

Royal laws and provisions (1525)

issued by King Charles I, on four matters of economic and cultural importance in Toledo

[Las leyes y premáticas Reales: hechas por sus Magestades. En las cortes que mandaron hacer e hicieron. En la muy noble ciudad de Toledo este presente año de MDXXV Años. Una contra los blasfemos. Otra delos diezmos que no se han acostumbrado pagar. Otra sobre las sedas de Napoles y Calabria. Y otra que no se maten terneras hembras. Con privilegio Real. Toledo, 1525]

[Written in Castilian (still also referred to as Spanish), Gothic font with standard 16th century abbreviations, frontis decorated with the royal coat of arms of King Carlos I of Spain (1500-1558; r 1516-1556), as depicted around 1525, since the coats of arms of such majesties varied permanently. Five large-sized printed capital letters. Dated in Toledo, on June 28th, 1525 and printed in Burgos, by Alonso de Melgar, on September 27th, 1525. 6 folia (12 pages, 48 lines each), unbound. Size: 29.5 x 21 cm. In the upper right corners of the *recto* of the six folia, six similar handwritten inscriptions read: "Toledo 1525" (probably by a 16th century hand). The document is preserved in a folder and covered with a beautiful cloth case. Its state of preservation is excellent.]

This important historical document comprises four royal laws and pragmatics, that is, government documents through which the Spanish Monarchy established its sovereign authority over certain social or economic conflicts. These decree-laws also prescribed the penalties, generally severe, for those who failed to comply with issued orders. The instrument for disseminating this type of document was the *plegón*, that is, the public announcement of new provisions in squares of towns or villages. The task of announcing such regulations was assigned to a *plegonero*, a picturesque figure of the Spanish urban life at the time, who carried out his work following a series of steps and governmental rites.

Each *premática* of this document has several sections: a) a description of the place and date where it was issued and the officials and individuals (notaries, bailiffs and witnesses, etc.) who participated in its drafting; b) a lengthy description that in this case begins with the words, "*Don Carlos, por la Gracia de Dios Rey de Romanos, E. Emperador Semper Augusto...*", and then continues for over twenty lines stating all the monarch's powers, titles and domains, and also those of his mother, Juana [*la Loca*], in whose name Carlos I of Spain and V of Germany governed; c) a description of the conflict, adding considerations about what was most convenient for Spanish subjects; and d) a very clear mandate, followed by an enumeration of punishments applicable to

those who fail to abide by it. In turn, *prematikas* were periodically printed and published, with royal privilege, with the printer enjoying the exclusive right to publish them for a certain number of years: six, in the case of this Burgos edition, published by Alonso de Melgar in 1525.

To understand the complexness of the document's political-legal framework, it is necessary to consider a number of factors. First and most important was the intricate relationship between the Spanish Crown and the Courts, which were made up of royal officials, *oidores*, prelates, judges, civil representatives, etc. The Courts were municipal institutions of medieval origin that operated in various cities of the Iberian Peninsula where, through complex bureaucratic mechanisms, requests were submitted to the King. Generally, such requests arose from conflicts of interest between the people and the Crown, which were settled by the monarch according to convenience and circumstances.

In this document there are four issues, all of which prove interesting to understand things Toledan, and, more broadly, the Spanish society of the early 16th century. These are: a) how to proceed with those who blaspheme or speak ill of God; b) the possible legitimacy of claims made by certain bishops and prelates to collect tithes on the income from the sale of bread and herbs; c) the problem of importing silks from Calabria and Naples, which was detrimental to the regional economy and affected the overall quality of clothing; d) the need not to slaughter female cattle, which led to the reduction of local livestock. The treatment, mandates, and penalties related to each of these issues are of great interest and are worth describing briefly.

The first issue, titled *De los perjurios* (*On perjuries*), deals with the fact that many people say things "in offense against God our Lord and our holy Christian religion", such as "I disbelieve in God, and I despise God" and other similar expressions. The monarch responds emphatically by ordering that no person in the kingdom, "be daring to express disbelief in God, nor spite of God, nor ill will to God ... nor despise God, nor say such things of our Lady the Virgin Mary her mother, nor other such similar words," proposing as punishment a prison sentence of one month for anyone who speaks in that way for the first time, six months and an additional payment of 1,000 maravedis the second time, and if a third offense takes place, a nail would be stuck in the blasphemer's tongue.

