

FACTION AND CIVIL STRIFE IN LATE MEDIEVAL CASTILIAN TOWNS*

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The social and political history of the towns of late medieval Castile appears to have been one of unending, mindless and pointless conflicts. Even contemporaries professed not to understand the nature of urban anarchy and partly described it in terms of rival *bandos* or factions, named after families or particular areas of a town, engaged in a secular trend of traditional conflict: for example, the Guzmán and the Ponce de León in Seville, the Benavides and the Carvajal in Baeza, the Tovar and the Reoyo in Valladolid, and the *bandos* of the San Benito and Santo Tomé districts of Salamanca. In doing so, they were to a large extent correct, for the formal pattern of urban government in the royal towns, which consisted of town councils with *alcaldes mayores* (senior magistrates), *regidores* (town councillors), and other officials, who were all in theory in the service of the Crown, was largely 'privatized' and functioned on behalf of particular factions.¹ However, long before the famous revolt of the *Comunidades* of 1520, Castilian towns had also witnessed episodes of conflict which were different in nature from those of the *bandos*, although the two types could fuse, and in these the urban *comunidad* could play a leading role.² In what follows attention will be focused on these two types of urban strife, and in the cases of conflict involving urban *comunidades* particular attention will be paid to a rite of violence which may be called 'the law of Padua'. In a sense, therefore, the problem of civil strife is being examined both from above and from below.

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¹ On the Crown, urban government, *bandos*, and lineages: e.g. M.A. Ladero Quesada, 'Corona y ciudades en la Castilla del siglo XV', *En la España medieval*, v (1986), 551-74; M.-C. Gerbet, *La noblesse dans le royaume de Castille: Etude sur ses structures sociales en Estrémadure (1454-1516)* (Paris: Publications de la Sorbonne, 1979); M.C. Quintanilla Raso, 'Estructuras sociales y familiares y papel político de la nobleza cordobesa (siglos XIV-XV)', *En la España medieval*, iii (1982), 331-52; N. Cabrillana, 'Salamanca en el siglo XV: Nobles y campesinos', *Hispania (cuadernos anexos)*, iii (1968), 255-95.

² On the various meanings of the term *comunidad*: J.I. Gutiérrez Nieto, 'Semántica del término comunidad antes de 1520: Las asociaciones juramentadas de defensa', *Hispania*, xxxvii (1977), 319-67.

In theory nobody could have been more 'above' than King John II of Castile, who made extreme claims about his *poderío real absoluto*; in practice, as contemporaries repeatedly pointed out, real power was wielded by the king's favourite, the royal constable Alvaro de Luna.³ True, Luna came to a sticky end and was executed in Valladolid in 1453, but this was after decades of power during which he ruthlessly played the game of clientage for all it was worth. Thus whereas, for example, John II complained that he could not find one supporter in the town of Cuenca because all the citizens were either supporters of the *bando* of Diego Hurtado or of the rival *bando* of Lope Vásquez, Luna made it his business to win over key people in the towns and hence infiltrate the fabric of urban politics.⁴ In fact, at the end of his chronicle about Luna, Gonzalo Chacón gives an astonishing list of such supporters, so detailed indeed that he must surely have been drawing on some sort of register.⁵ What did the register show? It gave details of all those individuals, families, and lineages who 'lived with' Luna, or 'lived with him and received money from him', or who had been raised up by him, or 'were of his household', or indeed held 'money fiefs' (*acostamientos*) from him. For the city of Seville, for example, Chacón lists Pedro Afán de Ribera, the governor or *adelantado mayor* of Andalusia, don Pedro de Guzmán, *alcalde mayor* of Seville, don Pedro de León, son of the count of Arcos, Alfonso de Velasco, brother of the count of Haro, Pedro Puertocarrero, lord of Moguer, Juan de Saavedra, castellan of Cuéllar, his brother Gonzalo de Saavedra, castellan of Tarifa and *regidor* of Seville, Juan Manuel de Lando, castellan of the *alcázares* (palaces) of Seville, 'and many other knights and squires who each disposed of households of fifteen or twenty mounted men'.⁶ And so, for page after page, Chacón's lists continue, covering Córdoba, Toledo, Madrid, Murcia, Lorca, Cuenca (where, unlike the king, Luna had no trouble winning over the leaders of both *bandos*), Huete, Avila, Zamora, Toro, Salamanca, Valladolid, León, Burgos, Soria. Assuredly Alvaro de Luna, constable of Castile and master of the military order of Santiago, knew his stuff: you did not work through the formal and theoretical framework of royal and urban government; what you had to do was to get to know the right people and by one means or another – money, offices, titles, promotions, matrimonial alliances – win them over. It was all very Mediterranean and thoroughly corrupt. But this was how politics worked, and at the urban level itself a good case could be made for arguing that the system

³ A. MacKay, *Spain in the Middle Ages: From Frontier to Empire, 1000–1500* (London: Macmillan, 1977), 136–40; N. Round, *The Greatest Man Uncrowned: A Study of the Fall of Don Alvaro de Luna* (London: Tamesis, 1986).

