Gutiérrez de Velasco, “Conquista,” 83-88.

<sup>49</sup> *CAVC*, 1, pt. 2: 506-22; José-Luis Martín Rodríguez, “Les Corts catalanes del 1358,” *Estudis d’història medieval* 4(1971): 71-75; idem, “Cortes catalanas,” 81; idem, “Cortes de Pedro,” 105.

<sup>50</sup> *CAVC*. I, pt. 2: 526-27; 621-22.

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who have broken faith with us as is well known throughout Catalonia.” Because there was a perceived danger from the Roussillon faction, the barons asked the king for a safe conduct. When Pere refused to declare his protection, Empúries and his fellows were moved by “a suspicion of doubt” that the Crown had no intention of safeguarding his barons, but instead would sacrifice them to Cabrera’s henchmen. In all, twelve Catalan great men refused to personally travel to Barcelona and instead sent representatives for their “conservation and protection” at the *Corts*.<sup>51</sup> Even before the *Corts* had formally assembled, Pere experienced the bitter recriminations of his barons lodged by the procurators. By a casuistry worthy of royal lawyers, the representatives argued that, according to Catalonia’s traditional law, “a certain form had to be adhered to” in the parliamentary summons and protocol. Since these formalities had been botched by the royal government, the Barcelona assembly was not a *Corts General*, and so the barons were not bound to attend the meeting or comply with its decisions.<sup>52</sup> This structural argument was quickly dispatched by Pere’s legal advisers who on August 28-29 moved to attack the barons’ right to send procurators, since they were neither ill nor absent from Catalonia on important business. This legal pressure splintered the baronial solidarity when the count of Pallars “expressly renounced” the validity of his associates’ grievances. With this defection, the count of Empúries reinforced his resistance by

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<sup>51</sup> *CAVC*, I, pt. 2: 522-67, 621-22. Absent baronial leaders: Ramon Berenguer, count of Empúries; Cecilia, countess of Urgel; Pere, count of Urgel; Hug Folç, viscount of Cardona; Arnau Roger, count of Pallars; Roger Bernat de Foix, viscount of Castellbó; Ramon de Angularia (sr.); Ramon de Angularia (jr.); Galceran de Rocabertino; Dalmau de Queralt; Ramon Almany de Cervilion; Gombau de Angularia; and Pere de Cardona. For royal safe conduct, see Robert I. Burns, S.J., “The *Guidaticum* Safe Conduct in Medieval Arago-Catalonia: A Mini Institution for Muslims, Christians and Jews,” *Medieval Encounters* 1 (1995): 51-113.

<sup>52</sup> *CAVC*, I, pt. 2: 622-24; Martin, “Corts Catalanes,” 76.



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forwarding fresh instructions to his procurator to emphasize the fact that his predecessors had not customarily served in the *Corts*, and so he had no need to answer his nephew's summons.<sup>53</sup>

By August 29, Bernat de Cabrera had returned from the Valencian frontier and assumed the behind-the-scenes operation of the Barcelona assembly by first having the king declared medically fit to open the *Corts*.<sup>54</sup> This took place on August 30 with "the many beautiful, prudent, and elegant words" of the royal opening speech (*praepositio, parlament*).<sup>55</sup> With these niceties completed, bitter procedural wrangling over the barons' right to send procurator again took center stage. Despite the advise of the Cabrera faction that the barons be declared traitors because of their purposeful absence from the *Corts*, Pere temporized, turning the matter of credentials over to a committee of twelve for a final ruling.<sup>56</sup> By September 13, the committee voted to accept all the proxies except those of Ramon

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<sup>53</sup> *CAVC* I, pt. 2: 634-48. For the use of procurators in the thirteenth- and fourteenth-century Catalan *Corts*, see Donald J. Kagay, "The Development of the *Cortes* in the Crown of Aragon, 1064-1327," (Ph.D. diss., Fordham University, 1981), 366-380.

