

Common Souls, Autonomous Bodies: the Language of Unification Under the Catholic Monarchy 1590-1630

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BIBLID [ISBN: 978-84-8419-190-2 (2009); 73-81]

Bere memorandum bikainean Espainiako Erresumen etorkizuneko batasunari buruz Olivaresek bere subiranoari transmititu zizkion ideiak Espainia modernoan politika zentralizatzeko lehen saiakera gisa hartu dira askotan. Azalpenak testuinguruan kokatzeko moduak eta erregearen kuttunak erabilitako hizkera berreskuratzeak, agerian uzten dute zentralizatzeko ideia orotik urrun dauden askotariko batasun modu sofistikatuak daudela.

Giltza-Hitzak: Pentsamendu politikoa. Espainia moderna. Olivares konde-dukea. Espainiako monarkiaren batasuna.

Las ideas que Olivares transmitiría a su soberano en su espléndido memorándum sobre la futura unión de los Reinos de España se ha interpretado a menudo como un primer intento de centralización política en la España moderna. La contextualización de sus argumentos y la recuperación del lenguaje utilizado por el favorito del rey revelan la existencia de toda una gama de formas de unión tan sofisticadas y variadas como alejadas de cualquier idea de centralización.

Palabras Clave: Pensamiento político. España moderna. Conde-duque de Olivares. Unión de la monarquía española.

Les idées transmises par Olivares à son souverain, dans son magnifique mémorandum sur la future union des Royaumes d'Espagne, ont été souvent interprétées comme une première tentative de centralisation politique dans l'Espagne moderne. La contextualisation des arguments et la récupération du langage utilisé par le favori du Roi dévoilent l'existence de toute une gamme de formes d'union sophistiquées et diverses et à la fois éloignées de toute centralisation.

Mots Clé : Pensée politique. Espagne moderne. Comte-Duc de Olivares. Union de la monarchie espagnole.

In the closing days of 1624 the Count-Duke Olivares urged the young King Felipe IV to regard “making himself king of Spain” as “the most important task of his monarchy”. He was undoubtedly aware of the novel nature of his proposal and the storm it might raise. It is of course true that the fears that it may have aroused would be difficult to identify in the critical assessment that radical nationalist historians would give his proposal two hundred and fifty years later. Olivares could not have imagined to what degree his proposal was destined to become the principal argument used to explain the subsequent vicissitudes of the history of Spain, supposedly dominated by an agonising tension between centralism and autonomy. Olivares’ proposal, unbeknown to him, had become the origin of the *Spanish problem*. As early as 1963, John Elliott drew attention to the inconsistencies of such an interpretation in the first edition of *The revolt of the Catalans*; it was the result of deep-rooted bias that blithely ignored the textual evidence so as to simply *not read* what the texts themselves were saying. In other words the *Gran Memorial* actually represents an initial attempt to turn the kingdoms of Spain into a single political community although the design that it suggests does not sit easily with the nationalizing concepts of the nineteenth century. Rather than anticipating a new order, Olivares made use of the available languages of unification; these languages were derived from the traditional political culture of the times and were therefore hardly suited to promoting a project that involved the centralization of power. The king’s favourite maximized the possibilities that some of these languages offered him without perverting them so much that their contents became unrecognizable. Working from this supposition, what I propose to do in this workshop is to make some observations about the unusual nature of this project based on a contextual interpretation of the text and attempt to identify the individual languages of unification that Olivares may have been able to make use of.

When we put things into perspective, *becoming king of Spain* could not really be regarded as a completely new proposal. What Fernando del Pulgar recounts in his chronicles is common knowledge: in 1479 the Council of Castile had debated the possibility of Fernando of Aragón and Isabel of Castile calling themselves “King and Queen of Spain”. The councillors did not consider this course of action advisable despite the fact that the monarchs “ruled the major part of the country”. In their recommendations, the councillors defined *Spain* as a mere collection of territories; becoming king and queen of the whole country was a matter of time, of waiting until sooner or later some sovereign or other was able to unite all “the bits and pieces of it”, as Antonio de Nebrija advised Queen Isabel in the dedication of his well known *Gramática*. Olivares took up this idea but put a different spin on it. He maintained that *becoming king of Spain* involved the idea of a *union*. Such a union, however, would be rather different from the ones had occurred between kingdoms within the Spanish monarchy. The problem had arisen shortly before in the *British Isles* and remained unresolved. Like James I in 1603, Felipe IV aspired to unite his kingdoms in a *single flock* under one law, thus sharing the spirit of the speech delivered by the King of England, Scotland and Ireland in the English Parliament in 1607: “make one body of both Kingdomes under mee your King”. However it was this very *make*