The second issue, entitled *De los diezmos* (*On tithes*), centers around the collection of tithes on the income earned from bread and herbs sold by small merchants, a practice promoted by bishops and *cabildos*. The secular clergy—with the endorsement of provisional authorities, since part of the contribution was remitted, as customary, directly to civil power—promoted such practices, usually acting autonomously. In this regard, the King establishes, in answer to the 1525 Toledan Courts' claim, that "No innovation should be made," i.e., that the collection systems already initiated should be suspended. However, a vague final formula leaves open the possibility for certain dealings between the parties so that they reach the best solution.

Throughout the third *prematika* included in this document, titled *De las sedas de Calabria y del reyno de Napoles* (*On the silks of Calabria and the kingdom of Naples*), the King prohibits the entry of silk from those regions, either in the form of skein or thread, because of their poor quality. On the other hand, being low-priced, their presence on the market harmed both Castilian silk producers and clothing consumers, who had to put up with the rapid obsolescence of clothing.

On this matter, in addition to the import ban, the King puts in place a mechanism to recognize or launder silk already acquired in Calabria or Naples, and allows a short period of time, prior explicit declaration of its origin, before the full ban becomes effective. As a penalty for anyone who disobeys His mandate, it is established that, in addition to the merchandise being seized, the offender has to pay a fine equal to the value of the prohibited goods, and, if a new offense takes place, not only the merchandise will be seized, but also half of the offender's assets will be confiscated, and in addition, a ten-year exile can also be forced upon them.

Finally, the fourth question, *De las terneras hembras (On female calves)*, deals with a typical subject when herds diminish in a region or country. After a series of considerations about the difficulties endured by the poorest segments of society to afford meat, and other matters related to the organization of beef slaughter and sale, King *Carlos I* issues this order prohibiting the slaughter of female animals. The underlying reason is simple: the more female cows are kept alive, the greater the possibility of increasing the regional livestock. Here again the penalties introduced by the King are severe. The first time someone kills a female cow a two-month exile will be imposed, the second time, a four-month exile, and the third time, an eight-month exile and an additional fine of 1,000 maravedis must be paid.

In short, and as a general framework of the document, it should be clarified here that the policy of King *Carlos I* was generally disrespectful of municipal autonomies manifested in the *Cortes*. He was a monarch raised in Flanders, who accessed the Spanish throne accompanied by a retinue of Flemish and German advisers, without knowing the Spanish language, and who immediately added a tax burden on the bases of the social pyramid, did not of course arouse popular sympathy. *Carlos I's* imperial ambitions in Europe, which involved complex wars on several fronts, especially in the East, was the political project behind all these sufferings. Urban insurrections in the Peninsula were not long in coming, highlighting the processes of rebellion in Castilla (1520-1521) and Valencia (1524-1529). However, the relationship with the Courts required permanent concessions on the part of the monarch, to the point that the pressure of the *Cortes* of Castilla played a central role in the wedding between Carlos I and Isabel of Portugal.

Finally, these laws and pragmatics established in the *Cortes* of Toledo in 1525 constitute a document of great value for the study of diverse topics: a) the evolution of heraldry; c) the complex legal relationship between the *Cortes* and the *Corona* in Spain; d) the punitive framework around pragmatics; e) Spanish political and social history, and f) the history of religious-based ideological persecution. Being a rarely studied document, it is set to clarify and illustrate important aspects of the Toledan and Castilian society of the period, and to provide a clear picture of Spanish social life in the 16th century. Any Library devoted to Hispanic Studies or History of Law will appreciate hosting this document, due to its interpretive possibilities. And likewise, collectors of *unica* and *rare* items will appreciate the value of this luminous imprint, that is called to attract researchers, and to clarify—once properly studied—relevant aspects of the cultural context from which it emanates.

Bibliography

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