<sup>54</sup> For medical history of Barcelona dynasty, see Michael R. McVaugh, *Medicine before the Plague: Practitioners and their Patients in the Crown of Aragon, 1285-1345* (Cambridge, ), 14-29; Luis García Ballester, "La medicina en el reinado de Pedro el cereonioso," in *Pere el Cereimoniós i la seva època*, ed. Maria Teresa Ferrer i Mallol (Barcelona, 1989), 133-50.

<sup>55</sup> *CAVC*, I, pt. 2: 638-40; Martín, "Corts Catalanes," 77. For parliamentary opening speech, see Kagay, "Development," 394-95; José Coroleu y Juglada, *Las cortes catalanas* (Barcelona, 1876), 106; Luis Felipe Arregui Lucea, "La curia y los cortes en Aragón," *Argensola* 4(1953): 21; *Parlaments a les Corts catalanes*, ed. Ricard Albert i Joan Gassiot (Barcelona, 1928), 9-14.

<sup>56</sup> *CAVC*, I, pt. 2: 640-46; Martín, "Corts Catalanes," 77. The committee members were: (ecclesiastical estate) – the Archbishop of Tarragona, the abbot of Jarres, the provost of Tarragona, and a cathedral canon of Gerona; (noble estate) – Bernat de So, Berenguer d'Abella, Bernat d'Olzinelles, and Berenguer Pujol; (royal/urban estate) – representatives of Barcelona, Lérida, Gerona, and Perpignan.

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Berenguer and his associates, all of whom were given a short period to present themselves at the parliament. The baronial procurators charged that this unconstitutional ruling had been rendered by “friends, intimates, and colleagues” of Cabrera, all of whom were “clearly suspect.”<sup>57</sup> Shortly after this bitter exchange, Pere left the *Corts* for a rapid inspection trip to the Aragonese border, also hoping his short absence would provide a “cooling off period” for the embattled parliamentary estates. During this period, they did elect “deputies” (*tractatores*) to respond to the issues raised in the king’s opening speech, but these “super delegates” also became bogged down in the matter of baronial credentials. By September 18, they had to sheepishly admit to Pere that “nothing was finished.” Furious, the king again confronted the baronial procurators, threatening them and their principals with a massive lawsuit. The representatives held their ground, however, contending all the while that the royal action was illegal. Trying to find some glimmer of compromise, the king’s attorneys attempted to have accepted the procurators’ role as advocates who had long served the barons, even while declaring that their proxies for the Barcelona meeting were invalid. The representatives, sensing that the Crown was growing desperate, refused even this face-saving measure until the grievances of their masters were attended to. The king, long past the loss of all patience, made his position public throughout Catalonia on September 20 by declaring that “he had endured as much as he could” in the last month. If the *Corts* delayed any longer in paying for their own defense, he would be dishonored and all of the Crown of Aragon

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<sup>57</sup> *CAVC*, 1, pt. 2: 654-57, 662-63.

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irreparably damaged.<sup>58</sup>

As the second month of the Barcelona parliament dawned, the king, jarred by numerous reports of a “huge multitude...of [Castilian] cavalry and infantry” ravaging his western realms, redoubled his efforts at forcing a monetary settlement. Meeting all the estates again on October 10, he sternly warned them that any further delay in voting a subsidy would “bring down on him and on the Republic a very great danger.”<sup>59</sup> After several days of anxious negotiations among the three estates, Pere, “wishing to make room for peace and agreement,” met with the procurators of the great men and the other members of the noble estate on October 16, ironing out a compromise which was met with “great joy and vehement happiness” when announced to the *Corts* at large.<sup>60</sup> Trying to salvage something from the Lérida grant of 1357 which most Catalan barons had managed to evade, the king accepted the fiscal compromise that until June, 1358, the barons would maintain a prescribed number of horsemen and their mounts on Catalonia’s borders with Aragon at a set daily rate unless a truce prevailed. This ruling did not apply to Ramon Berenguer who had already come to an understanding with his nephew, the king.<sup>61</sup> To raise the general war subsidy Pere appointed

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<sup>58</sup> Ibid., 654-77; Martín, “Corts Catalanes,” 79-82. The *tractatores* named were: (ecclesiastical estate) – Archbishop and Provost of Tarragons, a canon of Barcelona, clerics from Geron, Vich, and Lérida; (noble estate) – Berenguer d’Abella, Artal de Foces, Bernat de thous, Berenguer Palau, Bernat d’Olsinelles and Ferrer de Manresa; (royal/urban estate) – one citizen from Barcelona, one from Lérida, one from Perpignan, one from Manresa, one Vilafranca del Penedès, and one from Cervera.

