

Decree of King Carlos III of Spain (1783)

Imposing Taxes on Canonries
and Ecclesiastical Benefices

[*CÉDULA DE S. M. CON INSERCIÓN DE UN BREVE DE N. M. S. P. concediendo facultad para exigir de las Dignidades, Canogías, y demás Beneficios de la Real presentación ó sujetos al Concordato, no siendo curados aunque se provean por los Coladores ordinarios, una porción de sus rentas que no exceda de la tercera parte, en la forma y con las declaraciones que se expresan*, Madrid, 1783, by Joaquín Ibarra, printer to His Majesty. Royal Decree of His Majesty, King Carlos III of Spain, based on a mandate of the Holy Father, His Holiness Pius VI, through which it is demanded, in favor of the Crown, a portion of the incomes of various dignities, canonries and ecclesiastical benefices. It includes a papal brief in Latin and Spanish. Composed by title page, 1 blank page, 16 numbered pages, with 3 additional blank pages. Good state of conservation, unbound, 15 x 22 cm.]

From the Middle Ages onward, civil authorities and the Catholic Church were engaged in a constant struggle throughout Europe. Taxes, tributes, the administration of justice, economic resources, and the election of authorities—such as bishops—were some of the arenas in which a centuries-long conflict for hegemony was waged. In this context, the consolidation of monarchies in Western Europe at the end of the Middle Ages led to some kings obtaining special powers over the Church, known generically as *royal patronage*. In canonical and legal terms, the patronage was the power held by individuals—including kings—who had endowed, founded, or protected a church, to nominate the clergy who would be under their charge and receive the income associated with that role, the so-called *ecclesiastical benefice*.

Especially from the mid-18th century onward, in the Hispanic world this balance between civil and ecclesiastical power began to tilt decisively toward royal authority. Thus, the royal patronage system reached a singularly strong expression, particularly in the Americas, where the Spanish monarch exercised these rights absolutely, and controlled almost entirely the appointment of clergy. The colonial modernization promoted by the Crown through the so-called *Bourbon Reforms*, inspired by the spirit of the Enlightenment, fostered the royal intervention in Church affairs, which was usually unwelcomed. This process, which significantly empowered Creole officials, would culminate decades later, against the royal purpose, in the American revolutions and in the liberal constitutions of the late 18th and early 19th centuries—those constitutions,

breaking with the tradition of the royal patronage system, established a model of relationship between Church and State that was largely separate, with almost no mutual interference, in nearly all the countries of Spanish America.

But that was not the case by 1783, when this “Decree of His Majesty with an insertion of a brief from Our Most Holy Father Pius VI” was printed. On the contrary, it fits squarely within the Bourbon reformist context, and as its title indicates, it is a royal decree—a dispatch issued by the monarch and delivered by one of his Councils—that reproduces the text of a papal brief from 1780 by Pope Pius VI (1717-1799, pope from 1775 to 1799), a pope famous for having been kidnapped by Napoleon Bonaparte in 1798, amidst tensions similar to those reflected in this document. “Brief” here designates a papal document less solemn and formal than a bull, but endowed with similar normative force. Together, both texts—the brief and the decree—grant the kings of Spain the power to appropriate a third of certain ecclesiastical benefits, for the purpose of founding and maintaining pious works, in particular care and retirement houses for the poor and indigent.

In principle, the concept of *ecclesiastical benefice* refers to the income derived from Church properties that was granted to members of the secular clergy in payment for their spiritual and administrative duties, from celebrating mass to governing a cathedral chapter or a bishopric. These benefices constituted, in practice, an economic system parallel to that of the monarchy, as they guaranteed the Church an independent and constant source of income.

The provision contained in the decree and the brief—by authorizing the Crown to receive a portion of those revenues—not only implied a legal reorganization, but a direct intervention in the economic structure of the Church, which opened the way to the progressive subordination of ecclesiastical property to the needs of the Bourbon State. The document, thus, constitutes a new manifestation of the process of secularization of ecclesiastical property which, as the 19th century progressed, would lead to the great interventions, and forced expropriations suffered by the Church at the hands of the civil authority (the practice was not new, as in 1767 the Jesuits had already been expelled from Spain, America and the Philippines, and their property bequeathed to the Juntas de Temporalidades (namely, Boards of Temporal Affairs), under the control of the Crown, offices that soon squandered resources and dissolved many of the lucrative Jesuit enterprises).