⁴ M.D. Cabañas González, *La caballería popular en Cuenca durante la Baja Edad Media* (Madrid: C.S.I.C., 1980), 63.

⁵ For what follows: Gonzalo Chacón, *Crónica de don Alvaro de Luna*, ed. Juan de Mata Carriazo (Madrid: Espasa-Calpe, 1940), 442–9.

⁶ *ibid.*, 443.

tended to provide stability rather than chaos, as Adeline Rucquoi's excellent studies on the town of Valladolid demonstrate.⁷

In Valladolid, according to Chacón, almost anyone of importance was on the constable's books in one way or another. But his most important supporters were Alfonso Pérez de Vivero, *contador mayor del rey* (one of the chief controllers of the royal finances), Alfonso de Stúñiga, the king's *guarda mayor* (chief guard), Gutierre de Robles, lord of Valdestrigueros and Rebollar, Alvaro de Herrera, lord of the house of Piña, and Luis García de Morales, *despensero mayor del rey* (chief royal steward).⁸ The list looks impressive because its *mafioso*-like connections linked together prominent individuals in both urban society and royal government. Yet there were to be problems. In the first place Alfonso Pérez de Vivero, whose whole career and appointment to the crucial office of chief controller of the royal finances was due to Luna's patronage, was to play the role of Judas in the constable's downfall: Luna had him murdered, but it was too late.⁹ Then, too, although Luna's henchmen were undoubtedly important and of substance, they could not penetrate right to the heart of the urban political structure of Valladolid which was controlled by the two *bandos* of the Tovar and the Reoyo. What were these *bandos* and how did they operate?

In fact Castilian *bandos* were remarkably similar to the *alberghi* of Genoa or the *consorterie* of Florence. Typically, a *bando* was a coalition of urban lineages which usually derived its name from the leading lineage or, occasionally, from the physical area of the town which it controlled. But it also included many who were not related by kinship links and thus, as Adeline Rucquoi has aptly put it, rather than being *familles de sang* they were what we might call *familles spirituelles*.¹⁰ Thus the Tovar *bando* included the *casas* or 'houses' of Fernán Sánchez de Tovar, Gonzalo Díaz, Alonso Díaz, Castellanos, and Mudarra, and the Reoyo *bando* similarly included five *casas*. Each *bando*, therefore, was made up of five 'houses' or lineages, and it was from the total of these ten 'houses' that the urban officials of the Valladolid oligarchy were chosen.¹¹ But the surviving ordinances of the various 'houses', drawn up between 1420 and 1510, show that access to the lineages was not confined to kin, and that unrelated knights, lawyers, and other men of substance were admitted, provided that they were regarded as persons fitting and apt to serve in the offices which were allocated to the 'house', made due application to be admitted, and had their application approved by all the members of the 'house' at the yearly meeting held on 1 January in the

⁷ In particular A. Rucquoi, 'Noblesse urbaine en Castille (XIII^e-XV^e siècles)', in *106^e Congrès national des sociétés savantes. Perpignan, 1981* (Paris: Editions du C.T.H.S., 1984), 35-47; A. Rucquoi, *Valladolid en la Edad Media* (2 vols., Valladolid: Junta de Castilla y León, 1987).

⁸ *Crónica de Alvaro de Luna*, 447-8.

⁹ Round, *The Greatest Man Uncrowned*, 67-73.

¹⁰ Rucquoi, 'Noblesse urbaine', 45.

¹¹ *ibid.*, 41-2.

chapel of the 'house'. The *bandos* and their related lineages and 'houses', therefore, were 'open', and in the fifteenth century they included notaries, merchants, cloth-shearers, and even barbers.¹²

Each *bando* controlled half the urban offices, and as these fell vacant each *bando* would distribute them in turn to each of its five 'houses', and within each 'house' the person chosen would be the most senior individual available, seniority being defined by age in the case of the sons of the members of the 'house', or by their date of entry into the house in the case of 'outsiders', these latter therefore having to wait longer and undergo a process of 'formation' within the house before gaining access to office. For the *bandos* this complicated system had definite advantages. For not only did each *bando* and each 'house' have its share of the offices, but the open nature of the *bandos* allowed for the access of those relatively wealthy and possibly dangerous outsiders who might otherwise have disputed the basis of the power structure in the town. Men like Alvaro de Herrera and Alfonso Pérez de Vivero may have been Luna's henchmen, but within Valladolid their families had to operate within this established system.¹³ Valladolid was not unique in this respect, and even kings were prepared to institutionalize the 'distributive control' of urban government and administration by the leading *bandos* and lineages, as happened in Salamanca in 1390 and in Bilbao in 1544.¹⁴