<sup>59</sup> *CAVC*, 1, pt. 2: 678-79; Martín, “Corts Catalanes,” 82; idem, “Cortes,” 105.

<sup>60</sup> *CAVC*, 1, pt. 2: 679-81; 683-84; Martín, “Corts Catalanes,” 82.

<sup>61</sup> *CAVC*, 1, pt. 2: 687-90, 694-99; Martín, “Corts Catalanes,” 82-83; idem, “Cortes,” 105; idem, “Cortes catalanas,” 81-82.

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four commissioners to oversee the collection of a series of imposts ranging from 10 *soms* to 20 *soms* to be assessed for the next two years on the inhabitants of all clerical and lay “castles, square towers, and closed, fortified places” throughout Catalonia. The records of these collections were to meticulously kept in new registers, and once these funds were gathered, they were to be stored with a list of moneylenders, many of whom the king already owed large sums. They would disperse these monies, when necessary, to hire and maintain troops. Interestingly, though the collection lists were divided among the jurisdictional areas of the royal vicars, neither these officials nor Pere’s greatest financial officer, the *maestre racional*, were made responsible for the gathering of the funds.<sup>62</sup>

Even though forced to give in to yet another wave of extraordinary war taxation that now was becoming all too common, the great nobles of Catalonia, most especially the Countess of Urgel and the viscount of Cardona, expressed their discontent in terms that would echo through all the remaining years of the Castilian war and beyond. Feeling that “a great prejudice and grievance” had been committed by the Crown when it denied them a fair hearing, the barons also questioned the royal government’s actions on a number of legal points. Denying that the subsidy was necessary since they would each call out their individual companies of horsemen in defense of their own territories, the barony accused Pere of trying to divert Catalan money into the defense of Aragon and Valencia. Even though these lands “were ruled by the same prince,” it was unthinkable that Catalans would be forced spend their hard-earned cash in supporting these “foreigners.” If the king dared to command their

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<sup>62</sup> *CAVC*, 1, pt. 2: 701-2, 707-30; Martín, “Corts Catalanes,” 84-86; idem, “Cortes,” 106; idem, “Cortes

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service “in remote places”; that is, outside of Catalonia, he had clearly violated the traditional laws of the Principate and could be opposed by the Catalans, even through military means. In a real sense, then, the barons felt that Pere had already crossed over into the territory of the unconstitutional by putting them under a double obligation: that of fighting in an army while also having to pay for the privilege to do so.<sup>63</sup>

## VI.

Despite the weeks of frustration Pere spent at Barcelona trying to pry open the purses of his great men, the king had no choice but to accept the fiscal compromise of 1358 and accept back into his good graces his troublesome Catalan barons. The counts of Empúries and Urgel, the viscount of Cardona, and most of the other “traitors” of 1358 emerged with their courtly careers unscathed, especially after the destruction of the Cabrera faction in 1364.<sup>64</sup>

Even though able to make peace with his own people, Pere could not outpace the inexorable financial pressure of fighting a defensive war along mountainous frontiers and rugged coastlines. Like the French monarchs who braced for year after year of onslaughts by relatively small English units who ranged over fairly large areas of northern France, Pere, to

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catalanas,” 82; Abulafia, 175.

<sup>63</sup> *CAVC*, 1, pt. 2: 666-72, 692-92, 700; Martín, “Cortes,” 106; Muñoz Sesma, 150. For territorial limits of service in Catalonia, see *Usatges*, trans. Kagay, 72 (arts. 30, 32); Johannes de Socarrats, *In Tractatum Petri Alberti Canonici Barchinonensis de Consuetudines Cataloniae inter Dominos & Vassalosos Nonnullis Aliis que Commemoraciones Petri Alberti Apellantur* (Barcelona, 1551), 385-86, 390-95.