one body that took the whole idea of a union to its limits, beyond what the traditional concept of union seemed to imply. No longer was it a question of how one kingdom could unite with another based on the principles of a *main* or *incidental union*: the question was how to restructure the relationships between a group of kingdoms that were already united under a series of agreements.

As we have already mentioned, Olivares was aware of the novel nature of the situation, but he was even more aware of the prior loyalty he owed to the logic of aggregation that shaped the very concept of monarchy sustained by the culture of European *ius commune*. This was a determining factor that could never be lost sight of. Whilst Olivares told the king what he believed was the most important task that lay ahead of him, his comment that the kingdoms of Spain conform “to the style and laws of Castile” should be understood strictly in the context of *things to do with government*, when the continuity of some of these *things* became “uncomfortable for royal authority” or, even worse, jeopardized the ultimate aim of the monarchy, the “expansion of the Catholic Church”. No-one questioned the monarch’s right to intervene in things to do with *government*; he had to *police* it. Things to do with *justice*, on the other hand, were not subject to his unilateral intervention. The dichotomy between *iurisdictio* and *gubernaculum* that runs through the legal and political culture of the *Ancien Régime*, so brilliantly explained by C. H. MacIwain, thus became clear. By virtue of this crucial distinction, Olivares acknowledged that “the historical privileges and individual prerogatives that have nothing to do with the law” could be modified. In fact, the representatives of these kingdoms had been doing just this “in their *Cortes*”, but this procedure was inadmissible where the historical privileges and prerogatives conflicted with “legal issues”: the law, insisted Olivares, “is the same for everyone everywhere and must be respected”. The *iurisdictio* functioned as the backbone for the monarchy’s territorial bodies; each *territory* was regarded as a *spatium armatum iurisdictionis*. The existence and tacit acceptance of this legal terminology formed the framework for assessing the proposal that Castile absorb the monarch’s other political *bodies*. In these *jurisdictional* terms, the independence of each one of these bodies was perfectly defined.

Recognition of this independence did not prevent Olivares from pursuing his proposal for unification; he proceeded to present other possible channels through which this process could take place. And this is exactly what he tries to get across in the text of the *Gran Memorial*. With the same vigour with which he had suggested that the kingdoms conform to the style and laws of Castile, he suggests that “the best thing for the safety, security, duration and expansion of the monarchy” and “the way to unify it” as well is “by mixing together” its subjects. In fact this “*mixing together*” is the second great pillar of Olivares’ proposal. The first step would be to distribute offices and honours more evenly amongst the subjects of each kingdom. Furió y Ceriol, the humanist, had previously suggested this to Felipe II. The implementation of this measure was suggested as a first step towards establishing a relationship of reciprocity; Olivares believed that this was fundamental to dispel the

“mistrust” that had pervaded relationships between these kingdoms up until the present time. He developed this theme further and the texts he produced for the *Unión de Armas* underlined the strategic importance that achieving a balanced relationship between the kingdoms of the monarchy might have. In a document dated December 1625 discovered by John Elliott in the Bodleian Library, the Count-Duke reiterated that it was essential that the kingdoms were “one for all and all for one”. He nevertheless pointed out the restrictions that necessarily define such a relationship: repeating what he had already made clear in the *Gran Memorial*, the *Unión de Armas* did not involve “any changes to laws or government”.