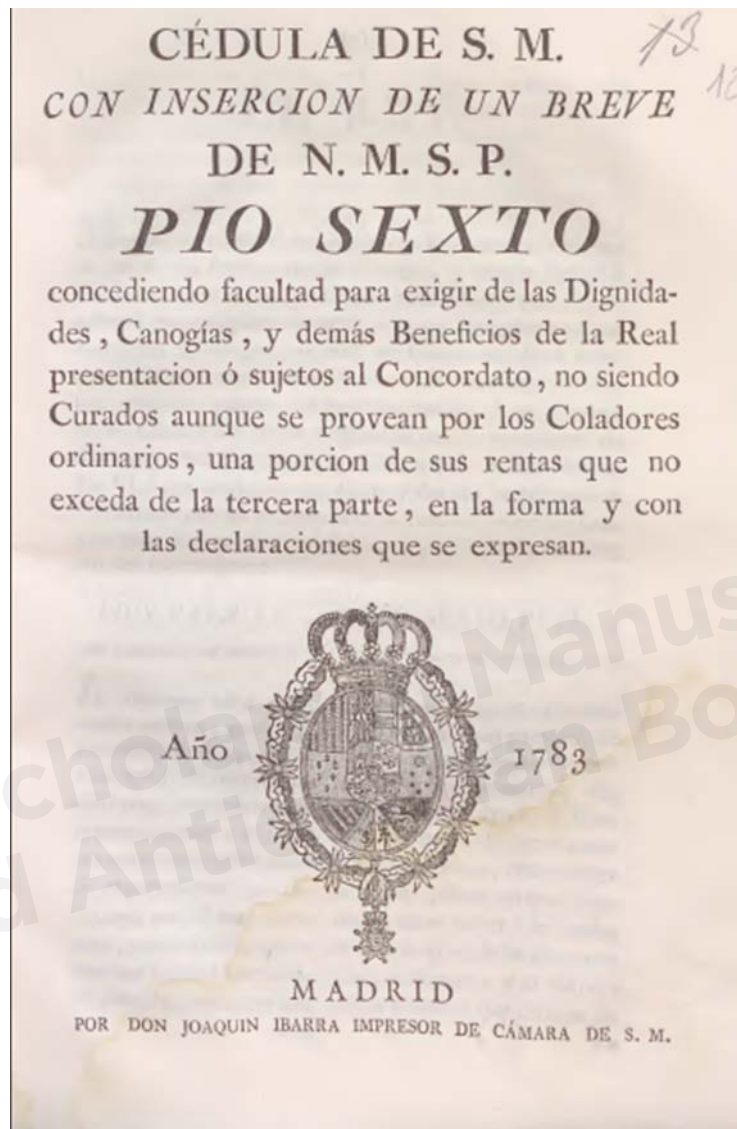
The scope of our document, however, is limited: it applies the levy only to vacant benefices and those subsequently filled, maintaining in all cases the transfer of the corresponding third to the Crown, even after they are occupied, but it expressly excludes bishops and parish priests. Nevertheless, the text reveals the unequivocal direction of royal policy, aimed at transferring resources from the Church to the Crown and thus consolidating the economic power of the State.

The copy presented here is an official Crown printing, produced by Joaquín Ibarra, the renowned typographer responsible for the monumental edition of *Don Quixote* (1780), considered one of the pinnacles of 18th-century Spanish typography. The cover prominently features the finely engraved royal coat of arms of Spain under the Bourbon dynasty, which served as a seal of authenticity and proof of origin. The official publication of decrees, such as this one, aimed to ensure the dissemination of their contents. In addition to the typographical coat of arms, authentic copies bore the signature of a royal secretary: in this case, that of Juan Francisco de

Lastiri (1725-1802), then Secretary of the Royal Chamber and of the Royal Patronage of the Crown of Castile.

Due to the very nature of these documents—intended to be viewed, read, and copied—a few copies of this piece are currently available in public libraries in Spain, while there are no recent records of their availability in private collections. Surprisingly, however, the text has gone almost unnoticed by modern scholarship. It does not appear in canonical collections such as the *Cedulario de la Real Audiencia de Buenos Aires*, edited by Ricardo Levene in the 1920s and 1930s, nor in more general anthologies, and even prominent historians specializing in Church-State relations in the 18th and 19th centuries ignore it. All of this suggests, ultimately, that its circulation may have been more restricted than what the publishing records indicate, and that its potential value for research on this period is considerable.

This rare bibliographical find, along with its political and ecclesiological significance, lends the document considerable value. It brings together the history of royal patronage, the transformation of Church-State relations under the Bourbons, and the uses of the enlightened official printing press, revealing conflicts that highlight the economic causes of the American revolutions. Beyond this, the present royal decree also offers a valuable testimony for the study of late 18th-century ecclesiastical policy, and the consolidation of state power in the Spanish monarchy. Its analysis allows us to appreciate the Crown's strategies of economic intervention in the religious sphere, and underscores the royal desire for control over ecclesiastical benefices. Therefore, any university library, archive, or collector specializing in the political or religious history of the Old Regime will find this document a highly significant source. Due to its rarity, its typographical style, and its historical context, it constitutes a magnificent document, representative of the Spanish Enlightenment and the literate culture of the 18th century, and is therefore destined to illuminate aspects of the Church-State relationship in Spain and America that are still not fully clarified by historiography.



Frontpage of the *Cédula de S. M con inserción de un breve de N. M. S. P. concediendo facultad para exigir Dignidades, Canogías, y demás Beneficios*, Madrid, Joaquín Ibarra, 1783