But even in those royal towns where such an elaborate and orderly distribution of offices did not exist, we can recognize analogous features. In almost all cases Castilian royal towns only had two rival *bandos* and, despite the appearance of conflict, they were very quick to unite if a 'third force' challenged their supremacy or monopoly: if power oscillated between the two *bandos*, it was not allowed to slip out of the confines of the area of conflict which existed and which was to some extent artificially maintained. In Seville in 1465, for example, the *bandos* of the Guzmán and the Ponce de León, bitter rivals as the chroniclers never cease to inform us, united to counter the threat posed by the faction of the Saavedra and Pedro Girón, and they were equally quick to unite against a dangerous popular movement which threatened their power in 1521.¹⁵ Moreover, it is possible to detect that conflict between *bandos* often consisted of a ritualized aggression which frequently did not reach the point of actual fighting or bloodshed, and that obeyed certain inherent rules.¹⁶ In many cases, for example, the

¹² *ibid.*, 45; Rucquoi, *Valladolid en la Edad Media*, ii. 193–4.

¹³ Rucquoi, 'Noblesse urbaine', 45–7.

¹⁴ A. MacKay, 'Ciudad y campo en la Europa medieval', *Studia Historica*, ii (1984), 49.

¹⁵ M.A. Ladero Quesada, *Andalucía en el siglo XV: Estudios de historia política* (Madrid: C.S.I.C., 1973), 118–19; J. Pérez, *La revolución de las Comunidades en Castilla (1520–1521)* (3rd ed., Madrid: Siglo Veintiuno, 1979), 396.

¹⁶ Capable of violent outrages against others, rival *bandos* were on the contrary wary of each other and loath to enter into full conflict. It is almost as if they had heard the famous words addressed by Cosimo de Medici to a political rival: Vespasiano da Bisticci, *Vite di uomini illustri del secolo XV*, ed. P. D'Ancona and E. Aeschlimann (Milan: Ulrico Hoepli, 1951), 420.

potential conflict would lead to the confrontation of veritable armies but, as happened in Seville in 1468, last-minute negotiations would prevent battle taking place.¹⁷ All this might suggest that this ritualized aggression, played out within the context of certain inherent rules, was pointless; but this in fact was not the case because *bandos* actually won or lost in such conflicts. Even if people were not actually killed, key points of a town could be invested – particularly *alcázares*, tower-houses, church towers, and town gates – and during the course of events it would become obvious that, if pitched fighting did take place, one *bando* was in a much better position to win.

Fortunately a detailed enquiry into one episode of urban conflict has survived, the uprising in the town of Alcaraz in 1458, and its evidence reveals just how ordered and sophisticated the rules of urban violence were. On 10 January 1458 the rebels, made up of members of several of the town's lineages, seized control of the key towers and *casas fuertes* (fortified houses) of Alcaraz. But with both sides entrenched in their various positions inside the town, the only way forward was for one side or another to negotiate additional support from other uncommitted families. This the rebels could not achieve, and the uprising was a failure. But what is of interest is the ordered way in which negotiations for additional support had actually taken place during the course of the night, with 'diplomats' shuttling back and forth across the town, and even an *escribano* or notary being called in to the rebel headquarters at one point in order to produce a written testimony for one of the rebels' potential allies who wanted his reasons for withdrawing his support to be publicly recorded. In fact, it would almost seem as if during the night of 10 January the various undecided lineages and families of the town indulged in a form of voting procedure, and that after they had cast their votes (against supporting the rebels), the uprising was finished. King Henry IV, convinced of the seriousness of the uprising, ordered the enquiry, but this was not because of the bloodshed involved but because the Crown had stood to lose control of the town if the rebels had succeeded. During the uprising not one person was killed and no one was injured, although one man who emerged from a fracas was described as being 'dishevelled'.¹⁸

Why then were contemporaries so convinced that civil strife was endemic in late medieval Castilian towns? In the first place the very structures of the lineages and *bandos* provided the occasions for frequent and sustained violence. An insult proffered to one member of a lineage, however trifling, was an insult offered to all the other

¹⁷ *Los anales de Garci Sánchez*, ed. Juan de Mata Carriazo (Seville: Escuela de Estudios Hispano-Americanos, 1953), 60–1.