Whilst acknowledging their inviolability he also suggested ways of negotiating these obstacles. Basing his arguments on a so-called universal principle, Olivares claimed “the drive for self-preservation” existed prior to different nations, customs, interests and even religions. It influenced human behaviour and was an “equally natural and appealing” instinct for all. Driven by divine, natural and human law, these aspirations occupied a far more important position than any political concept. And it was precisely because of this remarkable pre-political environment that some “individually distinct” kingdoms, *politically* distinct that is, were able to nevertheless become “one in affection for and obedience to their prince, in their religious zeal” and, in the final analysis, the preservation of “the entire structure of the Monarchy and the common cause of Christianity”. Putting legal and political arguments to one side, Olivares attempted to present a project that “lifted people’s spirits and convinced them of its universal benefits”. These must from the basis of the *Unión*. The *Unión de Armas* relied heavily on a “meeting of spirits”, as claimed in the official text. Leaving the territorial bodies to one side, the union was between *hearts* and not *arms*.

The strategic importance that Olivares placed on bonds of affection constituted the greatest novelty of his proposal. What is more, the idea was entirely deliberate. It had originated in classical culture and had been reworked by patristic writers. The demand for an *ordo amoris* would become a blunt instrument used by the Catholic confessional culture in the sixteenth century against the Machiavellian challenge which was portrayed as a choice of *fear*. The central nature of *amor* became the symbol of a new school of thought that, from cardinal Pole to Bellarmine, Botero and Ribadeneyra, would nurture a reactive and renewed Christian polity. Having been coined in this context, the idea of *pastoral power* constituted one of the key pieces of this new policy. Ever since Saint John’s appeal for “pascere oves meas” (feed my sheep) in his Gospel, pastoral power employed an amorous language exemplified by the individualized care that the shepherd devoted to each one of his sheep (being prepared to die for them if necessary). In 1595 Ribadeneyra claimed that *shepherd* was the most suitable term to describe the *just prince*, in the same way that *to govern* was no more than “to graze”, just as Juan Márquez, an Augustinian, suggested in 1612 in *The Portrait of the Christian Governor (El retrato del Gobernador cristiano)*. As Brother Juan de Santamaría reiterated three years later in his *Treatise on the Republic and the Christian Police (Tratado de República y Policía Cristiana)*, a king was not so much the

one who ruled but rather “the one who ruled like a shepherd”. The monarch was nothing but “a common and public Father of the Republic” whose most important obligation was to treat his vassals “with love”. Santamaría believed that pastoral care even had a certain constitutional element. It was almost compulsory –and politically correct– that those kings who were “lords of many kingdoms and provinces had ministers and advisers that were natives of all these places”. As a “natural citizen” of so many political communities, the monarch, “of his own volition”, had to avoid becoming a “foreigner in any of them”. A monarch’s greatest undertaking was therefore “to oblige all nations to love him”.

The connection between affection and political integration is to be likewise found in other ideas of the time although the language employed might not have been the same. This is what we find in the little known case of Pedro de Valencia, a humanist and a disciple of Arias Montano. In his 1606 *Treatise on the Moriscos in Spain*, Valencia warns the monarch against the expelling, or even worse, exterminating this community. After all, Valencia stressed, the Moriscos were Spaniards as well; they were just as “Spanish as everyone else who lives in Spain”. Their ancestors had conquered a land that, quite correctly, could be considered “their own”. Thus there was a prior condition that could not be ignored. At the same time, the Moriscos, descendents of the “nations” that had previously been the rulers of Spain, now found themselves “without the status or privileges of citizens” so that “they are not considered as such”. In Valencia’s opinion the Moriscos had become “a nation of slaves” within the kingdoms of Spain and constituted a group that was obliged by their very exclusion to engage in a militant defence of their ethnicity. In face of the most rigorous solutions that were being proposed, Valencia opted for a long term strategy of integration largely based on what the Romans (“masters and models of government”) had practised in their day by extending the right of citizenship. It is no coincidence that in that same year of 1606 Doctor Bernardo Alderete had also turned to Rome as an example. In his *Origen y principio de la lengua castellana (Origins and Principles of the Castilian Language)* Alderete recalled the way that Rome had effectively become a *patria communis* after extending the right of citizenship and legally integrated the territorial diversity of the inhabitants of the empire. Thanks to this concession, Valencia reiterated, the “Iberians, the Spaniards, the Tyrrhenians and the Sabines” were finally known as Romans and this was just the example that had to be followed. The idea was to incorporate the Moriscos “in a new organism, a republic formed by its inhabitants”. Nevertheless if integration was to be successful other factors had to be attended to. Superimposed on the Roman concept of civic-mindedness were extremely important Christian teachings, a *Dictatum Christianum*, with its Pauline message of reunification that Valencia had learnt directly from his teacher, Arias Montano. “Love” and “Christian charity” were essential for kindling this “unity” and achieving “harmony”, the ultimate objective being to make everyone feel “united”, with “pleasure and desire” being the only ties. Because of his connections with Montano, Valencia’s language was closer to the proposals of Christian reunification that arose after the peace of Vervins. As is well known, James I played an active role in formulating these proposals.