<sup>64</sup> Sobrequés i Vidal, *Barons*, 134-35, 144-46; Pere III, VI:21, vol. 2, p. 521. For fall of the Cabrera faction, see Donald J. Kagay, “The ‘Treasons’ of Bernat de Cabrera: Government, Law, and the Individual in the Late-Medieval Crown of Aragon,” *Mediaevistik*, forthcoming.

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maintain his castle garrisons and staff his fleets, unleashed on his lands “the threat of perpetual taxation.”<sup>65</sup> Because of the many “great and immoderate expenses” forced on him by the war, Pere had to seek cash “from all quarters.” Surely the most unpleasant of these fonts of revenue was his strong willed queen, Elionor, whom he eventually ordered to pawn all her jewels and tents to give him some temporary relief for his abiding penury.<sup>66</sup> His “lack of money” also forced the king in 1359 to delay work on his elegant mausoleum at Poblet which he had already spent a fortune on.<sup>67</sup> Despite the ruinous expense of the struggle with Castile, Pere was fully confident that he was waging “a good and just war.” Pedro I, on the other hand, fought in a way

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<sup>65</sup> For contemporary fiscal developments, see John Bell Henneman, *Royal Taxation in Fourteenth-Century France: The Development of War Financing 1322-1356* (Princeton, 1971), 130-31; Philippe Contamine, “La Guerre de Cent ans en France: une approche économique,” *Bulletin of the Institute of Historical Research* 48(1974): 125-49; K.B. McFarlane, “War and Society, 1300-1600. England and the Hundred Years’ War,” *Past and Present* 22(1962): 3-13; G.L. Harriss, *King, Parliament and Public Finance in Medieval England to 1369* (Oxford, 1975), 314-21, 355.

<sup>66</sup> Coroleu i Juglada, *Documents*, 59.

<sup>67</sup> F.-P. Verrié, “La política artística de Pere el Cereimoniós,” in *Pere el Cereimoniós*, 185-86.

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beyond what is contrary to all humanity by cutting off noses and beheading our people... deflowering virgins, dishonoring wives and widows...and in destroying, robbing, and pillaging... holy churches, alters and other things dedicated to the service of God.<sup>68</sup>

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<sup>68</sup> Coroleu i Juglada, *Documents*, 87-88. Compare with stereotypical views of late-medieval crime in France in Claude Gauvard, "Fear of Crime in Late-Medieval France," in *Medieval Crime and Social Control*, ed. Barbara A. Hanawalt and David Wallace (Minneapolis, 1999), 6-14. For contemporary theories of just war, see Roland H. Bainton, *Attitudes towards War and Peace: A Historical Survey and Critical Evaluation* (London, 1961); Frederick H. Russell, *The Just War in the Middle Ages* (Cambridge, 1975).

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Because of the justice of his cause, Pere was certain that God would answer the prayers he ordered in 1363 from his clergy who entreated that “divine clemency... [would be] a rightful helper for us.”<sup>69</sup> With this metaphysical assurance, when forced to oversee the condemnation of clerical traitors or the confiscation of church plate – all to accomplish the defeat of his “chief enemy.”<sup>70</sup>

Despite his self-proclaimed of the moral high ground, Pere could hardly disguise his fiscal embarrassment. With years of over-borrowing and slow repayment associated with his name, the king had an extremely poor credit history. Throughout the Crown of Aragon, he could only routinely turn to one institution, the parliament, to find enough money to continue the fight against Castile. Increasingly, the urban members of these bodies resisted bitterly royal requests for new war grants, but, when forced to give in, pledged subsidies fraught with conditions favorable to themselves and inimical to the Crown.