¹⁸ See A. MacKay, *Anatomía de una revuelta urbana: Alcaraz en 1458* (Albacete: Instituto de Estudios Albacetenses, 1985); A. MacKay, 'A Typical Example of Late Medieval Castilian Anarchy? The Affray of 1458 in Alcaraz', in *Medieval and Renaissance Studies in Honour of Robert Brian Tate*, ed. I. Michael and R.A. Cardwell (Oxford: Dolphin Book Co., 1986), 81–93.

members of the lineage. Men armed themselves and took to the streets. On 11 August 1465, for example, the chronicler Garci Sánchez tells us that in Seville two men of the Saavedra lineage quarrelled with some men of the Ponce de León faction, and within a short space of time several thousand armed men of the latter faction attacked the Saavedra house and sacked it completely, while Fernando Arias de Saavedra had to flee across the rooftops.¹⁹ Secondly, it was only natural that the rival *bandos* of each town took opposing sides in the questions that bedevilled the kingdom in general: if one bando supported Alvaro de Luna, the other would oppose him; if one *bando* supported King Henry IV during the civil war, the other would support his rival, 'King' Alfonso. Hence the interlocking of urban political rivalries with those of the kingdom which led to such widespread and sustained campaigns and sieges, with the conflict, violence, and battles in such cases being in earnest.²⁰

While the affinities of the *bandos* and lineages were all-pervasive, Castilian townsmen were nevertheless aware of alternative ways in which urban political life could be organized. Particularly intriguing is the fact that in a few instances Italian ideals about civic government had some influence. In a conspiracy in 1433, for example, the count of Luna attempted to convert Seville 'en comuna al modo italiano'.²¹ Thirty years later the archbishop of Seville, Fonseca 'the younger', attempted to free Seville and make it a republican city state, 'to convert the city into a *comunidad* and, by taking the galleys in the shipyards, to wage war at sea, and to organize the city's defences on land, so that from then on they would not be subject to the king or recognize any other lord'.²² Subsequently, the professed aim of the rebellion in Málaga in 1516 was to constitute the town into a *comunidad* modelled on Genoa.²³ How significant were these movements? Few details are available for the conspiracy of 1433 or the rebellion in Málaga in 1516, but the circumstantial evidence relating to Archbishop Fonseca's republican conspiracy of 1463 is impressive. Alfonso de Palencia, who lived in Seville, was, as Brian Tate has persuasively argued, a civic humanist who was inspired by the defence of the liberties of the commune or *civitas* against injustice from above, was an admirer of both Fonseca and the city of Florence, where he had lived for some time, wrote a *De Laudibus Hispalis* in the civic humanist mode, was friendly with republican Florentines like Donato Acciaiuoli, and in 1463 itself was

¹⁹ *Los anales de Garci Sánchez*, 53–4.

²⁰ This was particularly the case during the reign of Henry IV. The interlocking of conflicts is well illustrated by Pedro de Escavias, *Hechos del condestable don Miguel Lucas de Iranzo*, ed. Juan de Mata Carriazo (Madrid: Espasa Calpe, 1940).

²¹ Ladero Quesada, *Andalucía en el siglo XV*, 102.

²² Diego Enríquez del Castillo, *Crónica del rey don Enrique el Cuarto*, ed. Cayetano Rosell (Madrid: Biblioteca de Autores Españoles, lxx, 1940), 131.

²³ F. Bejarano Robles, 'El Almirantazgo de Granada y la rebelión de Málaga en 1516', *Hispania*, xv (1955), 73–109; J.E. López de Coca, 'Algunos aspectos de la amenaza señorial sobre Málaga (1509–1516)', in *Miscelánea de estudios dedicados al profesor Antonio Marín Ocete* (Granada: Universidad de Granada, 1974), 439–52.

corresponding with Vespasiano da Bisticci about, among other things, books and translations of books which Fonseca himself had requested from the Florentine bookseller. It may well have been the case, therefore, that the aim of the conspiracy was to convert Seville into a 'Florentine' republic.²⁴

Nevertheless, there was another and more important tradition of political organization in the towns of Castile which was based on the concept of the urban *comunidad*, and which in fact was also at the heart of the 'Italian' conspiracies already mentioned. Theoretically, the *comunidad* of a town may be best envisaged as a sworn association of all its *vecinos* or heads of households. In practice such an association was not always in existence but only functioned in times of crisis, and of course, depending on the circumstances, it might not include all the *vecinos*. Unlike the conflicts between *bandos*, episodes of urban unrest involving the *comunidad* of a town could be extremely violent, and as a result contemporaries regarded them as being 'senseless furies', the work of 'a blind and furious mob', or of 'the blind passion of the common people'. But in fact, although violent, such episodes tended to be 'legal' in nature, and far from being a disorganized rabble, a *comunidad* was usually well-structured and tended to follow certain traditional norms or rituals of behaviour.²⁵ In what circumstances did urban *comunidades* operate? Since all or most of the *vecinos* were in theory involved, a *comunidad* would come into existence when grave abuses were perceived to exist or when royal and urban authorities were failing in their duties. In such circumstances the *comunidad* perceived its violence as being entirely justified, acted as it felt the authorities should have been doing, and indeed often made a point of focusing its activities openly and 'lawfully' on the main square of the town, while at the same time trying to ensure that its actions were seen as being collective and involving all its members.