Going beyond the issue of the Moriscos, Valencia made his recommendations in a more general context and suggested that, with the idea in mind of uniting a population, it was a good idea “to bind” together “all the vassals that his Royal Highness has, and above all the ones in Spain”. He even went as far as to indicate some specific measures that could facilitate this process such as the elimination of the “borders and inland ports between the two kingdoms of Spain”. He believed that it would be better that these borders and inland ports “were eliminated completely and forgotten” just as had been done between the kingdoms of Castile and Leon. Baltasar Álamos de Barrientos, an early Spanish follower of Tacitus, had very recently expressed similar ideas. In his writings Álamos had criticised the detrimental influence that border conflicts had had in the early history of the two kingdoms. These conflicts had been caused by barriers that the decisive action of subsequent monarchs had succeeded in lifting. He believed in “another kind of State... that united the kingdoms”, the kind that finally established “union” and “harmony”. The king’s role in this undertaking was fundamental but the action he took should follow certain guidelines. The chances of “everything becoming one”, of founding “a kingdom of many provinces”, inevitably required the presence of “a king of everyone and everything”, capable of getting “everyone” to support “Your Highness”. To achieve this objective, the monarch, apart from having physical control over his subjects, should imbue “their spirits” with a sense of his majesty: “possess their spirits and sympathy”. In short, the monarch should reign over his subjects’ “hearts”, the real “strengths” that defend and sustain kingdoms.

Faithful to the doctrine of Tacitus that was his inspiration, Álamos proposed the teachings of Roman *prudencia* as a methodology for uniting the disunited kingdoms of the Spanish monarchy. As for the rest, the role that was allotted the monarch was common currency in the political culture of the times although the language and the means proposed to carry out this union were more varied. In *Avisos para un privado* by Pedro de Herrera written shortly after 1609, we find the same concern for achieving a “union of kingdoms”. If this came to pass, the possibility of integrating the ruling groups from each one of the territories was also suggested (in the hope that the vassals “of all the kingdoms” would quickly “intermingle”). Aside from this, Herrera acknowledged that the possibility of creating even “closer” ties should be contemplated to consolidate this union and achieve a “balanced equality” between the kingdoms. The sole aim of these ties could only be to reduce the monarch’s different states “to one uniform jurisdiction and territory which is the greatest strength that can be given to an empire”. Returning in a sense to the issue that the Council of Castile had raised in 1479, Herrera maintained that the incorporation of Portugal now made it possible to consider Spain as being “united into a monarchic dominion”. This enabled its ruler to proclaim himself “King of Spain and even of the Spains, as he owns them all”. The abundant legitimacy conferred on him by this new situation enabled the monarch to avail himself of his superior “royal law” and, in representation of “the greater part” of Spain, to “override the regional law that the lesser part proposed”, that is to say, he could modify the individual law of a territory.