In a number of Catalan *Corts* between 1359 and 1365 and in a general parliament of all his realms in 1362, Pere was able to continue the war from money raised by the *fogatge*, an impost on noble and urban “households” (*focs*).<sup>71</sup> The financial desperation of the Crown and the regularity of its requests for extraordinary funds in these years pushed both sovereign and subject past the limits of customary procedure. Calling out assemblies almost

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<sup>69</sup> *DS*, 455-56 (doc. 600).

<sup>70</sup> Coroleu i Juglada, *Documents*, 59-60; *DS*, 442-43, 466 (docs. 582, 615).

<sup>71</sup> Robert S. Smith, “Fourteenth-Century Population Records of Catalonia,” *Speculum* 19(1944): 494-95; J.M. Pons Guri, “Un fogajament desconegut de l’any 1358,” *Boletín de la Real Academia de Buenas Letras de Barcelona* 30(1963-64): 323-498; Luis García de Valdeavellan y Arcimus, *Curso de historia de los institucionales españoles de los orígenes al final de la edad media* (Madrid, 1968), 305-6.



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yearly “for the urgent crisis and emergency of the war,” Pere found he had to trade more and more political control to his parliaments simply to pay off his troops.<sup>72</sup>

Meeting with the representatives of all his peoples at Monzón in 1362, Pere made an emotional appeal for help. “I have seen,” he said, “the affliction of my people.” His “patrimony” had been so depleted that the subjects of all his realms now had to come together for mutual defense or they would be picked off one at a time by the Castilians. There were no canyons deep enough or mountains high enough to keep Pedro from besieging Barcelona if the citadel of Zaragoza fell before him. If the Catalans would not abandon their Fabian strategy of “disagreement ... and debate,” all would be lost. Condemning as traitors all those who acted to delay yet another subsidy, Pere cried out for help from Tarazona down to the Valencian coast. According to the king, at least, the fate of the Crown of Aragon and its ancient dynasty was in the balance.<sup>73</sup>

Hardly moved to change their fiscal aloofness of 1359, the Catalans were in no mood for patriotic altruism, but, like good merchants everywhere, looked to the bottom line. With little thought for their Aragonese and Valencian brethren, the representatives of the Principate attempted to tie economic protectionism with a new source of war funding. With the new round of Catalan assemblies in 1364-65, Pere submitted to a parliamentary tax package, complete with the establishment of a new string of custom houses along the

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<sup>72</sup> *CAVC*, 2:8; Martín, “Cortes Catalanas,” 82.

<sup>73</sup> Sesma Muñoz, 152-55; idem, “Estado y nacionalismo en la baja edad media. La formación del sentimiento nacionalista aragonés,” *Aragón en la edad media* 7(1987): 255.

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borders of his realm and a five percent impost on all foreign cloth passing through Catalan markets. Barcelona and the largest cities were also allowed to sell such lots to defray their war costs.<sup>74</sup> Since the Aragonese and Valencians were considered “foreigners,” their cloth would also be subject to this new impost.

Even with such mercantile stopgaps in place, Pere could not maintain his defense establishment without the predictable means of the *fogatge*, the tax on householders. Unable to escape this now-annual deficit, the Catalans, after 1359, agitated to get some profit from this profitless venture by taking control of the very process of taxation itself. On several occasions between 1359 and 1368, the members of the *Corts* did so by forcing a war-weary sovereign to turn over to them a good portion of the logistical and tactical aspects of the Catalan defense. With no interference from the royal government, the parliament acted to appoint tax commissioners and auditors, collect and store the receipts of the *fogatge*, recruit and station garrisons, and then pay them off.<sup>75</sup> Because of his never ending needs for funds, Pere could scarcely avoid this inclusion of the *Corts* within the royal administration. By the end of the fourteenth century, the temporary tax committees of mid-century had metamorphosed into the *Diputació del General* or *Generalitat*, a permanent executive agency of the *Corts* which exercised oversight over most aspects of royal government.<sup>76</sup>

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<sup>74</sup> *CAVC*, 2:251-60; Sesma Muñoz, “Fijación,” 155-61; Jaime Vicens Vives, *Manual de historia economica de España*, 2 vols. (Barcelona, 1964), 1:218-9.