The actions of the *comunidad* of Vélez-Málaga in 1507 constitute a good example of a non-violent, legal, and justified endeavour to cope with a crisis which the authorities had literally run away from.²⁶ Beset by plague, starvation, and attacks by North African Moors who had beached their ships on the nearby shoreline, the plight of the *vecinos* was further heightened by the fact that all the *regidores*, notaries, judges

²⁴ See in particular R.B. Tate, 'The Civic Humanism of Alfonso de Palencia', *Nottingham Renaissance and Modern Studies*, xxiii (1979), 25–44; Alfonso de Palencia, *Epistolae latinas*, ed. R.B. Tate and R. Alemany Ferrer (Barcelona: Universidad Autónoma de Barcelona, 1984), 71–4.

²⁵ A. MacKay and G. McKendrick, 'La semiología y los ritos de violencia: Sociedad y poder en la Corona de Castilla', *En la España medieval*, xi (1988), 153–65.

²⁶ What follows is based on unfoliated documentation in the Archivo General de Simancas, sección Cámara de Castilla: Pueblos, legajo 22. The documents, with a brief indication of their contents, are as follows: the formal *requerimiento* made by Arias Maldonado in Almayate on 5 July 1507, 2 folios; the election of *alcaldes* on 9 July, 2 folios; the evidence of witnesses about conditions in Vélez-Málaga, 17 July, 2 folios; the list of *vecinos* remaining in the town, 29 July, 3 folios; the undated letter to the queen, 1 folio. I am very grateful to Professor López de Coca for providing me with photocopies of these documents.

and leading men had deserted the town leaving only one *regidor*, Arias Maldonado, to cope with the crisis. Law and order had simply collapsed. On 5 July Arias Maldonado tracked down the *corregidor*'s lieutenant to Almayate and before a public notary and witness formally required him to return to Vélez-Málaga to perform his duties. However, four days later when matters had if anything worsened, twenty-three substantial townsmen of Vélez-Málaga met in the houses of the *cabildo* and, in the name of all the *vecinos* of the town, Pedro Vara referred to all the damage which had been inflicted on *la república e comunidad de Vélez-Málaga*, and demanded that Arias Maldonado, the only official left, should agree to proceed to the election of judges (*alcaldes*). Elections were duly held, two *alcaldes* were appointed, and shortly after two other *vecinos* were nominated as *alguaciles* or constables. All four *vecinos* were given the staffs of office which were traditionally associated with their positions of authority. A semblance of law and order had returned, and it was now possible for the *comunidad* to organize the defence of the town and its government. However, although they felt fully justified in their actions, the *vecinos* must have been aware that from the Crown's point of view they could be accused of usurping royal authority. Accordingly they drew up legal depositions in which witnesses testified to the desperate conditions which had led the *comunidad* to act in this manner and, in order to prove who had abandoned the town, they then drew up a list of all the *vecinos* who had remained. Finally they wrote an undated letter to the queen justifying their actions. The most interesting feature of this moving document is the fact that almost one hundred *vecinos* signed it. It seems that everyone wanted to sign, even a certain Pedro de Godoy, who asked another *vecino* to sign on his behalf because he was illiterate. The *comunidad*, after all, was a sworn association of the *vecinos*: everyone had to participate because responsibility for the actions taken was collective.

On the night of 22 September 1476 the people of Fuenteovejuna, led by their *alcaldes* and *regidores*, rose up as a *comunidad* and assassinated the 'tyrannous' *comendador mayor* of the Order of Calatrava who dominated the town, Fernán Gómez de Guzmán.²⁷ There were sound reasons legitimizing the uprising. In the first place, the rebels were acting in accordance with the terms of a solemn *pacto* or *contracto*, established with royal agreement in the *cortes* of 1442 and subsequently ratified to the Cordoban authorities by both Henry IV and Isabella the Catholic, which justified armed resistance when towns belonging to the

²⁷ On the uprising in Fuenteovejuna in general, see E. Cabrera, 'La sublevación de Fuenteovejuna de 1476: Revisión del problema', in E. Cabrera *et al.*, *Andalucía medieval: Nuevos estudios* (Córdoba: Publicaciones del Monte de Piedad y Caja de Ahorros de Córdoba, 1979), 147–74; A. MacKay and G. McKendrick, 'The Crowd in Theater and the Crowd in History: Fuenteovejuna', *Renaissance Drama*, New Series, xvii (1986), 125–47; R. Ramírez de Arellano, 'Rebelión de Fuente Obejuna contra el comendador mayor de Calatrava Fernán Gómez de Guzmán', *Boletín de la Real Academia de la Historia*, xxxix (1901), 446–512.