Herrera made the union of kingdoms into an issue of “extreme urgency” but in doctrinal terms the *necessitas* that he invoked by no means enjoyed unanimous support. As the Aragonese legal expert, Pedro Calixto Ramírez, was to explain in his *Analyticus Tractatus de Lege Regia* in 1616, the strength of the subjects’ affection was closely tied to the sovereign’s respect for the laws of the land. The monitoring and regulation of this stream of affection corresponded to the local institutions of *justice*. In cases of extreme *necessity* it would be possible to modify the legal code but the regulations adopted had to be approved by the body constituted by the king and the kingdom. In Aragon the king’s power did not extend beyond the borders of his kingdom. According to the texts, his jurisdiction belonged to a territory, a space in which region and sovereign law overlapped. In the same sense, a monarchy was considered to be the sum of a number of *territories*, of areas, each one possessing its own jurisdiction. In fact, *Hispania* was composed of *magnae regiones*, or *territories* that, as well as Aragon, included Castile, Navarre, Valencia, Catalonia and Portugal. Prior to this, each one of these territories had had its own monarch as well and this conferred a certain contingent character on the continuity of the current dynasty. The conclusion was clear: the territories comprised the very foundations of the monarchy. Compared to the monarchy, the territories represented an implacable reality. And this was not only true of the Kingdom of Aragon: in his *Monarquía de España* concluded at the beginning of the seventeenth century, Salazar de Mendoza, a native of Toledo, associated the history of Castile with that of a “Republic” that had never been “subject to another kingdom”. At one time it had formed a “confederation” with the Kings of Asturias similar to the one “the Swiss cantons” had formed with the King of France and other powerful figures. Nevertheless, “Castile had no commitment to and was completely autonomous from” that union. The political dynamics of the Castilian Kingdom exemplified the same logic of aggregation that had dominated the history of the Kingdom of Aragon and in the final instance was the key to *Monarquía de España*.

Without going into the issue of the autonomy of the territorial bodies, the Benedictine Brother Juan de Salazar finally suggested in 1619 that the principles embodied in *Spanish Politics* compared to those of Machiavelli, Bodin and other “politicians” were preferable. The Benedictine friar stressed the durability of a monarchy that, despite its extensive and dispersed nature, remained strongly united thanks to the bonds created by three forms of union: the union of *bodies* –in this case physical ones– through matrimonial ties, the union of *economies* through travel and trade and, the most decisive one, the union of *ideas* through faith and religion. The strength of the Spanish monarchy lay in these unions. Salazar’s essay did not go into great detail on the role of the body and at the same time emphasized the importance of the other forms of union. Even though the emphasis might vary, bodies and souls constituted the two poles around which any potential project of union would have to revolve. After all, as Bartolomé Clavero was to point out in his day, *bodies* and *souls* constituted the real basis of Hispanic political culture in the modern age.

As strange and remote as it might seem to us, such a structure was regarded as both viable and operative. On return from his visit to Vienna in 1631, someone as conservative as Juan de Palafox published his *Diálogo político del Estado de Alemania y comparación de España con las demás naciones* (*A Political Dialogue of the State of Germany and a Comparison of Spain with the Other Nations*). His principal conclusion was that Spain was “the most fortunate of nations” and this was because it had “one creed, one king and one legal code”. Having established this premise, Palafox nevertheless proceeded to wonder how “the idea of one law” could be reconciled with the different laws “with which the Kingdoms of Castile, Aragon and Portugal are governed”. His solution was a mixture of political naturalism and varying objectives. Each kingdom should retain its own legal code, the one that “arose amongst and evolved with” its inhabitants. This was natural law and literally chaotic; it was “dangerous” to go into it too far. Natural law was strongly identified with an individual community but above and beyond this there was an order of things that functioned “on a universal level”, an order the elements of which were loyalty, obedience and rule by a sovereign. Once this concept was accepted, “political satisfaction” was at hand. The *individual* order of a kingdom could thus co-exist with the *universal* order of a monarchy. Palafox and Olivares were not using such different language after all. Their respective positions nevertheless displayed a curious paradox: seeking the moral high ground, Olivares, the statesman, minimized the importance of the flesh and opted for the superiority of a union of souls; from his loftier position, Palafox, the ecclesiastic, indicated the indispensability of the flesh to guarantee a home, albeit transitory, for the soul.

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