<sup>75</sup> Sesma Muñoz, “Fijación,” 149; Earl J. Hamilton, *Money, Prices, and Wages in Valencia, Aragon, and Navarre, 1351-1500* (Cambridge, MA, 1936), 86-87.

<sup>76</sup> *CAVC*, 2:230-55, 273-75; 3:16-31. For emergence of *Diputació*, see Josep Oriol Verges, *La Generalitat en la història de Catalunya* (Barcelona, 1962); Ignacio Rubio y Cambronero, *La Diputació de General en los siglos XV y*

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### VII.

In a significant way, then, the crucial decade bracketed by the War of the Two Pedros constituted a high point of Catalan fiscal independence which cast a long shadow toward the ultimate political autonomy of the region. The fiscal ineptitude of Pere III during the War of Two Pedros and the undeniable effect it ultimately had on the national identity of Catalonia can be seen as an institutional debate in which the Crown and the parliament used common elements of legal, political, and economic ideology to paint very different pictures of the same national polity. Pere, despite a decade or more of military defeat and political humiliation, maintained the imperious outlook he had assumed after the defeat of the *Unión* in 1348. In the last decades of his life, Pere repeatedly fell back on this well-worn ruling script. To earn the royal office he was born to, he would have to show himself to be a “just, wise, and prudent ruler” as well as a “hardy, battle tested, and valiant” leader. His people, on the other hand, were to be “loyal, well-prepared, and obedient servants.”<sup>77</sup>

Despite such flights of ideologically-correct fancy, Pere increasingly felt “great displeasure of heart” because of the undisguised opposition of his people, especially when gathered in the Catalan parliament.<sup>78</sup> The king would surely have agreed with a

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XVI, 2 vols. (Barcelona, 1950); Josep M. Salrach, *La Corona de Aragòn: plenitud y crisis. De Pedro el Grande a Juan II (1276-1479)* (Barcelona, 1996), 81; Vicens Vives, 1:81; José María Font y Rius, “The Institutions of the Crown of Aragon in the First Half of the Fifteenth Century,” in *Spain in the Fifteenth Century, 1396-1516: Essays and Extracts by Historians of Spain*, ed. Roger Highfield, trans. Frances M. López-Morillas (New York, 1972), 175-77.

<sup>77</sup> *Parlaments*, 42-48.

<sup>78</sup> *Epistolari*, 1:178-82 (docs. 28-29).

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contemporary, Castilian treatise on knighthood which proclaimed that most of those called to war did not participate for “the common good, but for their private interests.”<sup>79</sup> In spite of his misgivings, Pere could not do without the Catalans, even if he occasionally mistrusted them. Only too aware of the damage the Castilian war had inflicted on the village and monasteries of all his lands, the sovereign could not let down his defenses, even after his struggle with Pedro I had ended. Because of the ruined state of his economies, the sovereign begged his subjects to help him by helping themselves.<sup>80</sup> In Catalonia, this would be translated into the repair of municipal and ecclesiastical walls and moats, the refitting of the castles by the nobility, and a general stockpiling of weapons for the defense of the land.<sup>81</sup>

The Catalan parliamentary side of the defense dialogue was also a mixture of practice and theory. When extraordinary military funding again became necessary, as it did in 1385 when Catalonia was flooded with French and English mercenaries who had found war in the Castilian civil war and then stayed on, the members of the parliament recognized their obligation to defend the “fatherland” (*patria*), but sternly reminded Pere that the necessary funds could only be collected and dispersed by agents of the *Generalitat* who would brook no royal interference in the exercise of their duties.<sup>82</sup> In the reigns of Pere’s sons, Joan I (1387-

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<sup>79</sup> Contamine, 275-76; Alvarez Pelayo, *De Planctu Ecclesiae* (Lyon, 1571).

<sup>80</sup> *Cartas de población del reino de Aragón en los siglos medievales*, ed. María Luisa Ledesma Rubio Zaragoza, 1991), 309-15 (doc. 249); *DS*, 470-71(doc. 619).