jurisdiction of royal cities were alienated to a third party: Fuenteovejuna had belonged to the jurisdiction of the city of Córdoba.²⁸ But, secondly, it was also alleged that Fernán Gómez had maltreated the *vecinos* of the town, even to the extent of taking their daughters and wives by force.²⁹ Whatever the reasons, however, what is of interest here is the organization and actions of the *comunidad*. Everyone in one way or another participated in the assassination, including the women and children. Indeed the women, imitating the men, had organized themselves into a captaincy (*capitanía*) with their own *capitana*, *alferez* (lieutenant), and flag, and the children, imitating their mothers, did the same.³⁰ In doing so, the people of Fuenteovejuna had followed the traditional forms of organization of a *comunidad*. In the already cited 'Italian' conspiracies in Seville in 1433 and 1463, for example, the uprisings were led by *capitanes de la comunidad*, and in the rebellion in Málaga in 1516 the *comunidad* had two *capitanías* with their own flags and drums.³¹

How then did everybody participate in the assassination? The rebels stormed the house of the *comendador mayor* and, after savage fighting, they finally reached Fernán Gómez and wounded him mortally. But before he actually died, they threw him out of a window down into the street where those men who had not been able to enter the house were waiting with upturned lances and swords to catch the body as it fell. Then, just as the men in the street ripped out his beard and hair, and smashed his teeth, the *capitanías* of women and children turned up to celebrate the assassination, and *all* joined in when the *comendador's* body was taken to the main square and torn to pieces. Subsequently, the *comunidad* re-allocated the staffs of office and reincorporated itself into the jurisdiction of Córdoba.³² Like the letter written by the *vecinos* of Vélez-Málaga, therefore, the assassination of Fernán Gómez carried the 'signatures' of everyone. And when a royal judge was sent to Fuenteovejuna to identify the culprits, he received the same and invariable reply to his questions from witnesses. 'Who killed the *comendador mayor*?', he would ask. 'Fuenteovejuna', would be the reply. 'Who is Fuenteovejuna?', he asked. 'All the *vecinos* of this town', was the standard reply.³³

Lope de Vega was subsequently to use the evidence relating to the uprising in Fuenteovejuna to write a play in which 'the people' are

²⁸ MacKay and McKendrick, 'The Crowd in Theater and in History', 130-1.

²⁹ Francisco de Rades y Andrada, *Crónica de las tres órdenes de Santiago, Calatrava y Alcántara*, ed. D. Lomax (Barcelona: Ediciones El Albir, 1980), 80r.

³⁰ *ibid.*, 79r.

³¹ *Crónica del rey don Juan Segundo*, ed. Cayetano Rosell (Madrid: Biblioteca de Autores Españoles, lxxviii, 1940), 515; Enriquez del Castillo, *Crónica de Enrique Cuarto*, 131; Bejarano Robles, 'El Almirantazgo de Granada', 92. The same features of organization can be detected among the *comunidades* in 1520 as well.

³² Rades, *Crónica de las tres órdenes*, 79v-80r.

³³ *ibid.*, 80r.

portrayed in a heroic manner, perhaps justifiably so. But in other cases we find the *comunidad* using the same organization and methods in more contentious and less heroic episodes. On Sunday, 19 July 1467 in Toledo, for example, 'war' broke out between the *comunidad* of Old Christians and the *comunidad* of *conversos*. Although the killings and damage to property were extensive, the fate of only two New Christians, the de la Torre brothers, who were members of the urban oligarchy, will be considered here.³⁴ On the night of 22 July Fernando de la Torre was caught just as he was attempting to flee the town, and his Old Christian captors hanged him from a church tower; the next day they hanged his brother as well. Then they cut down both the bodies and, loading them on two donkeys, took them to the main square of the town to the accompaniment of the following proclamation: 'This is the justice decreed by the *comunidad* of Toledo for these traitors and captains of the heretical *conversos*. Since they attacked the Church, they are to be hanged head downwards by the feet. Whoever does this will pay the same penalty.' Thus, accused of being traitors in as much as they had attacked the Church, these *capitanes* of the *conversos* were duly hanged head downwards by the feet in the main square. But the violence had by no means finished, because the 'participatory' mutilation of the naked corpses continued for the next four days. All those who passed by the body of Fernando de la Torre, for example, either dealt it blows or stabbed it – to such an extent that his right arm, which had a note of his misdeeds attached to its hand, as well as part of his body, ended up trailing on the ground.³⁵ Here again, therefore, was a case where the *comunidad* administered its form of justice, including a proclamation which was virtually indistinguishable from official and legal proclamations ordered by royal and urban authorities, and in which everybody participated in one way or another in the main public square.