<sup>81</sup> ACA, Cancillería real, R. 1223, f. 77; *Parlaments*, 50-51; *Colección de documentos inéditos del Archivo General de la Corona de Aragón [CDACA]*, ed. Prospero Bofarull y Moscaró, 42 vols. (Barcelona, 1850-56), 6:353-55(doc. 105).

<sup>82</sup> ACA, Real Cancillería, R. 945, f. 214; *CDACA*, 6:374-75(doc. 119). For northern European mercenaries in Spain, see Antonio Gutiérrez de Velasco, “Los Ingleses en España (Siglo XIV),” *Estudios de la Edad Media de*

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95) and Martí I (1395-1410), Catalan parliaments even went further by withholding military subsidies until the king gave in on such sensitive matters as the removal of the sovereign's "evil counsellors."<sup>83</sup>

Even with the accession of the Trastámara dynasty in 1412, military funding in the Catalan *Corts* was a matter of intense practical experience and rarified jurisprudential theory. The principal questions addressed by this parliamentary ideology was the imposition of limits on both military service and funding as well as the definition of the many shades of treason non-compliance with royal military ventures could bring. Legists from Pere Albert in the thirteenth century to Jaume Callis in the fifteenth agreed that the support of royal war making was far from unlimited. Sovereigns could not ask Catalans to aid them against their own lords or outside of the Principate, except in an emergency which threatened the life of the sovereign or of his land. Only the king could request such extraordinary service, but because of the danger and expense such a levee entailed, Catalan legists generally agreed that such a general army summons "could not be issued by a lieutenant."<sup>84</sup> They also agreed that there was no need for Catalans or anyone else to tender military support to any sovereign who planned to engage in activity which was "greatly injurious and prejudicial to his realms."<sup>85</sup> Catalans who refused to give military assistance under the above conditions could

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*Aragón* 4(1951): 214-318; Contamine, *War*, 150-165.

<sup>83</sup> Salrach, 81-88.

<sup>84</sup> Kagay, "Princeps namque," 24-27.

<sup>85</sup> *Ibid.*, 23; ACA, Cancillería real, R. 3361, f. 84; R. 3371, f. 148v; Vicens Vives, *Historia de las remensas*, 61-68.

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not be charged with treason. Like Locke, these legists agreed that “all resisting of Princes is not Rebellion.”<sup>86</sup> Even in clear cases of treason for refusal to serve or to provide money for those who did, the traitor, depending on his status, could appeal to any number of customary legal norms to blunt royal charges of *lèse majesté*.

Despite the clear precedent of shared power brought about by the sheer scale of defense war in the latter half of the fourteenth century, the tax dialogue between king and parliament largely fell silent through the fifteenth. After almost a century of intermittent, small-scale warfare, the Crown of Aragon entered a veritable tunnel of war in 1469 with the Catalan civil war and did not leave it until 1492 with the conquest of Granada. The Catholic Kings who found novel solutions to medieval limitations and, in the process fashioned “a reorganized and re-articulated medieval society,” transcended the fiscal barriers that Pere III encountered by altering the kind of taxation the Crown could claim and by creating fiscal officers with power enough to collect these new imposts.<sup>87</sup> Even with this shifting of the epicenter of power, the reality of true military and fiscal sufficiency would constantly allude Spanish kings as their zones of battle widened to include much of Europe and the New World. Despite the vast American treasure the Hapsburgs fell heir to, the unchecked spending of such kings as Carlos V (1515-1556) and Felipe II (1556-1598) quickly dissipated the American windfall and by 1626, Spanish kings had to fall back on such “medieval”

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<sup>86</sup> Robert A. Ferguson, “Becoming America: High Treason and Low Invective in the Republic of Laws,” in *The Rhetoric of Law*, ed. Austin Sarat and Thomas R. Kearns (Ann Arbor, MI, 1997), 107.