The violence was sickening, but by no means exceptional. In the anti-*converso* uprising of Toledo of 1449, for instance, the *capitán* of the *conversos*, the rich tax-farmer Juan de Ciudad, was killed and then taken to the main square and hanged upside down.³⁶ Similarly, during the revolt of the *Comunidades* of 1520, the same gruesome scenes were re-enacted. In Segovia, for example, the *comunidad* got hold of its representative at the recent *cortes*, the oligarch Rodrigo de Tordesillas, dragged him through the streets, hitting him with the pommels of their swords, until they reached the gallows and there hanged him by the feet head downwards. In Burgos Garci Jofre died in jail from his injuries; nevertheless they continued to stab him, dragged his body through the

³⁴ For what follows see the contemporary account by the Toledan canon, Pedro de Mesa, in *Memorias de don Enrique IV de Castilla* (Madrid: Real Academia de la Historia, 1913), 545–51, and E. Benito Ruano, *Toledo en el siglo XV* (Madrid: C.S.I.C., 1961), 93–102.

³⁵ Benito Ruano, *Toledo en el siglo XV*, 98.

³⁶ *Crónica de don Alvaro de Luna*, 244.

streets, and hanged him upside down by the feet.³⁷ Was this senseless violence? In fact, upside-down hanging was a specific sign that the victim had been guilty of particularly heinous and unnatural crimes that threatened to turn the world upside down. In the Toledan cases the alleged crypto-judaism, which threatened the very fabric of Christianity, was also described as treason. Those who were hanged upside down by the *comunidades* in 1520 were similarly accused of treachery.

Nor was this 'sign' the product of the mindless fury of the mob. It was a traditional and widespread sign used by those in authority as well as by the mobs, the latter in this case once again aping the magistrate. In an illustrated manuscript produced in mid-twelfth-century Palermo, a miniature shows Kalokyros Delphinas, the treacherous Byzantine general who deserted to the Bulgars, being hanged upside down in the presence of the Emperor Basil II and his brother Constantine.³⁸ In Florence not only did the famous *pitture infamanti*, publicly displayed on the walls of the Bargello, depict traitors hanging by their feet and head downwards,³⁹ but during the uprising against the Duke of Athens in 1343 Arrigo Fei, attempting to escape, was, like Fernando de la Torre, killed, and then dragged naked through the streets only to end up hanging upside down by the feet in the *piazza de' Priori*.⁴⁰ The ringleaders of the Pazzi conspiracy were likewise depicted by Botticelli hanging upside down, and Lorenzo himself wrote their treacherous enormities under their painted figures.⁴¹ Of French cases one could cite the legal example of the Parisian judges who informed a certain Solomon of Barcelona, condemned in 1391, that, being a Jew, he would be hanged upside down (he converted and was hanged normally),⁴² or the famous example of the fate of Admiral Coligny during the St Bartholomew's day massacre of 1572. In the latter case, which has the added twist that, according to the traditional account, St Bartholomew was flayed alive and then crucified with his head downwards: 'The admiral's body was given over to the crazed populace, who dragged it through all the city, and cut off its hands and its penis. And when they had had enough they sent him to be hanged by the feet at the public

³⁷ Prudencio de Sandoval, *Historia de la vida y hechos del emperador Carlos V* (Madrid: Biblioteca de Autores Españoles, lxxx, 1955), 221–2, 236. For a similar case in Medina del Campo, see *Discurso de la comunidad de Sevilla año 1520, q' escribió un clérigo apasionado de la casa de Niebla*, ed. A. Benítez de Lugo (Seville: Sociedad de bibliófilos andaluces, 1881), 55.

³⁸ Vera von Falkenhausen, *I Bizantini in Italia* (Milan: Libri Scheiwiller, 1982), 102, illustration 26.

³⁹ See the numerous examples in S.Y. Edgerton, *Pictures and Punishment: Art and Criminal Prosecution during the Florentine Renaissance* (Ithaca/London: Cornell University Press, 1985).

⁴⁰ Giovanni Villani, *Istorie Fiorentine* (8 vols., Milan: Dalla Società Tipografica de' Classici Italiani, 1803), viii, 51.

⁴¹ H. Acton, *The Pazzi Conspiracy: The Plot against the Medici* (London: Thames and Hudson, 1979), 76–7.

⁴² G.W. Coopland, 'Crime and Punishment in Paris: September 6 1389 to May 18 1390', in *Medieval and Middle Eastern Studies in honor of Aziz Atiya*, ed. S.A. Hanna (Leiden: Brill, 1972), 78–9.

gibbet at Montfaucon, where they still had his effigy hanging up'.⁴³

The violence inflicted by the Castilian *comunidades* on their unfortunate victims, therefore, was by no means exceptional, if only because throughout western Europe there seems to have been a common understanding of the semiology of this particular rite of violence.⁴⁴ Or was it perhaps a pattern that was due to diffusion? The English certainly thought so, and, in a volume of essays dedicated to the memory of Kenneth Hyde, it is entirely appropriate to turn now both to Padua and to Dante. John Tiptoft, Earl of Worcester and aristocratic dabbler in humanism, had studied in Padua, where law was the principal subject, and became one of Vespasiano da Bisticci's customers. But he was also Lord Constable of England and famed for the savage justice he meted out, a justice which earned him the title of 'the butcher of England'.⁴⁵ In fact, he was accused of having introduced 'the law of Padua' into England and, according to Vespasiano da Bisticci, it was precisely because of this that he was in the end condemned to death:

Such is the nature of the people that, when he [Tiptoft] had arrived in London, they all shouted that he should die. And the main reason for his death was that he had introduced certain laws, which he had brought from Italy, against the wishes of the people, and because of this he was condemned to death. On the way to his execution the people, who for the most part tend to support the winning side, rejoiced greatly, partly because of their nature, as I have already said, but also because he had introduced a law against the people, which he had brought from Italy and which was called the law of Padua. For this reason, as he passed by, they all shouted that he should die because he had introduced the law of Padua, the city where he had been to study.⁴⁶

Vespasiano was well-informed. When the Earl of Oxford, his son Aubrey de Vere, and Sir Thomas Tuddenham were tried by Tiptoft for high treason, the chronicler Warkworth affirmed that they were 'judged by lawe padowe' and executed; and when twenty supporters of the treasonable activities of Warwick and Clarence were captured in Southampton in 1470:

. the Kynge Edwarde came to Southamptone, and commawndede the Erle of Worcetere to sitt and juge suche menne as were taken in the schyppes, and so XX.

⁴³ J. Tedeschi, 'Tomasso Sassetti's Account of the St Bartholomew's Day Massacre'; in *The Massacre of St Bartholomew: Reappraisals and Documents*, ed. A. Soman (The Hague: Martinus Nijhoff, 1974), 139. See also François Hotman. *La vie de Messire Gaspar de Colligny Admiral de France*, ed. E.-V. Telle (Geneva: Droz, 1987), 129–30.

⁴⁴ An understanding no doubt facilitated by the analogous chivalrous practice of exhibiting a knight's arms reversed if he had committed treason to his knighthood: M.H. Keen, *The Laws of War in the Late Middle Ages* (London: Routledge and Kegan Paul, 1965), 54–5, 173. In fact by a process of analogical contamination the reversal of arms and hanging upside down were equated: Joanot Martorell and Martí Joan de Galba, *Tirant lo Blanc*, ed. and trans. D.H. Rosenthal (London: Macmillan, 1984), 107; K.M. Brown, *Bloodfeud in Scotland, 1573–1625: Violence, Justice and Politics in an Early Modern Society* (Edinburgh: John Donald, 1986), 29.

⁴⁵ See R.J. Mitchell, *John Tiptoft (1427–1470)* (London: Longmans, Green, 1938), 126–35.

⁴⁶ Vespasiano da Bisticci, *Vite*, 227.

persones of gentylmen and yomenne were hangede, drawne, and quartered, and hedede; and after that thei hanged uppe by the leggis, and a stake made scharpe at bothe endes, whereof one ende was putt in att bottokys, and the other ende ther heddes were putt uppe one; for the whiche the peple of the londe were gretely displesyd; and evere afterwarde the Erle of Worcestre was gretely behatede emong the peple, for ther dysordinate dethe that he used, contrarye to the lawe of the londe.⁴⁷

But apart from crypto-judaism and treason, both perceived as challenging the very fabric of Church and State, were there other equally heinous crimes which deserved a similar upside-down punishment? Perhaps Tiptoft had seen Giotto's *Giudizio universale* in the Arena chapel in Padua where in a Dantesque *inferno* two bodies hang upside down from ropes attached to their sexual organs, presumably for some heinous sexual sin. Certainly, in another context, hanging upside down could be envisaged as a suitable punishment for sodomy.⁴⁸ And Dante for his part also applied 'the law of Padua' to simoniacal popes who, like Pope Nicholas III, were buried upside down in the *Inferno* because, like hired assassins, they had threatened to turn the Church upside down.⁴⁹ When, therefore, the urban *comunidades* in Castile hanged their victims up by their feet in the main squares of towns in 1449, 1467, and 1520, their actions had not been prompted by random savagery or blind fury. Although gruesome in its manifestations, the application of 'the law of Padua', whether by the authorities or by the mob, was not senseless and had its own logic.

⁴⁷ John Warkworth, *A Chronicle of the First Thirteen Years of the Reign of King Edward the Fourth*, ed. J.O. Halliwell (London: Camden Society, 1839), 5, 9.

⁴⁸ See J. Boswell, *Christianity, Social Tolerance and Homosexuality* (Chicago/London: Chicago University Press, 1980), 288.

⁴⁹ Dante, *Inferno*, canto xix, lines 22–54.