<sup>87</sup> Jaime Vicens Vives, “The Economy of Ferdinand and Isabella’s Reign,” in *Spain in the Fifteenth Century*, 273-73; Miguel Angel Ladero Quesada, *Milicia y economía en la guerra de Granada* (Valladolid, 1964); J. H. Elliott, *Spain and its World 1500-1700* (New Haven, CT, 1989), 28.

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compromises as the *Union of Arms* which demanded that every region under Hapsburg control supply both troops and money for an increasingly over-extended and poorly coordinated, royal war effort. By 1640, the ill-feelings and economic hardship caused by this quasi-institution lead Catalonia and many other regions dominated by the Spanish Crown to go down the road of individual treason and group rebellion.<sup>88</sup> Only with the emergence of a French line, the Bourbons, in 1715, would the political debate in Catalonia between Crown and parliament be stifled by Castilian centralization and the blinkered isolationism of the Catalan oligarchy. Transmuted into a cultural arena, however, Catalan nationalism continued unabated until it once more found its political voice in the second half of the twentieth century.<sup>89</sup>

A number of medievalists have asserted that “political society in its modern form “came into being in Europe and its critical stage was “precipitated by the Hundred Years War.”<sup>90</sup> Many modernists scoff at such an assertion and expect no evidence of state building

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<sup>88</sup> J.H. Elliott, *The Count-Duke of Olivares: The Statesman in an Age of Decline* (New Haven, CT, 1986), 443, 547; idem, *Spain and its World*, 124-25; R. Trevor Davies, *Spain in Decline, 1621-1700* (London, 1965), 23-54; John Lynch, *Spain under the Hapsburgs*, 2 vols. (New York, 1969), 2:94-108.

<sup>89</sup> Porter, 10-14, 33-34; Kagay, “*Princeps namque*,” 30-31; Elliott, *Spain and its World*, 71-91; Pablo Fernández Albaladejo, “Cities and the State in Spain,” in *Cities & the Rise of States in Europe, A. D. 1000 to 1800*, ed. Charles Tilly & Wim P. Blockmans (Oxford, 1994), 178-80. Josep-Anton Fernández, “Becoming Normal: Cultural Production and Cultural Policy in Catalonia,” in *Spanish Cultural Studies: An Introduction*, ed. Helen Graham and Jo Libanyi (Oxford, 1995), 342-55; Alan Whitehead, “Spain, European Regions and City States,” in *Nationalism and the Nation in the Iberian Peninsula: Competing and Conflicting Identities*, ed. Clare Mar-Molinero and Angel Smith (Oxford, 1996), 256-57; Raymond Carr, *Modern Spain 1875-1980* (Oxford, 1980), 177-79. .

<sup>90</sup> Jacques Verger, “The University of Paris at the End of the Hundred Years’ War,” in *Universities in Politics: Case Studies from the Late Middle Ages and Early Modern Period*, ed. John W. Baldwin and Richard A. Goldwaite (Baltimore, 1972), 47; Joseph R. Strayer, *On Medieval Origins of the Modern State* (Princeton, 1970), 8-9; Alan Watson, *The Evolution of Law* (Baltimore, 1985), 118; Frederick L. Cheyette, “The Evolution of the State,” *Essays on Medieval Civilization*, ed. Bede K. Lackner and Kenneth R. Philp (Austin, 1978), 162-70.

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before the Protestant Reformation or, better yet, the French Revolution. If Ernest Renan is to be believed, however, “a nation is a soul, a spiritual principal” as well as “a historical result brought about by a series of convergent facts.”<sup>91</sup> For Catalonia, the first sign of this divine spark of nationhood manifested itself in the troubled years of the fourteenth century when both king and country experienced year after year of foreign invasion, but adapted to it. From this adaptation would emerge the core debate between first a domestic and then a foreign monarch and the Catalan *Corts* about the true source of governmental authority in the Principate. From this debate would emerge the ultimate structures of the modern Catalan state.

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<sup>91</sup> Ernest Renan, “What is a Nation?” in *Becoming National: A Reader*, ed. Geoffrey Eley and Ronald Grigor Suny (Oxford, 1996), 44, 52.